

AMENDED IN SENATE JULY 2, 2008
AMENDED IN ASSEMBLY MAY 23, 2008
AMENDED IN ASSEMBLY APRIL 9, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2916

Introduced by Assembly Member Nunez
(Principal coauthor: Senator Padilla)

February 22, 2008

An act to amend ~~Section 13102~~ *Sections 13102 and 15814.22* of, and to add ~~Section 14683~~ *Sections 14683 and 14683.5* to, the Government Code, relating to state buildings.

LEGISLATIVE COUNSEL'S DIGEST

AB 2916, as amended, Nunez. State buildings: energy efficiency measures.

Existing law, the State Building Construction Act of 1955, requires all public buildings constructed after January 1, 1993, to be designed, constructed, and equipped with all efficiency measures, materials, and devices that are cost effective and feasible and also requires the Department of General Services to revise leases used by the state to maximize energy savings in buildings leased by the state. Under existing law, the Governor is required to submit a proposed 5-year infrastructure plan to the Legislature that, among other things, identifies new, rehabilitated, modernized, improved, or renovated infrastructure required by state agencies, *and the Department of General Services, in consultation with other state entities, is required to develop a plan to exploit cost-effective energy efficiency measures in state facilities.*

This bill would require *by January 1, 2015, that the total amount of energy consumed in buildings owned by the state be decreased by 20% of the total amount of energy used in all state-owned buildings during 2008. The bill would require the ~~department~~ California Energy Resources Conservation and Development Commission in consultation with the Department of General Services and other state entities, on or before ~~July 1~~ July 1, 2009, to develop guidelines to ensure that buildings owned or leased by the state are operated and maintained in ~~the most~~ an energy and resource efficient manner. The bill would require that a proposal for funding infrastructure under the Governor's plan contain a description of the way in which the proposal would achieve energy efficiency and energy and resource conservation consistent with the guidelines developed by the ~~department~~ commission. The bill would require the Department of General Services or other state departments, as specified, to assess each building owned or leased by the state pursuant to the guidelines developed by the commission and submit the assessments to the Legislature.*

The bill would expand information that the department is required to include in the multiyear plan it proposes, including information from its assessments, and would also require the department to develop and coordinate a plan to achieve the energy efficiency goals for state-owned buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13102 of the Government Code is
2 amended to read:
3 13102. In conjunction with the Governor's Budget submitted
4 pursuant to Section 13337, the Governor shall submit annually a
5 proposed five-year infrastructure plan to the Legislature. This plan
6 shall cover a five-fiscal-year period beginning with the fiscal year
7 that is the same as that covered by the Governor's Budget with
8 which it is being submitted.
9 The infrastructure plan shall contain the following information
10 for the five years that it covers:
11 (a) (1) Identification of new, rehabilitated, modernized,
12 improved, or renovated infrastructure requested by state agencies.

1 (2) Aggregate funding for transportation as identified in the
2 four-year State Transportation Improvement Program Fund
3 Estimate prepared pursuant to Sections 14524 and 14525.

4 (3) Infrastructure needs for Kindergarten through grade 12 public
5 schools necessary to accommodate increased enrollment, class
6 size reduction, and school modernization.

7 (4) The instructional and instructional support facilities needs
8 for the University of California, the California State University,
9 and the California Community Colleges.

10 (b) The estimated cost of providing the infrastructure identified
11 in subdivision (a).

12 (c) A proposal for funding the infrastructure identified in
13 subdivision (a), that includes all of the following:

14 (1) Criteria and priorities used to identify and select the
15 infrastructure it does propose to fund, including criteria used to
16 identify and select infrastructure that by January 1, 2005, shall be
17 consistent with the state planning priorities specified pursuant to
18 Section 65041.1 for infrastructure requested by state agencies
19 pursuant to paragraph (1) of subdivision (a).

20 (2) Sources of funding, including, but not limited to, General
21 Fund, state special funds, federal funds, general obligation bonds,
22 lease revenue bonds, and installment purchases.

23 (3) An evaluation of the impact of the new state debt on the
24 state's existing overall debt position if the plan proposes the
25 issuance of new state debt.

26 (4) (A) Recommended specific projects for funding or the
27 recommended type and amount of infrastructure to be funded in
28 order to meet programmatic objectives that shall be identified in
29 the proposal.

30 (B) Any state operations, local assistance, or capital outlay
31 appropriations intended to fund infrastructure included in the
32 Governor's Budget shall derive from, and be encompassed by, the
33 funding proposal contained in the plan.

34 (5) A description, including cost savings, of the way in which
35 the proposal would achieve energy efficiency and energy *and*
36 *resource* conservation through *both* its operations and maintenance
37 *activities and its changes to building infrastructure*, consistent
38 with the guidelines developed pursuant to Section 14683.

39 SEC. 2. Section 14683 is added to the Government Code, to
40 read:

1 14683. (a) *The total amount of energy consumed in buildings*
2 *owned by the state shall, by January 1, 2015, be decreased by an*
3 *amount equaling 20 percent of the total amount of energy*
4 *consumed in 2008 in all buildings owned by the state.*

5 (b) *On or before July 1, 2009, the department California Energy*
6 *Resources Conservation and Development Commission in*
7 *consultation with the Department of General Services, the*
8 *Department of Finance, and other relevant state agencies that the*
9 *commission consults with, shall develop guidelines to ensure that;*
10 *to the extent feasible, buildings owned or leased by the state are*
11 *operated and maintained in the most energy an energy and resource*
12 *efficient manner.*

13 (c) *The guidelines shall establish minimum standards for energy*
14 *and resource efficiency and conservation for all buildings owned*
15 *by the state as of July 1, 2009, and for all buildings purchased or*
16 *constructed by the state on or after July 1, 2009. The standards*
17 *shall include energy and resource efficiency and conservation for*
18 *building operations and for maintenance and building*
19 *requirements.*

20 (d) *The guidelines shall establish minimum energy and resource*
21 *efficiency and conservation standards for buildings leased by the*
22 *state if the state occupies 5,000 square feet or more of the building*
23 *or occupies 25 percent or more of the total square footage of the*
24 *building. The standards shall include energy and resource*
25 *efficiency and conservation requirements for building operations*
26 *and for maintenance.*

27 ~~(b)~~

28 (e) *When developing the guidelines required by subdivision (a)*
29 *(b), the department shall consider existing relevant guidelines and*
30 *information, including, but not limited to, all of the following:*

31 (1) *The Green Building Initiative's "Green Globes" rating*
32 *system.*

33 (2) *The United States Environmental Protection Agency's*
34 *"Federal Green Construction Guide for Specifiers."*

35 (3) *The United States Department of Energy's "Green Federal*
36 *Facilities."*

37 (4) *The state's "Building Better Buildings: An Update on State*
38 *Sustainable Building Initiatives" (Blueprint 2003).*

39 (5) *The Governor's Executive Order S-20-04.*

1 (6) The California Energy Resources Conservation and
2 Development Commission’s “2007 Integrated Energy Policy
3 Report.”

4 (7) The United States Green Building Council’s Leadership in
5 Energy and Environmental Design “LEED for Existing Buildings:
6 Operations and Maintenance” (April 2008).

7 (8) *Any existing state energy efficiency or energy and resource*
8 *conservation guidelines or requirements developed by the state*
9 *for buildings.*

10 ~~(e) When developing the guidelines required by subdivision (a),~~
11 ~~the department shall consult with the California Energy Resources~~
12 ~~Conservation and Development Commission and other relevant~~
13 ~~state agencies.~~

14 *SEC. 3. Section 14683.5 is added to the Government Code, to*
15 *read:*

16 *14683.5. (a) The department shall use the guidelines developed*
17 *pursuant to Section 14683 to assess each building owned or leased*
18 *by the state.*

19 *(b) Notwithstanding subdivision (a), if the building is maintained*
20 *or operated by a state agency other than the Department of*
21 *General Services, the assessment required by this section may be*
22 *prepared by that state agency rather than by the Department of*
23 *General Services.*

24 *(c) The assessments required by this section shall be submitted*
25 *to the Legislature.*

26 *SEC. 4. Section 15814.22 of the Government Code is amended*
27 *to read:*

28 *15814.22. (a) The Department of General Services, in*
29 *consultation with the California Energy Resources Conservation*
30 *and Development Commission and other state agencies and*
31 *departments, shall develop a multiyear plan, to be updated*
32 *biennially, with the goal of exploiting all practicable and*
33 *cost-effective energy efficiency measures in state facilities. The*
34 *department shall coordinate plan implementation efforts, and make*
35 *recommendations to the Governor and the Legislature to achieve*
36 *energy efficiency goals for state facilities.*

37 *(b) The plan required by subdivision (a) shall include*
38 *information compiled from the results of the energy and resource*
39 *efficiency conservation assessments completed pursuant to Section*
40 *14683.5, and shall clearly identify opportunities for improving*

1 *energy and resource efficiency and conservation in buildings*
2 *owned or leased by the state.*
3 *(c) The Department of General Services shall develop and*
4 *coordinate an implementation plan and make recommendations*
5 *to the Governor and the Legislature to achieve the energy efficiency*
6 *goals described in Section 14683 for state facilities. The plan shall*
7 *identify opportunities for cost savings based on a life cycle cost*
8 *analysis.*

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