

By Senator Margolis

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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

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30 refunds on fuel used for the transportation of products
31 used to produce a renewable energy source; providing an
32 effective date.

33
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 technologies
38 in this state, including alternative fuels and technologies for
39 electric power plants and motor vehicles, energy conservation,
40 distributed generation, advanced transmission methods, and
41 pollution and greenhouse gas control. Both Florida and the United
42 States in general are overly dependent on foreign oil to meet the
43 energy needs of buildings and motor vehicles. Alternative and
44 renewable energy and energy conservation technologies have the
45 potential to decrease this dependency, minimize volatility of
46 fuel costs, and improve environmental conditions. In-state
47 research, development, deployment, and use of these technologies
48 can make the state a leader in new and innovative technologies
49 and encourage investment and economic development in this state.

50 (1) The Energy Policy Governance Task Force is created to
51 recommend a unified approach to state energy policy including
52 energy conservation, research, and development and the deployment
53 of alternative and renewable energy technology. The task force
54 shall review the programs and policies of the Department of
55 Agriculture and Consumer Services, the Department of
56 Environmental Protection, the State University System, the Public
57 Service Commission, and other relevant public and private-sector
58 entities in preparing its recommendations.

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

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

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

64 (c) Two members appointed by the Governor.

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

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

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

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

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

74 (i) The Public Counsel.

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

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

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

85 (b) Promote alternative and renewable energy technologies,
86 including alternative fuels and technologies for electric power
87 plants and motor vehicles, energy conservation, distributed

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88 generation, advanced transmission methods, and pollution and
89 greenhouse gas control.

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

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

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

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

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

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

112 Section 2. (1) The Florida Building Commission shall
113 convene a workgroup comprised of representatives from the Florida
114 Energy Commission, the Department of Community Affairs, the
115 Building Officials Association of Florida, the Florida Energy
116 Office, the Florida Home Builders Association, the Florida

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117 Association of Counties, the Florida League of Cities, and other
118 stakeholders to develop a model residential energy efficiency
119 ordinance that provides incentives to meet energy efficiency
120 standards. The commission shall submit such model ordinance to
121 the President of the Senate and the Speaker of the House of
122 Representatives no later than March 1, 2009.

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

140 (3) The Florida Building Commission, in consultation with
141 the Florida Solar Energy Center, the Florida Energy Commission,
142 the Florida Energy Office, the United States Department of
143 Energy, and the Florida Home Builders Association, shall develop
144 and implement a public awareness campaign that promotes energy
145 efficiency and the benefits of green building practices by

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146 January 1, 2009. The campaign shall include enhancement of an
147 existing Internet website from which all citizens may obtain
148 information pertaining to green building practices, calculate
149 anticipated savings from incorporation of those practices, and
150 learn about energy efficiency strategies that may be used in
151 their existing homes or when building homes. The campaign shall
152 focus on the benefits of promoting energy efficiency to the
153 purchasers of new homes, the various green building ratings
154 available, and the promotion of various energy-efficient products
155 through existing trade shows. The campaign shall also include
156 strategies for using print advertising, press releases, and
157 television advertising to promote voluntary incorporation of
158 green building practices.

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

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

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175 Section 4. State fleet biodiesel usage.--

176 (1) By July 1, 2009, a minimum of 5 percent, by January 1,
177 2010, a minimum of 10 percent, and by January 1, 2011, a minimum
178 of 20 percent of total purchases of diesel fuel for use by state-
179 owned diesel vehicles and equipment shall be biodiesel fuel (B20)
180 purchases, subject to availability.

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

186 (3) The Department of Management Services shall provide for
187 the proper administration, implementation, and enforcement of
188 this section.

189 (4) The Department of Management Services shall report to
190 the President of the Senate and the Speaker of the House of
191 Representatives on or before March 1, 2009, and annually
192 thereafter, the extent of biodiesel and ethanol use in the state
193 fleet. The report shall contain the number of gallons purchased
194 since July 1, 2008, the average price of biodiesel and ethanol,
195 and a description of fleet performance.

196 Section 5. School district biodiesel usage.--

197 (1) By January 1, 2009, a minimum of 20 percent of total
198 purchases of diesel fuel for use by school district
199 transportation services shall be biodiesel fuel (B20) purchases,
200 subject to availability.

201 (2) If a school district contracts with another government
202 entity or private entity to provide transportation services for
203 any of its pupils, the biodiesel fuel requirement provided in

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204 subsection (1) shall be part of that contract. However, this
205 subsection shall apply only to contracts entered into on or after
206 July 1, 2008.

207 Section 6. Section 206.665, Florida Statutes, is created to
208 read:

209 206.665 Refunds on fuel used for the transportation of
210 products used to produce a renewable energy source.--Any person
211 who uses any motor fuel for the transportation of products used
212 to produce a renewable energy source on which the tax, as imposed
213 by this part, has been paid shall be entitled to a refund of the
214 municipal fuel tax imposed by s. 206.41(1)(c) according to the
215 administrative procedures in s. 206.41.

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