

1 H.643

2 Introduced by Representative Scheuermann of Stowe

3 Referred to Committee on

4 Date:

5 Subject: Energy; commercial building energy standards

6 Statement of purpose: This bill proposes to make rules regarding commercial
7 building energy standards effective one year after adoption and to apply this
8 one-year period to rules adopted on or after September 1, 2011.

9 An act relating to commercial building energy standards

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 21 V.S.A. § 268 is amended to read:

12 § 268. COMMERCIAL BUILDING ENERGY STANDARDS

13 * * *

14 (c) Revision and interpretation of energy standards. No later than
15 January 1, 2011, the commissioner shall complete rulemaking to amend the
16 commercial building energy standards to ensure that commercial building
17 construction must be designed and constructed in a manner that complies with
18 ANSI/ASHRAE/IESNA standard 90.1-2007 or the 2009 edition of the IECC,
19 whichever provides the greatest level of energy savings. These amendments
20 shall be effective ~~three months~~ one year after final adoption and shall apply to

1 construction commenced on and after the date they become effective. At least
2 every three years after January 1, 2011, the commissioner of public service
3 shall amend and update the CBES by means of administrative rules adopted in
4 accordance with 3 V.S.A. chapter 25. The commissioner shall ensure that
5 appropriate revisions are made promptly after the issuance of updated
6 standards for commercial construction under the IECC or
7 ASHRAE/ANSI/IESNA standard 90.1, whichever provides the greatest level
8 of energy savings. Prior to final adoption of each required revision of the
9 CBES, the department of public service shall convene an advisory committee
10 to include one or more mortgage lenders; builders; building designers;
11 architects; civil, mechanical, and electrical engineers; utility representatives;
12 and other persons with experience and expertise, such as consumer advocates
13 and energy conservation experts. The advisory committee may provide the
14 commissioner of public service with additional recommendations for revision
15 of the CBES.

16 * * *

17 (2) ~~Except for the amendments required by this subsection to be adopted~~
18 ~~by January 1, 2011, each~~ Each time the CBES are amended by the
19 commissioner of public service, the amended CBES shall become effective
20 upon a date specified in the adopted rule, a date that shall not be less than ~~three~~
21 ~~months~~ one year after the date of adoption. Except for the amendments

1 required by this subsection to be adopted by January 1, 2011, persons
2 submitting an application for any local permit authorizing commercial
3 construction, or an application for construction plan approval by the
4 commissioner of public safety pursuant to 20 V.S.A. chapter 173, before the
5 effective date of the amended CBES shall have the option of complying with
6 the applicable provisions of the earlier or the amended CBES. After the
7 effective date of the original or the amended CBES, any person submitting
8 such an application for commercial construction in an area subject to the CBES
9 shall comply with the most recent version of the CBES.

10 * * *

11 Sec. 2. RETROACTIVE APPLICATION

12 Sec. 1 of this act shall apply to rules adopted under 21 V.S.A. § 268
13 (commercial building energy standards) on or after September 1, 2011.

14 Sec. 3. EFFECTIVE DATE

15 This act shall take effect on passage.