

S.12

An act relating to the State Energy Management Program

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

Sec. 1. 2015 Acts and Resolves No. 58, Sec. E.112 is amended to read:

Sec. E.112 ENERGY EFFICIENCY; STATE BUILDINGS AND
FACILITIES

(a) As a mechanism to implement 2011 Acts and Resolves No. 40, Sec. 47 (State energy use), the State of Vermont has developed a State Energy Management Program (the Program) within the Department of Buildings and General Services (the Department) to address, for State buildings and facilities, energy management measures, implementation of energy efficiency and conservation, and the use of renewable energy resources.

(b) Notwithstanding any provision of Title 30 of the Vermont Statutes Annotated, Public Service Board order, or other provision of law to the contrary:

(1) The Department and Efficiency Vermont (EVT) shall augment the Program for a preliminary period of ~~four~~ eight years commencing in fiscal year 2016 under which EVT shall provide the Department with support for the Program to deliver cost-effective energy efficiency and conservation measures to State buildings and facilities. The Department and EVT may agree to continue conducting this augmented Program in subsequent fiscal years, after

considering recommendations for improvement based on evaluation of the preliminary period.

(A) The Department and EVT shall develop the augmented Program's annual targets for energy savings and associated cost savings to the State. Savings from measures provided by any energy efficiency entity appointed under 30 V.S.A. § 209(d)(2) shall count toward these targets. Savings supported by EVT may result from electric and thermal efficiency, including fuel switching, conservation, and improved building energy management, without regard to funding source.

(B) During fiscal year 2016, the measures implemented under this subdivision (1) shall reduce the State's total energy usage and related costs by an amount not less than \$150,000.

(C) During fiscal year 2017, the measures implemented under this subdivision (1) shall reduce the State's total energy usage and related costs by a cumulative amount of not less than \$300,000, provided that failure to attain these savings amounts in fiscal years 2016 and 2017 does not result from action or inaction of the Department.

(2) In addition to the requirements of subdivision (1) of this section, the project shall include provision by EVT of support for personnel to implement the Program during fiscal years 2016 to ~~2019~~ 2023.

(A) The supported personnel shall be the building project manager position established in Sec. E.100(a)(2) of this act and two ~~four-year~~ eight-year limited service or consulting positions, and related supervision and overhead, as the Department and EVT consider necessary to meet the goals.

(B) Under this subdivision (2), EVT shall provide up to \$290,000 during fiscal year 2016. For the remaining ~~three~~ seven fiscal years, EVT shall provide an additional amount sufficient to support annual salary and benefit adjustments. These funds shall be received in the Facilities Operations Fund established in 29 V.S.A. § 160a, and may be spent using excess receipts authority.

(3) The Public Service Board shall adjust any performance measures applicable to EVT to recognize the requirements of this section.

(c) The Department and EVT shall execute a new or amended memorandum of understanding to implement this section, which shall include targets for future energy savings, a process for determining how savings targets are met, and details of EVT's commitment for personnel over a four-year time period.

(d) On or before October 1 of each year commencing in 2016 and ending in ~~2019~~ 2023, the Department and EVT shall provide a joint report on the implementation of this section.

(1) The report shall state, for the prior fiscal year, the energy savings targets developed, the actions taken to achieve those targets, and the energy savings achieved by each action.

(2) The report shall project savings and strategies to attain those savings for the next fiscal year and for the remaining fiscal years of the Program.

(3) The report shall include improvements made toward systems of measurement to achieve the goals of 2011 Acts and Resolves No. 40.

(4) The report may include recommendations for accelerating the implementation of energy efficiency and conservation measures under the Program and improving the Program's tracking and documentation of savings.

(5) The report to be submitted in 2019 and in 2023 shall contain an evaluation of the Program authorized under this section and any resulting recommendations, including recommendations related to Program continuation.

(6) The report shall be submitted to the House Committee on Corrections and Institutions, the Senate Committee on Institutions, the House and Senate Committees on Natural Resources and Energy, the House and Senate Committees on Appropriations, the Secretary of Administration, and the Joint Fiscal Office.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.