

SENATE BILL No. 452

By Special Committee on Energy, Natural Resources and Environment

1-22

9 AN ACT concerning energy; relating to energy efficiency initiatives for
10 certain state agencies and public schools.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. As used in this act:

14 (a) "ASHRAE" means American society of heating, refrigerating and
15 air-conditioning engineers, Inc. standard 90.1-2004.

16 (b) "Energy star" means the joint program of the United States en-
17 vironmental protection agency and the United States department of en-
18 ergy which labels certain products that meet energy efficiency standards
19 adopted for such products.

20 (c) "IECC" means the 2006 international energy conservation code.

21 (d) "Public school building" means any building or structure con-
22 structed on or after the effective date of this act, located upon the land
23 of any school district under the supervision of the state board of
24 education.

25 Sec. 2. The secretary of administration shall adopt policies and pro-
26 cedures that require that the average fuel economy standard for state-
27 owned motor vehicles purchased during calendar year 2010 shall not be
28 less than 10% higher than the average fuel economy standard of state-
29 owned motor vehicles purchased during calendar year 2007. The head of
30 each state agency shall provide information to and cooperate with the
31 secretary of administration for the purposes of implementing and admin-
32 istering this section and the policies and procedures prescribed by the
33 secretary of administration.

34 Sec. 3. The secretary of administration shall adopt policies and pro-
35 cedures for state agencies for the purchase of products, and equipment,
36 including, but not limited to, appliances, lighting fixtures and bulbs, and
37 computers, which meet energy efficiency guidelines which are not less
38 than the guidelines adopted for such products to qualify as an energy star
39 product.

40 Sec. 4. (a) The department of administration shall collect data on
41 energy consumption and costs for all state-owned and leased real property
42 and the secretary of administration shall submit a written report to the
43 legislature on or before the first day of the 2009 regular session of the

1 legislature and on or before the first day of each ensuing regular session
2 of the legislature identifying state-owned or leased real property locations
3 in which an excessive amount of energy is being used in accordance with
4 policies and procedures adopted by the secretary of administration con-
5 cerning energy usage standards for state-owned or leased real property.

6 (b) The secretary of administration shall not approve a new lease or
7 a renewal or extension of an existing lease of non-state owned real prop-
8 erty unless the lessor has submitted an energy audit for such real property
9 that is the subject of such lease. The secretary of administration shall
10 adopt policies and procedures to establish energy efficiency standards
11 which shall apply to leased space and improvements which the lessor shall
12 be required to address based on such energy audit.

13 Sec. 5. (a) Within the limitations of appropriations therefor, the Kan-
14 sas energy office of the state corporation commission shall develop and
15 increase the participation of school districts and local governments in the
16 facilities conservation improvements program (FCIP) pursuant to K.S.A.
17 75-37,125, and amendments thereto.

18 (b) The state corporation commission shall strongly encourage state
19 agencies which operate and maintain state-owned buildings that are not
20 participating in the FCIP to participate in the FCIP pursuant to K.S.A.
21 75-37,125, and amendments thereto, on or before December 1, 2010.

22 Sec. 6. (a) The secretary of administration shall adopt rules and reg-
23 ulations prescribing energy efficiency performance standards requiring
24 that all new construction projects by state agencies and public school
25 buildings for school districts be designed, constructed and certified to
26 achieve energy consumption levels that are at least 25% below the levels
27 established under the ASHRAE standard or the IECC, as appropriate, if
28 such levels of energy consumption are life-cycle cost-effective for such
29 projects and buildings.

30 (b) The secretary of administration shall adopt rules and regulations
31 requiring that water systems designed for such new construction projects
32 and public school buildings shall be designed and constructed to use a
33 minimum of 25% less potable water than the indoor water use baseline
34 calculated for the building after meeting the fixture performance require-
35 ments prescribed by the American society of mechanical engineers effi-
36 ciency recommendations in effect on the effective date of this act. The
37 secretary of administration shall adopt rules and regulations for calcula-
38 tion of the indoor water use baseline for new construction projects and
39 public school buildings in accordance with the department of energy fed-
40 eral emergency management program standards using water usage data
41 from new construction projects and public school buildings constructed
42 in the state during the 2006, 2007 and 2008 fiscal years. Outdoor potable
43 water or harvested groundwater consumption of state agencies and school

1 districts shall be reduced by not less than 25% over the amount of water
2 consumed by conventional means through water use efficient landscape
3 materials and irrigation policies, including, but not limited to, water reuse
4 and recycling.

5 Sec. 7. (a) New construction projects for state agencies and public
6 school buildings shall include installation of building owner's meters for
7 electricity, natural gas, fuel oil and water in accordance with United States
8 department of energy guidelines issued under section 103 of the energy
9 policy act of 2005. The state agency, school district and the building ar-
10 chitect or designer shall compare metered data from the first year of
11 building operation with energy design standards adopted by the secretary
12 of administration and shall submit a written report concerning each such
13 building to the secretary of administration within two months following
14 the first year of operation.

15 (b) If the average building energy or water consumption over the one-
16 year period following the date of beneficial occupancy is 85% or less than
17 the energy efficiency or water consumption performance standards es-
18 tablished pursuant to this act, including, but not limited to, the building
19 architect or designer, state agency or school district, the contractor or the
20 construction manager at risk, shall investigate, determine the cause of the
21 failure to achieve the standard, and recommend corrections or modifi-
22 cations to meet such energy design standards.

23 Sec. 8. This act shall take effect and be in force from and after its
24 publication in the statute book.