

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 3041

By: Shannon

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5
6 AS INTRODUCED

7 An Act relating to environment and natural resources;
8 amending Section 1, Chapter 212, O.S.L. 2012 (27A
9 O.S. Supp. 2013, Section 3-4-106.1), which relates to
10 the Oklahoma State Facilities Energy Conservation
11 Program; clarifying statutory language; and providing
12 an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 1, Chapter 212, O.S.L.
15 2012 (27A O.S. Supp. 2013, Section 3-4-106.1), is amended to read as
16 follows:

17 Section 3-4-106.1 A. There is hereby created the Oklahoma
18 State Facilities Energy Conservation Program.

19 B. As used in this section:

20 1. "State agency" means any office, officer, bureau, board,
21 commission, counsel, unit, division, body, authority or institution
22 of the executive branch of state government, whether elected or
23 appointed and shall include institutions within The Oklahoma State
24 System of Higher Education and technology center school districts;

1 2. "State facilities" or "facilities" means buildings or assets
2 owned or operated by a state agency which has a heating,
3 ventilation, or air conditioning system or utility services;

4 3. "Program" means the Oklahoma State Facilities Energy
5 Conservation Program;

6 4. "Director" means the Director of the Office of State
7 Finance; and

8 5. "IPMVP" means the International Performance Measurement and
9 Verification Protocol.

10 C. All state facilities shall be subject to the provisions of
11 the Oklahoma State Facilities Energy Conservation Program. The
12 Director of the Office of State Finance, or a designee selected by
13 the Director, shall oversee the development and implementation of
14 the Program, including the selection of the most qualified vendor or
15 vendors by utilizing a request for proposal to contract for the
16 development and implementation of an organizational behavior-based
17 or performance-based energy conservation program.

18 D. The objectives and scope of the Program and the request for
19 proposal shall be to:

20 1. Promote a centralized effort to gather information
21 pertaining to energy use in state facilities and designate
22 knowledgeable personnel to prioritize projects and make
23 recommendations for conservation implementation;

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1 2. Benchmark state facilities energy usage prior to
2 implementation of the Program and measure energy conservation
3 savings utilizing commercially available energy accounting software
4 that adheres to the IPMVP;

5 3. Target a cumulative energy savings of not less than twenty
6 percent (20%) by the year 2020 when compared to the 2012 fiscal year
7 utility expenditures. The express purpose of the targeted energy
8 savings shall be to capitalize on opportunities for organizational
9 behavior-based or performance-based energy conservation efforts and
10 existing equipment and building optimization while maintaining or
11 improving the operational environment during times when facilities
12 are occupied;

13 4. When reasonably feasible, consider working with local
14 utilities in implementing energy reduction efforts and to utilize
15 utility demand side management and energy efficiency programs to
16 further capture energy efficiency potential;

17 5. Provide an annual reconciliation of the costs versus the
18 savings resulting from the Program as determined by the Director
19 utilizing the selected energy accounting software;

20 6. Fully fund the Program within existing state agency budgets
21 through savings generated by reducing energy costs;

22 7. Endeavor to utilize, when reasonably possible, existing
23 personnel to implement the Program at state facilities, provided
24 that compensation costs for additional personnel or additional

1 compensation costs for existing personnel dedicated exclusively to
2 implementation of the Program shall be funded from the savings
3 generated by the Program;

4 8. Include implementation of a formalized organizational
5 behavior-based or performance-based energy conservation program;

6 9. Evaluate existing facility energy accounting systems and
7 determine if the existing systems or a commercially available energy
8 accounting software program will be utilized to measure savings from
9 the Program in a way that adheres to the IPMVP;

10 10. Seek to obtain ENERGY STAR recognition for facilities that
11 comply with the necessary requirements as established by the United
12 States Environmental Protection Agency;

13 11. Provide for an initial fee-free period of not less than
14 twelve (12) months during which foundational elements of the Program
15 are established and energy savings are generated before any fee
16 payments are due to a selected vendor; and

17 12. Provide for free ongoing support from the vendor beyond the
18 initial term of the Program, if the state substantially continues
19 implementation of the Program.

20 E. Upon implementation of the Program, all state agencies shall
21 input historical utility cost data into an IPMVP adherent energy
22 accounting software database on a monthly basis and shall deliver an
23 annual report on the progress and cost savings of the Program to the
24 Director within ninety (90) days after the end of each fiscal year.

1 F. The Director shall consider any organizational behavior-
2 based or performance-based energy conservation programs under
3 contract with a state agency prior to the effective date of this act
4 and determine if the contract complies with the provisions of this
5 section.

6 G. Compliance with the Program shall not prohibit any state
7 agency from entering into a performance-based efficiency contract
8 for ~~capital~~ capital improvements pursuant to Section 318 of Title 62
9 of the Oklahoma Statutes. The Director is authorized to work with
10 state agencies to develop a separate state-wide plan for capital
11 improvements for performance-based efficiency contracts pursuant to
12 the provisions of Section 318 of Title 62 of the Oklahoma Statutes.

13 SECTION 2. This act shall become effective November 1, 2014.

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