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1 IN THE HOUSE

2 HOUSE BILL NO. 515

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to energy conservation."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. DECLARATION OF POLICY. It is the policy of the state to
9 encourage and facilitate the implementation of energy conservation measures
10 in the state.

11 * Sec. 2. AS 35.10 is amended by adding a new section to read:

12 Sec. 35.10.012. ENERGY CONSERVATION. Each public building begun
13 after the effective date of this Act shall be designed, to the extent
14 economically feasible, for maximum energy conservation. This section
15 applies to all public works projects including those under local control
16 under AS 35.15.080.

17 * Sec. 3. AS 46 is amended by adding a new chapter to read:

18 TITLE 46. WATER, AIR, ENERGY, AND ENVIRONMENTAL CONSERVATION.

19 CHAPTER 11. ENERGY CONSERVATION.

20 Sec. 46.11.010. USE OF WASTE HEAT REQUIRED. (a) A new power
21 generation facility or other industrial facility may not be constructed
22 unless it uses, to the extent economically feasible as determined under
23 regulations adopted by the commissioner, the waste heat produced by the
24 facility.

25 (b) An existing power generation facility or other industrial
26 facility may not operate, after January 1, 1984, unless it uses, to the
27 maximum extent economically feasible as determined under regulations
28 adopted by the commissioner, the waste heat produced by the facility.

29 (c) The commissioner may grant a temporary or permanent exemption

1 from the requirements of (a) or (b) of this section. Procedures for
2 granting an exemption shall be established by regulations adopted by the
3 commissioner.

4 (d) For the purposes of this section

5 (1) "existing facility" means a facility other than a new
6 facility;

7 (2) "new facility" means a facility the construction of which
8 begins after the effective date of this section.

9 Sec. 46.11.015. THERMAL AND LIGHTING ENERGY STANDARDS. (a) State
10 financial assistance may not be made available or approved for the
11 construction of a new residential or commercial building or renovation
12 unless

13 (1) the building is in compliance with thermal and lighting
14 energy standards;

15 (2) the building is in compliance with the building code of a
16 municipality, if the municipal building code meets or exceeds the ther-
17 mal and lighting energy standards; or

18 (3) the building is to be located in an area of the state
19 where implementation of thermal and lighting energy standards is not
20 justified due to the high cost of implementation, as determined under
21 regulations adopted by the commissioner, in which case the commissioner
22 shall waive the requirements of this section.

23 (b) The commissioner shall adopt and may revise by regulation, in
24 accordance with the Administrative Procedure Act (AS 44.62), thermal and
25 lighting energy standards.

26 (c) For the purposes of this section,

27 (1) "thermal and lighting energy standards" means the thermal
28 and lighting standards established by the American Society of Heating,
29 Refrigeration, and Air Conditioning Engineers (ASHRAE 90-75R);

1 (2) "new building" is a building the construction of which
2 begins after the effective date of an energy thermal and lighting
3 standard adopted under this section;

4 (3) "state financial assistance" means a loan, grant, guaran-
5 tee, insurance, payment, rebate, subsidy, or other form of direct or
6 indirect state assistance (other than aid under AS 43.18) including the
7 purchase by a state agency of a loan to finance the construction of a
8 new residential or commercial building.

9 Sec. 46.11.020. ENERGY CONSERVATION IN PUBLIC BUILDINGS. (a) If
10 the design of a public building includes energy conservation features,
11 those features shall be used to their capacity.

12 (b) Persons responsible for the maintenance of public buildings
13 designed with energy conservation features shall be trained by the
14 department in the use and operation of those features.

15 Sec. 46.11.025. ENERGY AUDITS AND SURVEYS OF PUBLIC BUILDINGS. (a)
16 The department shall, as soon as practicable after the effective date of
17 this Act, and at least once every two years thereafter, perform an
18 energy audit and survey of each existing public building. A report of
19 the results of the energy audits and surveys performed during the pre-
20 ceding year shall be submitted to the legislature not later than
21 January 31 of each year.

22 (b) The department shall include in the report required in (c) of
23 this section recommendations of corrective measures to improve the
24 energy efficiency and to minimize the life-cycle cost of the buildings
25 audited and surveyed. These measures may include, but need not be
26 limited to, (1) energy conservation measures, (2) measures involving
27 solar technology and other renewable energy resources, and (3) mainten-
28 ance and operating procedures and energy-related modifications deter-
29 mined as appropriate by the energy audit and survey. In recommending

1 the measures, the department shall give priority to changes in mainten-
2 ance and operating procedures over measures requiring substantial struc-
3 tural modification or the installation of equipment.

4 (c) In this section,

5 (1) "energy audit and survey" means a determination of

6 (A) the energy consumption characteristics of a build-
7 ing, including the size, type, and rate of energy consumption of
8 major energy consuming systems of the building and the climate
9 characterizing the region where the building is located; and

10 (B) a determination of the energy conservation and cost
11 savings likely to result from energy-conserving maintenance and
12 operating procedures and modifications, including the purchase and
13 installation of energy-related fixtures;

14 (2) "life-cycle cost" means the total cost of owning, operat-
15 ing and maintaining a building over its useful life, including its
16 energy and fuel costs, determined on a basis of a systematic evaluation
17 and comparison of alternative building systems, except that in the case
18 of leased buildings the life-cycle cost shall be calculated over the
19 effective remaining term of the lease;

20 (3) "public building" means a building owned or controlled
21 and held by the state for government or public use.

22 Sec. 46.11.030. SOCIAL, ECONOMIC, AND ENVIRONMENTAL IMPACT OF
23 ENERGY PROJECTS. (a) The commissioner shall adopt regulations re-
24 quiring a detailed report on each energy-related project that signifi-
25 cantly affects the human environment. The report must include an analy-
26 sis of the social, economic, and environmental impact of the energy-
27 related project. The analysis shall be completed and made available to
28 the public with adequate time for review and comment before state
29 action relating to the energy-related project is taken.

1 (b) In this section

2 (1) "energy-related project" means a project involving state
3 action and relating to the production of energy for consumption or to
4 the development of natural resources used for the production of energy;

5 (2) "state action" means a state contract, grant, subsidy,
6 loan, or any other state financial assistance, or the issuance of a
7 state lease, permit, license, or certificate.

8 Sec. 46.11.035. DEFINITIONS. In this chapter,

9 (1) "commissioner" means the commissioner of transportation
10 and public facilities;

11 (2) "department" means the Department of Transportation and
12 Public Facilities.

13 * Sec. 4. It is the intent of the legislature that the regulations
14 adopted under AS 46.11.030 not cause unnecessary duplication of reports. The
15 regulations adopted under AS 46.11.030 should require that if a report treat-
16 ing some social, economic, or environmental aspect of an energy-related
17 project is prepared under another provision of law it may be used to satisfy
18 the requirements of AS 46.11.030.

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