

MASON FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2337

(Reference to the WATER AND ENERGY Committee amendment)

1 Page 1, line 5, strike "2012" insert "2010"; after "SHALL" insert "ELECTRONICALLY"

2 Line 7, after "PERMIT" insert "AND CERTIFICATE OF OCCUPANCY"

3 Line 8, strike "WILL MEET" insert "MEETS"

4 Line 11, strike "2013" insert "2010"

5 Line 12, after "SHALL" insert "ELECTRONICALLY"

6 Line 13, strike "BUILDING PERMITS" insert "CERTIFICATES OF OCCUPANCY"

7 Line 16, strike "PERMITS" insert "CERTIFICATES"

8 Between lines 18 and 19, insert:

9 "C. AS AN ALTERNATIVE TO PROVIDING THE INFORMATION REQUIRED IN  
10 SUBSECTION B, PARAGRAPH 2 OF THIS SECTION, A CITY OR TOWN MAY ELECTRONICALLY  
11 REPORT ONLY THE BUILDING ENERGY CODES OR STANDARDS IN USE FOR THE PRECEDING  
12 CALENDAR YEAR. UPON RECEIPT OF THIS INFORMATION, THE DEPARTMENT OF COMMERCE  
13 ENERGY OFFICE SHALL OBTAIN DATA FROM THE UNITED STATES ENVIRONMENTAL  
14 PROTECTION AGENCY ENERGY STAR PROGRAM AND FROM THE UNITED STATES GREEN  
15 BUILDING COUNCIL REGARDING THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN  
16 GREEN BUILDING RATING STANDARD TO DETERMINE THE NUMBER OF ENERGY EFFICIENT  
17 BUILDINGS CERTIFIED IN THAT YEAR."

18 Reletter to conform

19 Page 2, line 4, strike "2013" insert "2010"; after "SHALL" insert "ELECTRONICALLY"

20 Line 6, after "PERMIT" insert "AND CERTIFICATE OF OCCUPANCY"; strike "WILL MEET"  
21 insert "MEETS"

22 Line 10, strike "2013" insert "2010"

23 Line 11, after "SHALL" insert "ELECTRONICALLY"

24 Line 12, strike "BUILDING PERMITS" insert "CERTIFICATES OF OCCUPANCY"

25 Line 15, strike "PERMITS" insert "CERTIFICATES"

26 Between lines 17 and 18, insert:

27 "C. AS AN ALTERNATIVE TO PROVIDING THE INFORMATION REQUIRED IN  
28 SUBSECTION B, PARAGRAPH 2 OF THIS SECTION, A COUNTY MAY ELECTRONICALLY REPORT  
29 ONLY THE BUILDING ENERGY CODES OR STANDARDS IN USE FOR THE PRECEDING CALENDAR

1 YEAR. UPON RECEIPT OF THIS INFORMATION, THE DEPARTMENT OF COMMERCE ENERGY  
2 OFFICE SHALL OBTAIN DATA FROM THE UNITED STATES ENVIRONMENTAL PROTECTION  
3 AGENCY ENERGY STAR PROGRAM AND FROM THE UNITED STATES GREEN BUILDING COUNCIL  
4 REGARDING THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN GREEN BUILDING  
5 RATING STANDARD TO DETERMINE THE NUMBER OF ENERGY EFFICIENT BUILDINGS  
6 CERTIFIED IN THAT YEAR."

7 Reletter to conform

8 Page 3, line 20, after the first "the" strike remainder of line; strike lines 21  
9 and 22, insert "cost of the contract, the energy and operational cost  
10 savings, the net projected energy savings, the quality of the technical  
11 approach, the quality of the project management plan, the"

12 Line 24, strike ", INCLUDING"; strike line 25; line 26, strike "PROJECTS"

13 Line 27, strike the comma, insert ". THE SCHOOL DISTRICT SHALL CONSIDER THE  
14 EXPERIENCE OF POTENTIAL QUALIFIED PROVIDERS REGARDING THE MAINTENANCE,  
15 OPERATION, MONITORING AND DATA COLLECTION ASSOCIATED WITH PROJECTS OF SIMILAR  
16 SIZE AND SCOPE"

17 Page 4, line 12, after "instruction" insert "AND THE DEPARTMENT OF COMMERCE ENERGY  
18 OFFICE"

19 Page 5, strike lines 28 through 32, insert:

20 "1. FOR THE FIRST THREE YEARS OF SAVINGS, PREPARE A MEASUREMENT AND  
21 VERIFICATION REPORT ON AN ANNUAL BASIS IN ADDITION TO AN ANNUAL  
22 RECONCILIATION OF SAVINGS."

23 Page 6, line 20, after "buildings" insert a period, strike remainder of line;  
24 strike lines 21 and 22

25 Line 23, strike "USE" insert "UTILIZE"

26 Line 27, strike "SPECIFICALLY RELATE" insert "ARE SPECIFICALLY RELATED TO"

27 Between lines 28 and 29, insert:

28 "Q. GUARANTEED ENERGY COST SAVINGS CONTRACTS MAY BE USED TO FINANCE OR  
29 IMPLEMENT ENERGY COSTS SAVINGS MEASURES INSTALLED DURING THE CONSTRUCTION OF  
30 NEW BUILDINGS EXCEPT THAT THE CONTRACTS SHALL NOT BE USED FOR ACTUAL  
31 CONSTRUCTION"

32 Reletter to conform

1 Page 10, line 9, after "dollars" strike remainder of line; strike lines 10 through  
2 13, insert "OR THE PROPERTY IS PROCURED THROUGH AN ENERGY PERFORMANCE  
3 CONTRACT, WHICH AMONG OTHER ITEMS INCLUDES A RENEWABLE ENERGY POWER SERVICE  
4 AGREEMENT, OR A SIMPLIFIED ENERGY PERFORMANCE CONTRACT PURSUANT TO SECTION  
5 15-213.01."

6 Page 20, line 2, strike "AND CHARTER SCHOOL"

7 Line 5, strike "OR CHARTER SCHOOL"

8 Line 6, strike "QUALIFIED PROVIDERS OR"

9 Lines 7, 9 and 10, strike "OR CHARTER SCHOOL"

10 Line 11, after "UNDER" strike remainder of line; strike lines 12 through 16,  
11 insert "A PERFORMANCE CONTRACT ENTERED INTO PURSUANT TO SECTION 15-213 OR  
12 15-213.01."

13 Lines 25 and 28, strike "OR CHARTER SCHOOL"

14 Page 21, strike lines 5 through 9

15 Renumber to conform

16 Line 12, strike "OR CHARTER SCHOOL"

17 Line 14, strike "AND CHARTER SCHOOLS"

18 Line 18, strike the third "THE"; strike lines 19 and 20, insert "REASONABLE  
19 CARRYING CHARGES FOR INVESTOR OWNED UTILITIES WILL BE THE MOST RECENT  
20 AUTHORIZED RATE OF"

21 Between lines 21 and 22, insert:

22 "3. ENERGY PERFORMANCE CONTRACTS AND RENEWABLE ENERGY POWER SERVICE  
23 AGREEMENTS PURSUANT TO SECTION 15-213.01, WHICH MAY INCLUDE SIMPLIFIED ENERGY  
24 PERFORMANCE CONTRACTS."

25 Line 22, strike "AND CHARTER SCHOOLS"

26 Line 30, strike "OR CHARTER SCHOOL"

27 Page 22, lines 1, 6, 11, 12, 15 strike "OR CHARTER SCHOOL"

28 Line 18, strike "OR CHARTER SCHOOL'S"

29 Line 27, strike "OR CHARTER SCHOOL"

30 Page 23, lines 2 and 3, in both places, strike "OR CHARTER SCHOOL"

31 Strike lines 5 through 9

32 Reletter to conform

1 Page 23, line 15, strike "OR CHARTER SCHOOL'S"

2 Line 17, strike "OR CHARTER SCHOOLS"

3 Line 22, strike "QUALIFIED PROVIDERS OR"

4 Lines 23 and 29, strike "OR CHARTER SCHOOLS"

5 Page 24, lines 1 and 2, strike "OR CHARTER SCHOOL"

6 Lines 5 and 6, strike "OR CHARTER SCHOOL"

7 Strike lines 7 and 8, insert:

8 "0. A SCHOOL DISTRICT MAY RETAIN AND TRANSFER UP TO FIFTEEN PER CENT  
9 OF THE ENERGY OR WATER COST SAVINGS FROM AN ENERGY OR WATER SAVINGS PROJECT  
10 TO THE MAINTENANCE AND OPERATION PORTION OF THE SCHOOL DISTRICT'S BUDGET, AND  
11 THE GENERAL BUDGET LIMIT MAY BE INCREASED BY THE AMOUNT TRANSFERRED."

12 Page 29, line 18, after the second comma, strike remainder of line; strike lines 19  
13 and 20, insert "using July"

14 Strike lines 25 through 32

15 Reletter to conform

16 Page 30, lines, 5, 8 and 11, strike "~~subsection~~ SUBSECTIONS C AND D" insert  
17 "subsection C"

18 Line 12, after "agencies" strike remainder of line; line 13, strike  
19 "UNIVERSITIES"

20 Strike lines 19 through 32

21 Page 31, strike lines 1 through 6

22 Page 34, line 12, after "STATE" insert "BASED ON THE DATA REPORTED BY  
23 MUNICIPALITIES AND COUNTIES"

24 Strike lines 17 through 25, insert:

25 "D. IT IS THE POLICY OF THIS STATE TO PROMOTE THE REDUCTION OF ENERGY  
26 USE IN PUBLIC BUILDINGS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, THE  
27 ARIZONA BOARD OF REGENTS AND THE DEPARTMENT OF TRANSPORTATION. IN ORDER TO  
28 ACCOMPLISH THE REDUCTION OF ENERGY USE IN PUBLIC BUILDINGS, THE FOLLOWING  
29 VOLUNTARY STATEWIDE GOALS ARE ESTABLISHED:

30	YEAR	PERCENTAGE BY WHICH ENERGY
31		USE PER SQUARE FOOT OF
32		FLOOR AREA IS REDUCED USING

JULY 1, 2001 THROUGH  
JUNE 30, 2002 AS THE BASELINE YEAR.

2015 20%  
2020 30%

E. THE DEPARTMENT OF COMMERCE ENERGY OFFICE SHALL TRACK THE EFFORTS OF THE STATE AGENCIES LISTED IN SUBSECTION D OF THIS SECTION TO REDUCE ENERGY USAGE.

F. THE DEPARTMENT OF ADMINISTRATION, THE ARIZONA BOARD OF REGENTS AND THE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE INFORMATION TO THE ENERGY OFFICE ON OR BEFORE AUGUST 15 OF EACH YEAR AS PRESCRIBED BY THE ENERGY OFFICE.

G. IT IS THE POLICY OF THIS STATE TO PROMOTE THE USE OF ENERGY PERFORMANCE CONTRACTING, OTHER SIMILAR PROCUREMENT MECHANISMS AND OTHER MECHANISMS IN ORDER TO ACHIEVE THE GOAL OF REDUCING SCHOOL DISTRICT-WIDE AVERAGE ENERGY USE. IN ORDER TO ACCOMPLISH THE REDUCTION OF ENERGY USE IN ALL SCHOOL DISTRICTS, THE FOLLOWING VOLUNTARY STATEWIDE GOALS ARE ESTABLISHED:

YEAR PERCENTAGE BY WHICH ENERGY  
USE PER SQUARE FOOT OF  
FLOOR AREA IS REDUCED USING  
JULY 1, 2001 THROUGH  
JUNE 30, 2002 AS THE BASELINE YEAR.

2012 10%  
2016 15%  
2019 20%

H. THE DEPARTMENT OF COMMERCE ENERGY OFFICE SHALL TRACK THE EFFORTS OF ALL SCHOOL DISTRICTS TO REDUCE ENERGY USAGE.

I. SCHOOL DISTRICTS SHALL PROVIDE INFORMATION TO THE ENERGY OFFICE ON OR BEFORE AUGUST 15 OF EACH YEAR AS PRESCRIBED BY THE ENERGY OFFICE.

J. IT IS THE POLICY OF THIS STATE THAT ON OR BEFORE JULY 1, 2015, THROUGH THE USE OF RENEWABLE ENERGY POWER SERVICE AGREEMENTS OR OTHER MECHANISMS, ALL STATE AGENCIES, UNIVERSITIES AND SCHOOL DISTRICTS SHOULD USE

1 OR PURCHASE AT LEAST TEN PER CENT OF THEIR AGGREGATE ENERGY REQUIREMENTS IN  
2 PUBLIC BUILDINGS THAT THEY ADMINISTER FROM RENEWABLE ENERGY SOURCES THAT  
3 INCLUDE SOLAR, WIND, BIOMASS, GEOTHERMAL, AGRICULTURAL WASTE, BIOGAS AND LOW  
4 IMPACT HYDROELECTRIC GENERATION PLANTS AND COMBINED HEAT AND POWER SYSTEMS.  
5 THE DEPARTMENT OF COMMERCE ENERGY OFFICE SHALL INCLUDE IN ITS REPORT  
6 PRESCRIBED BY SUBSECTION L OF THIS SECTION AN EXPLANATION OF THE REASONS FOR  
7 ANY FAILURE TO ACHIEVE THE ENERGY GOALS IN SPECIFIC BUILDING SYSTEMS AS  
8 PRESCRIBED IN THIS SUBSECTION.

9 K. IT IS THE POLICY OF THIS STATE THAT ALL STATE AGENCY BUILDINGS  
10 COMMENCING CONSTRUCTION ON OR AFTER JULY 1, 2010 SHOULD CONFORM TO THE  
11 LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN GREEN BUILDING RATING STANDARDS  
12 DEVELOPED BY THE UNITED STATES GREEN BUILDING COUNCIL OR AN EQUIVALENT GREEN  
13 BUILDING RATING STANDARD IN A MANNER PRESCRIBED BY THE DEPARTMENT OF COMMERCE  
14 ENERGY OFFICE, UNLESS THE STANDARD CAN BE SHOWN NOT TO BE COST-EFFECTIVE ON A  
15 LIFE CYCLE COST BASIS. THE DEPARTMENT OF COMMERCE ENERGY OFFICE SHALL  
16 MONITOR THE UNITED STATES GREEN BUILDING COUNCIL AND DEVELOPERS OF EQUIVALENT  
17 GREEN BUILDING RATING STANDARDS FOR CHANGES TO THE RATING STANDARDS THAT  
18 IMPACT STATE BUILDINGS.

19 L. BEGINNING IN 2010, THE ENERGY OFFICE SHALL SUBMIT TO THE  
20 LEGISLATURE AN ANNUAL REPORT OF INFORMATION COLLECTED PURSUANT TO THIS  
21 SECTION, INCLUDING A DETERMINATION OF THE NUMBER AND PERCENTAGE OF ENERGY  
22 EFFICIENT BUILDINGS CONSTRUCTED IN THE PRECEDING YEAR, AN ESTIMATE OF THE  
23 PERCENTAGE THAT ALL NEW RESIDENTIAL BUILDINGS IN THE AGGREGATE ON AVERAGE  
24 WERE MORE ENERGY EFFICIENT, AN ESTIMATE OF THE PERCENTAGE THAT ALL NEW  
25 COMMERCIAL BUILDINGS IN THE AGGREGATE ON AVERAGE WERE MORE ENERGY EFFICIENT  
26 THAN THE INTERNATIONAL ENERGY CONSERVATION CODE, A DETERMINATION OF THE  
27 PERCENTAGE OF ENERGY USE REDUCTIONS IN THE PRECEDING YEAR AND AN EVALUATION  
28 OF THE EFFORTS MADE BY EACH AGENCY TO MEET THE GOALS PROVIDED IN SUBSECTION  
29 D, A DETERMINATION OF THE PERCENTAGE OF ENERGY USE REDUCTIONS IN THE  
30 PRECEDING YEAR AND AN EVALUATION OF THE EFFORTS MADE BY EACH SCHOOL DISTRICT  
31 TO MEET THE GOALS PROVIDED IN SUBSECTION G OF THIS SECTION AND STATEWIDE

1 COMPLIANCE WITH SUBSECTIONS J AND K OF THIS SECTION. THE REPORT MAY INCLUDE  
2 ONLY AGGREGATE INFORMATION WITH RESPECT TO SPECIFIC BUILDERS."

3 Reletter to conform

4 Page 36, line 24, strike "SOLAR"

5 Line 26, after the first "to" insert "HAVE NO VALUE AND TO" after "property"  
6 insert "ON WHICH SUCH DEVICE OR SYSTEM IS INSTALLED"

7 Page 37, strike lines 5 through 10, insert:

8 "(a) "COMBINED HEAT AND POWER SYSTEM" MEANS A SYSTEM THAT GENERATES  
9 ELECTRICITY OR MECHANICAL POWER AND USEFUL THERMAL ENERGY IN A SINGLE,  
10 INTEGRATED SYSTEM SUCH THAT THE USEFUL POWER OUTPUT OF THE FACILITY PLUS ONE-  
11 HALF THE USEFUL THERMAL OUTPUT DURING ANY 12-MONTH PERIOD IS NO LESS THAN  
12 42.5 PER CENT OF THE TOTAL ENERGY INPUT OF FUEL TO THE FACILITY."

13 Amend title to conform

---

LUCY MASON

2337-f1-mason  
6/18/09  
9:33 AM  
H:jmb