

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Environmental Matters --

Introduced by **Senators Garagiola, Brochin, Forehand, Frosh, Giannetti, Green, Grosfeld, Hogan, Hollinger, Hughes, Kelley, Klausmeier, Kramer, Lawlah, McFadden, Ruben, and Teitelbaum**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER 427

AN ACT concerning

State Buildings Energy Efficiency and Conservation Act

FOR the purpose of altering certain dates and certain percentages in the provisions of law that require the Department of General Services, in cooperation with the Maryland Energy Administration, to set certain energy performance standards that require certain reductions of energy consumption in State buildings; providing a certain exception for certain buildings under the jurisdiction of the Department of Transportation; altering the date by which State agencies are required to conduct energy consumption analyses of each building under their jurisdiction; altering the date by which State agencies are required to update certain energy conservation plans by a certain date; ~~providing that certain provisions of law do not apply to the Department of Transportation; requiring the Department of Transportation to submit a report to certain committees of the General Assembly by a certain date on a plan to reduce energy consumption in its buildings by a certain amount by a certain date;~~ and generally relating to

improving energy efficiency and conservation in State buildings.

BY repealing and reenacting, with amendments,
 Article - State Finance and Procurement
 Section 4-806
 Annotated Code of Maryland
 (2001 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - State Finance and Procurement

4-806.

(a) So that it can audit and evaluate competing design proposals, the Department, in cooperation with the Maryland Energy Administration, shall set standards for energy performance indices.

(b) As experience develops on the energy performance achieved in State buildings, the energy performance indices will serve as a measure of building performance with respect to energy consumption.

(c) The Department, in cooperation with the Maryland Energy Administration, shall set energy performance standards that require the average energy consumption per square foot in State buildings be reduced from the level in [1992] ~~2006~~ 2005 as follows:

- (1) [15] 5% by [1996] 2009; and
- (2) [25] 10% by [2001] 2010.

(d) (1) (i) ~~By~~ EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION. BY December 31, [1992] ~~2006~~ 2007, each State agency shall conduct an analysis on each of the buildings under its jurisdiction of its gas and electric consumption and the cost of this consumption under the direction of the Maryland Energy Administration and in coordination with the Department of General Services.

(ii) The analysis required in subparagraph (i) of this paragraph shall include an examination of methods to achieve energy and costs savings, including:

- including relamping;
 1. the installation of more efficient lighting systems,
 2. the installation of more efficient heating and cooling systems;
 3. the installation of water conservation devices;

4. weatherization; and

5. modification of lighting, heating, and cooling practices such as turning off lights when not in use and better thermostatic controls.

(2) (i) By July 1, [1994] 2008, each State agency shall upgrade its energy conservation plan developed in consultation with the Maryland Energy Administration and the Department of General Services to achieve the energy performance standards set under subsection (c) of this section.

(ii) The plan required under subparagraph (i) of this paragraph shall include provisions for the training of State personnel, including management and maintenance personnel, in conservation practices that reduce the consumption of energy and assist the agency in achieving the standards set under subsection (c) of this section.

(iii) In the development and implementation of the provisions of subparagraph (ii) of this paragraph, each agency shall consider alternative financing opportunities in shared savings and performance contracting as administered by the Maryland Energy Administration and include an analysis of the payback and cost advantage to the State of shared savings and performance contracting.

(e) (1) All plans developed in accordance with subsection (d) of this section shall be filed with the Maryland Energy Administration.

(2) The Maryland Energy Administration, in coordination with the Department of General Services, shall review and analyze these plans and submit to the Governor the plans and proposals to implement the plans.

(F) (1) ~~THIS SECTION DOES NOT APPLY TO THE DEPARTMENT OF TRANSPORTATION.~~

~~(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, ON OR BEFORE SEPTEMBER 30, 2007, THE DEPARTMENT OF TRANSPORTATION SHALL SUBMIT A REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE ON A PLAN TO REDUCE ENERGY CONSUMPTION IN ITS BUILDINGS BY 10% BY 2010 EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION DOES NOT APPLY TO A BUILDING UNDER THE JURISDICTION OF THE DEPARTMENT OF TRANSPORTATION.~~

(2) THE DEPARTMENT OF TRANSPORTATION SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION FOR ANY OFFICE BUILDING UNDER ITS JURISDICTION, IF THE BUILDING CONTAINS:

(I) THE DEPARTMENT'S HEADQUARTERS; OR

(II) THE ADMINISTRATIVE OFFICES OF A MODAL ADMINISTRATION IN THE DEPARTMENT OF TRANSPORTATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.