

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Tobia offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 16-37 and insert:

5 Section 1. State Energy Office.--

6 (1) There is created within the Executive Office of the
7 Governor the State Energy Office. The director of the State
8 Energy Office shall be appointed by and shall serve at the
9 pleasure of the Governor.

10 (2) The State Energy Office shall be responsible for
11 performing or coordinating the functions of any federal energy
12 programs delegated to the state, including energy supply,
13 demand, conservation, funding or allocation. To the extent
14 necessary, the State Energy Office may adopt rules pursuant to
15 ss. 120.536(1) and 120.54 to implement federally delegated
16 programs consistent with federal law and program guidance.

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17 (3) The State Energy Office shall serve as professional
18 staff to the Florida Energy and Climate Commission pursuant to
19 s. 377.6015.

20 (4) The State Energy Office shall perform such other
21 duties as the Executive Office of the Governor shall direct.

22 Section 2. Subsection (2) of section 377.703, Florida
23 Statutes, is amended to read:

24 377.703 Additional functions of the Florida Energy and
25 Climate Commission.--

26 (2) FLORIDA ENERGY AND CLIMATE COMMISSION; DUTIES.--The
27 commission shall perform the following functions consistent with
28 the development of a state energy policy:

29 (a) The commission shall assume the responsibility for
30 development of an energy emergency contingency plan to respond
31 to serious shortages of primary and secondary energy sources.
32 Upon a finding by the Governor, implementation of any emergency
33 program shall be upon order of the Governor that a particular
34 kind or type of fuel is, or that the occurrence of an event
35 which is reasonably expected within 30 days will make the fuel,
36 in short supply. The commission shall then respond by
37 instituting the appropriate measures of the contingency plan to
38 meet the given emergency or energy shortage. The Governor may
39 utilize the provisions of s. 252.36(5) to carry out any
40 emergency actions required by a serious shortage of energy
41 sources.

42 ~~(b) The commission shall be responsible for performing or~~
43 ~~coordinating the functions of any federal energy programs~~

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44 ~~delegated to the state, including energy supply, demand,~~
45 ~~conservation, or allocation.~~

46 (b) ~~(e)~~ The commission shall analyze present and proposed
47 federal energy programs and make recommendations regarding those
48 programs to the Governor and the Legislature.

49 (c) ~~(d)~~ The commission shall coordinate efforts to seek
50 federal support or other support for state energy activities,
51 including energy conservation, research, or development, and
52 shall be responsible for the coordination of multiagency energy
53 conservation programs and plans.

54 (d) ~~(e)~~ The commission shall analyze energy data collected
55 and prepare long-range forecasts of energy supply and demand in
56 coordination with the Florida Public Service Commission, which
57 shall have responsibility for electricity and natural gas
58 forecasts. To this end, the forecasts shall contain:

59 1. An analysis of the relationship of state economic
60 growth and development to energy supply and demand, including
61 the constraints to economic growth resulting from energy supply
62 constraints.

63 2. Plans for the development of renewable energy resources
64 and reduction in dependence on depletable energy resources,
65 particularly oil and natural gas, and an analysis of the extent
66 to which renewable energy sources are being utilized in the
67 state.

68 3. Consideration of alternative scenarios of statewide
69 energy supply and demand for 5, 10, and 20 years to identify
70 strategies for long-range action, including identification of
71 potential social, economic, and environmental effects.

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72 4. An assessment of the state's energy resources,
73 including examination of the availability of commercially
74 developable and imported fuels, and an analysis of anticipated
75 effects on the state's environment and social services resulting
76 from energy resource development activities or from energy
77 supply constraints, or both.

78 ~~(e)~~~~(f)~~ The commission shall submit an annual report to the
79 Governor and the Legislature reflecting its activities and
80 making recommendations of policies for improvement of the
81 state's response to energy supply and demand and its effect on
82 the health, safety, and welfare of the people of Florida. The
83 report shall include a report from the Florida Public Service
84 Commission on electricity and natural gas and information on
85 energy conservation programs conducted and underway in the past
86 year and shall include recommendations for energy conservation
87 programs for the state, including, but not limited to, the
88 following factors:

89 1. Formulation of specific recommendations for improvement
90 in the efficiency of energy utilization in governmental,
91 residential, commercial, industrial, and transportation sectors.

92 2. Collection and dissemination of information relating to
93 energy conservation.

94 3. Development and conduct of educational and training
95 programs relating to energy conservation.

96 4. An analysis of the ways in which state agencies are
97 seeking to implement s. 377.601(2), the state energy policy, and
98 recommendations for better fulfilling this policy.

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99 (f) ~~(g)~~ The commission has authority to adopt rules
100 pursuant to ss. 120.536(1) and 120.54 to implement the
101 provisions of this act.

102 (g) ~~(h)~~ The commission shall promote the development and
103 use of renewable energy resources, in conformance with the
104 provisions of chapter 187 and s. 377.601, by:

105 1. Establishing goals and strategies for increasing the
106 use of solar energy in this state.

107 2. Aiding and promoting the commercialization of solar
108 energy technology, in cooperation with the Florida Solar Energy
109 Center, Enterprise Florida, Inc., and any other federal, state,
110 or local governmental agency which may seek to promote research,
111 development, and demonstration of solar energy equipment and
112 technology.

113 3. Identifying barriers to greater use of solar energy
114 systems in this state, and developing specific recommendations
115 for overcoming identified barriers, with findings and
116 recommendations to be submitted annually in the report to the
117 Governor and Legislature required under paragraph (f).

118 4. In cooperation with the Department of Environmental
119 Protection, the Department of Transportation, the Department of
120 Community Affairs, Enterprise Florida, Inc., the Florida Solar
121 Energy Center, and the Florida Solar Energy Industries
122 Association, investigating opportunities, pursuant to the
123 National Energy Policy Act of 1992, the Housing and Community
124 Development Act of 1992, and any subsequent federal legislation,
125 for solar electric vehicles and other solar energy
126 manufacturing, distribution, installation, and financing efforts

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127 | which will enhance this state's position as the leader in solar
128 | energy research, development, and use.

129 | 5. Undertaking other initiatives to advance the
130 | development and use of renewable energy resources in this state.

131 |
132 | In the exercise of its responsibilities under this paragraph,
133 | the commission shall seek the assistance of the solar energy
134 | industry in this state and other interested parties and is
135 | authorized to enter into contracts, retain professional
136 | consulting services, and expend funds appropriated by the
137 | Legislature for such purposes.

138 | ~~(h)~~~~(i)~~ The commission shall promote energy conservation in
139 | all energy use sectors throughout the state and shall constitute
140 | the state agency primarily responsible for this function. To
141 | this end, the commission shall coordinate the energy
142 | conservation programs of all state agencies and review and
143 | comment on the energy conservation programs of all state
144 | agencies.

145 | ~~(i)~~~~(j)~~ The commission shall serve as the state
146 | clearinghouse for indexing and gathering all information related
147 | to energy programs in state universities, in private
148 | universities, in federal, state, and local government agencies,
149 | and in private industry and shall prepare and distribute such
150 | information in any manner necessary to inform and advise the
151 | citizens of the state of such programs and activities. This
152 | shall include developing and maintaining a current index and
153 | profile of all research activities, which shall be identified by
154 | energy area and may include a summary of the project, the amount

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155 and sources of funding, anticipated completion dates, or, in
156 case of completed research, conclusions, recommendations, and
157 applicability to state government and private sector functions.
158 The commission shall coordinate, promote, and respond to efforts
159 by all sectors of the economy to seek financial support for
160 energy activities. The commission shall provide information to
161 consumers regarding the anticipated energy-use and energy-saving
162 characteristics of products and services in coordination with
163 any federal, state, or local governmental agencies as may
164 provide such information to consumers.

165 (j) ~~(*)~~ The commission shall coordinate energy-related
166 programs of state government, including, but not limited to, the
167 programs provided in this section. To this end, the commission
168 shall:

169 1. Provide assistance to other state agencies, counties,
170 municipalities, and regional planning agencies to further and
171 promote their energy planning activities.

172 2. Require, in cooperation with the Department of
173 Management Services, all state agencies to operate state-owned
174 and state-leased buildings in accordance with energy
175 conservation standards as adopted by the Department of
176 Management Services. Every 3 months, the Department of
177 Management Services shall furnish the commission data on
178 agencies' energy consumption and emissions of greenhouse gases
179 in a format prescribed by the commission.

180 3. Promote the development and use of renewable energy
181 resources, energy efficiency technologies, and conservation
182 measures.

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183 4. Promote the recovery of energy from wastes, including,
184 but not limited to, the use of waste heat, the use of
185 agricultural products as a source of energy, and recycling of
186 manufactured products. Such promotion shall be conducted in
187 conjunction with, and after consultation with, the Department of
188 Environmental Protection and the Florida Public Service
189 Commission where electrical generation or natural gas is
190 involved, and any other relevant federal, state, or local
191 governmental agency having responsibility for resource recovery
192 programs.

193 (k) ~~(l)~~ The commission shall develop, coordinate, and
194 promote a comprehensive research plan for state programs. Such
195 plan shall be consistent with state energy policy and shall be
196 updated on a biennial basis.

197 (l) ~~(m)~~ In recognition of the devastation to the economy of
198 this state and the dangers to the health and welfare of
199 residents of this state caused by severe hurricanes, and the
200 potential for such impacts caused by other natural disasters,
201 the commission shall include in its energy emergency contingency
202 plan and provide to the Florida Building Commission for
203 inclusion in the Florida Energy Efficiency Code for Building
204 Construction specific provisions to facilitate the use of cost-
205 effective solar energy technologies as emergency remedial and
206 preventive measures for providing electric power, street
207 lighting, and water heating service in the event of electric
208 power outages.

209 Section 3. Section 377.807, Florida Statutes, is created
210 to read:

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211 377.807 Energy-efficient appliance rebate program.--

212 (1) The State Energy Office is authorized to develop and
213 administer a consumer rebate program for residential energy-
214 efficient appliance, consistent with 42 U.S.C. s. 15821 and
215 any federal agency guidance or regulations issued in
216 furtherance of federal law.

217 (2) The State Energy Office may adopt rules pursuant to
218 ss. 120.536(1) and 120.54 designating eligible appliances,
219 rebate amounts, and the administration of the issuance of
220 rebates. The rules shall be consistent with 42 U.S.C. s. 15821
221 and any subsequent implementing federal regulations or guidance.

222 (3) The State Energy Office is authorized to enter into
223 contracts or memoranda of agreement with other agencies of the
224 state, public-private partnerships, or other arrangements such
225 that the most efficient means of administering consumer rebates
226 can be achieved.

227 Section 4. For the 2009-2010 fiscal year, the sum of
228 \$150,000 is appropriated from the General Revenue Fund to the
229 Florida Energy and Climate Commission for the purpose of the
230 energy-efficient appliance rebate program;

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233 -----
234 **T I T L E A M E N D M E N T**

235 Remove lines 2-7 and insert:

236 An act relating to energy; creating s. 14.35, F.S.; creating the
237 State Energy Office within the Executive Office of the Governor;
238 providing duties of the office; amending s. 377.703, F.S.;

HOUSE AMENDMENT
Bill No. CS/CS/HB 167

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239 deleting a duty of the Florida Energy and Climate Commission
240 relating to federal energy programs; creating s. 377.807, F.S.;
241 authorizing the State Energy Office to develop and administer a
242 consumer rebate program for specified energy-efficient
243 appliances; authorizing the office to enter into contracts
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