

1 A bill to be entitled
2 An act relating to energy efficiency; providing
3 legislative findings; creating the Energy Policy
4 Governance Task Force; providing purpose; providing for
5 membership; specifying duties; providing for staff;
6 requiring a report to the Governor and Legislature;
7 providing for expiration of the task force; directing the
8 Florida Building Commission to convene a workgroup to
9 develop a model residential energy efficiency ordinance;
10 requiring the commission to consult with specified
11 entities to review the cost-effectiveness of energy
12 efficiency measures in the construction of residential,
13 commercial, and government buildings; requiring a report
14 to the Legislature; requiring the commission to consult
15 with specified entities to develop and implement a public
16 awareness campaign; providing a declaration of important
17 state interest; requiring all county, municipal, and
18 public community college buildings to meet certain energy
19 efficiency standards for construction; providing
20 applicability; establishing a schedule for the required
21 purchase of biodiesel fuel for use by state-owned diesel
22 vehicles and equipment; establishing a schedule for the
23 required purchase of ethanol for use by state-owned flex-
24 fuel vehicles; requiring administration, enforcement, and
25 annual reporting by the Department of Management Services;
26 requiring a percentage of total diesel fuel purchases by
27 school district transportation services to be biodiesel
28 fuel purchases; providing applicability to certain

29 contracts; creating s. 206.665, F.S.; providing for
 30 refunds on fuel used for the transportation of products
 31 used to produce a renewable energy source; providing an
 32 effective date.

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 34 Be It Enacted by the Legislature of the State of Florida:

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 36 Section 1. The Legislature finds that it is in the public
 37 interest to promote alternative and renewable energy
 38 technologies in this state, including alternative fuels and
 39 technologies for electric power plants and motor vehicles,
 40 energy conservation, distributed generation, advanced
 41 transmission methods, and pollution and greenhouse gas control.
 42 Both Florida and the United States in general are overly
 43 dependent on foreign oil to meet the energy needs of buildings
 44 and motor vehicles. Alternative and renewable energy and energy
 45 conservation technologies have the potential to decrease this
 46 dependency, minimize volatility of fuel cost, and improve
 47 environmental conditions. In-state research, development,
 48 deployment, and use of these technologies can make the state a
 49 leader in new and innovative technologies and encourage
 50 investment and economic development in this state.

51 (1) The Energy Policy Governance Task Force is created to
 52 recommend a unified approach to state energy policy including
 53 energy conservation, research, and development and the
 54 deployment of alternative and renewable energy technology. The
 55 task force shall review the programs and policies of the
 56 Department of Agriculture and Consumer Services, the Department

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57 of Environmental Protection, the State University System, the
58 Public Service Commission, and other relevant public and
59 private-sector entities in preparing its recommendations.

60 (2) The task force shall be composed of the following
61 members:

62 (a) Two members appointed by the President of the Senate.

63 (b) Two members appointed by the Speaker of the House of
64 Representatives.

65 (c) Two members appointed by the Governor.

66 (d) The Commissioner of Agriculture or a designee.

67 (e) The Secretary of Environmental Protection or a
68 designee.

69 (f) A vice president for research designated by the
70 Council of Vice Presidents for State University Research.

71 (g) The chair of the Florida Energy Commission or a
72 designee.

73 (h) The chair of the Florida Public Service Commission or
74 a designee.

75 (i) The Public Counsel.

76 (3) Task force members shall be appointed no later than
77 August 1, 2008. Members shall elect a chair and vice chair from
78 the membership of the task force.

79 (4) In developing its recommendations, the task force
80 shall determine the appropriate approach toward providing a
81 coordinated statewide effort to:

82 (a) Promote the state as a leader in new and innovative
83 technologies and, in cooperation with Enterprise Florida, Inc.,
84 as a location for businesses having operations related to

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85 alternative and renewable energy technologies.

86 (b) Promote alternative and renewable energy technologies,
87 including alternative fuels and technologies for electric power
88 plants and motor vehicles, energy conservation, distributed
89 generation, advanced transmission methods, and pollution and
90 greenhouse gas control.

91 (c) Administer funding of matching grants for
92 demonstration, commercialization, research, and development of
93 projects relating to bioenergy and renewable energy
94 technologies.

95 (d) Assist state universities and the private sector in
96 determining the areas on which to focus research in alternative
97 and renewable energy technologies and assist in coordinating
98 research projects among universities and relevant private-sector
99 entities.

100 (e) Assist universities, other state entities, and
101 private-sector entities in raising funds from all available
102 public or private-sector sources for projects concerning
103 research, development, or deployment of alternative and
104 renewable energy technologies, including projects that involve
105 the production of, improvements in, or use of alternative and
106 renewable energy technologies in this state.

107 (5) The task force shall be jointly staffed by personnel
108 appointed by the Governor, the President of the Senate, and the
109 Speaker of the House of Representatives.

110 (6) No later than February 1, 2009, the task force shall
111 submit its recommendations to the Governor, the President of the
112 Senate, and the Speaker of the House of Representatives.

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113 (7) The task force shall expire on June 30, 2009.

114 Section 2. (1) The Florida Building Commission shall
115 convene a workgroup comprised of representatives from the
116 Florida Energy Commission, the Department of Community Affairs,
117 the Building Officials Association of Florida, the Florida
118 Energy Office, the Florida Home Builders Association, the
119 Florida Association of Counties, the Florida League of Cities,
120 and other stakeholders to develop a model residential energy
121 efficiency ordinance that provides incentives to meet energy
122 efficiency standards. The commission shall submit such model
123 ordinance to the President of the Senate and the Speaker of the
124 House of Representatives no later than March 1, 2009.

125 (2) The Florida Building Commission, in consultation with
126 the Florida Energy Commission, the Building Officials
127 Association of Florida, the Florida Energy Office, the Florida
128 Home Builders Association, the Florida Association of Counties,
129 the Florida League of Cities, and other stakeholders, shall
130 review the Florida Energy Code for Building Construction.
131 Specifically, the commission shall revisit the analysis of cost-
132 effectiveness that serves as the basis for energy efficiency
133 levels for residential buildings, identify cost-effective means
134 to improve energy efficiency in commercial buildings, and
135 compare the code to the International Energy Conservation Code
136 and the American Society of Heating, Refrigerating and Air-
137 Conditioning Engineers Standards 90.1 and 90.2. The commission
138 shall provide a report to the President of the Senate and the
139 Speaker of the House of Representatives no later than March 1,
140 2009, proposing a standard that may be adopted for the

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141 construction of all new residential, commercial, and government
142 buildings.

143 (3) The Florida Building Commission, in consultation with
144 the Florida Solar Energy Center, the Florida Energy Commission,
145 the Florida Energy Office, the United States Department of
146 Energy, and the Florida Home Builders Association, shall develop
147 and implement a public awareness campaign that promotes energy
148 efficiency and the benefits of green building practices by
149 January 1, 2009. The campaign shall include enhancement of an
150 existing Internet website from which all citizens may obtain
151 information pertaining to green building practices, calculate
152 anticipated savings from incorporation of those practices, and
153 learn about energy efficiency strategies that may be used in
154 their existing homes or when building homes. The campaign shall
155 focus on the benefits of promoting energy efficiency to the
156 purchasers of new homes, the various green building ratings
157 available, and the promotion of various energy-efficient
158 products through existing trade shows. The campaign shall also
159 include strategies for using print advertising, press releases,
160 and television advertising to promote voluntary incorporation of
161 green building practices.

162 Section 3. (1) The Legislature declares that there is an
163 important state interest in promoting the construction of
164 energy-efficient and sustainable buildings. Government
165 leadership in promoting these standards is vital to
166 demonstrating the state's commitment to energy conservation,
167 saving taxpayers money, and raising public awareness of energy-
168 rating systems.

169 (2) All county, municipal, and public community college
 170 buildings shall be constructed to meet the United States Green
 171 Building Council (USGBC) Leadership in Energy and Environmental
 172 Design (LEED) rating system, the Green Building Initiative's
 173 Green Globes rating system, or a nationally recognized, high-
 174 performance green building rating system as approved by the
 175 Department of Management Services. This section shall apply to
 176 all county, municipal, and public community college buildings
 177 the architectural plans of which are commenced after July 1,
 178 2009.

179 Section 4. State fleet biodiesel usage.--

180 (1) By July 1, 2009, a minimum of 5 percent, by January 1,
 181 2010, a minimum of 10 percent, and by January 1, 2011, a minimum
 182 of 20 percent of total purchases of diesel fuel for use by
 183 state-owned diesel vehicles and equipment shall be biodiesel
 184 fuel (B20) purchases, subject to availability.

185 (2) By July 1, 2009, a minimum of 5 percent, by January 1,
 186 2010, a minimum of 10 percent, and by January 1, 2011, a minimum
 187 of 20 percent of total purchases of fuel for use by state-owned
 188 flex-fuel vehicles shall be ethanol purchases, subject to
 189 availability.

190 (3) The Department of Management Services shall provide
 191 for the proper administration, implementation, and enforcement
 192 of this section.

193 (4) The Department of Management Services shall report to
 194 the President of the Senate and the Speaker of the House of
 195 Representatives on or before March 1, 2009, and annually
 196 thereafter, the extent of biodiesel and ethanol use in the state

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197 fleet. The report shall contain the number of gallons purchased
 198 since July 1, 2008, the average price of biodiesel and ethanol,
 199 and a description of fleet performance.

200 Section 5. School district biodiesel usage.--

201 (1) By January 1, 2009, a minimum of 20 percent of total
 202 purchases of diesel fuel for use by school district
 203 transportation services shall be biodiesel fuel (B20) purchases,
 204 subject to availability.

205 (2) If a school district contracts with another government
 206 entity or private entity to provide transportation services for
 207 any of its pupils, the biodiesel fuel requirement provided in
 208 subsection (1) shall be part of that contract. However, this
 209 subsection shall apply only to contracts entered into on or
 210 after July 1, 2008.

211 Section 6. Section 206.665, Florida Statutes, is created
 212 to read:

213 206.665 Refunds on fuel used for the transportation of
 214 products used to produce a renewable energy source.--Any person
 215 who uses any motor fuel for the transportation of products used
 216 to produce a renewable energy source on which the tax, as
 217 imposed by this part, has been paid shall be entitled to a
 218 refund of the municipal fuel tax imposed by s. 206.41(1)(c)
 219 according to the administrative procedures in s. 206.41.

220 Section 7. This act shall take effect July 1, 2008.