

By the Committees on Agriculture; and Communications, Energy,
and Public Utilities; and Senator Simpson

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1 A bill to be entitled
2 An act relating to energy policies; amending s.
3 377.6015, F.S.; removing a provision relating to
4 representation in the Southern States Energy Compact;
5 amending s. 377.703, F.S.; requiring the Department of
6 Agriculture and Consumer Services to include in its
7 annual report recommendations for energy efficiency;
8 expanding the promotion of the development and use of
9 renewable energy resources from goals related to solar
10 energy to renewable energy in general; requiring the
11 department to cooperate with the Florida Energy
12 Systems Consortium in the development and use of
13 renewable energy resources; amending s. 377.712, F.S.;
14 authorizing the Commissioner of Agriculture to appoint
15 a member to the Southern States Energy Board;
16 authorizing the department to approve proposed
17 activities relating to furtherance of the Southern
18 States Energy Compact; amending s. 377.801, F.S.;
19 conforming a cross-reference; amending s. 377.802,
20 F.S.; amending the purpose of the Florida Energy and
21 Climate Protection Act; amending s. 377.803, F.S.;
22 conforming provisions to changes made by the act;
23 creating s. 377.815, F.S.; authorizing the department
24 to post on its website information relating to
25 alternative fueling stations or electric vehicle
26 charging stations; defining the term "alternative
27 fuel"; authorizing the owner or operator of an
28 alternative fueling station or an electric vehicle
29 charging station to report certain information;

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30 amending s. 553.74, F.S.; adding a member to the
31 Florida Building Commission as a representative of the
32 Department of Agriculture and Consumer Services'
33 Office of Energy; deleting obsolete provisions;
34 repealing ss. 377.806 and 377.807, F.S., relating to
35 the Solar Energy System Incentives Program and the
36 Energy-Efficient Appliance Rebate Program,
37 respectively; providing an effective date.
38

39 Be It Enacted by the Legislature of the State of Florida:
40

41 Section 1. Paragraphs (f) through (i) of subsection (2) of
42 section 377.6015, Florida Statutes, are redesignated as
43 paragraphs (e) through (h), respectively, and present paragraph
44 (e) of that section is amended to read:

45 377.6015 Department of Agriculture and Consumer Services;
46 powers and duties.—

47 (2) The department shall:

48 ~~(c) Represent Florida in the Southern States Energy Compact~~
49 ~~pursuant to ss. 377.71-377.712.~~

50 Section 2. Paragraphs (f), (h), and (i) of subsection (2)
51 of section 377.703, Florida Statutes, are amended to read:

52 377.703 Additional functions of the Department of
53 Agriculture and Consumer Services.—

54 (2) DUTIES.—The department shall perform the following
55 functions, unless as otherwise provided, consistent with the
56 development of a state energy policy:

57 (f) The department shall submit an annual report to the
58 Governor and the Legislature reflecting its activities and

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59 making recommendations for ~~of~~ policies for improvement of the
60 state's response to energy supply and demand and its effect on
61 the health, safety, and welfare of the residents of this state
62 ~~people of Florida~~. The report must ~~shall~~ include a report from
63 the Florida Public Service Commission on electricity and natural
64 gas and information on energy conservation programs conducted
65 and underway in the past year and ~~shall~~ include recommendations
66 for energy efficiency and conservation programs for the state,
67 including, ~~but not limited to, the following factors:~~

68 1. Formulation of specific recommendations for improvement
69 in the efficiency of energy utilization in governmental,
70 residential, commercial, industrial, and transportation sectors.

71 2. Collection and dissemination of information relating to
72 energy efficiency and conservation.

73 3. Development and conduct of educational and training
74 programs relating to energy efficiency and conservation.

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

78 (h) The department shall promote the development and use of
79 renewable energy resources, in conformance with chapter 187 and
80 s. 377.601, by:

81 1. Establishing goals and strategies for increasing the use
82 of renewable ~~solar~~ energy in this state.

83 2. Aiding and promoting the commercialization of renewable
84 energy resources ~~solar energy technology~~, in cooperation with
85 the Florida Energy Systems Consortium, the Florida Solar Energy
86 Center, Enterprise Florida, Inc., and any other federal, state,
87 or local governmental agency that ~~which~~ may seek to promote

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88 research, development, and the demonstration of renewable ~~solar~~
89 energy equipment and technology.

90 3. Identifying barriers to greater use of renewable energy
91 resources ~~solar energy systems~~ in this state, and developing
92 specific recommendations for overcoming identified barriers,
93 with findings and recommendations to be submitted annually in
94 the report to the Governor and Legislature required under
95 paragraph (f).

96 4. In cooperation with the Department of Environmental
97 Protection, the Department of Transportation, the Department of
98 Economic Opportunity, Enterprise Florida, Inc., the Florida
99 Energy Systems Consortium, the Florida Solar Energy Center, and
100 the Florida Solar Energy Industries Association, investigating
101 opportunities, pursuant to the national Energy Policy Act of
102 1992, the Housing and Community Development Act of 1992, and any
103 subsequent federal legislation, for renewable energy resources,
104 ~~solar~~ electric vehicles, and other renewable ~~solar~~ energy
105 manufacturing, distribution, installation, and financing efforts
106 that ~~which will~~ enhance this state's position as the leader in
107 renewable ~~solar~~ energy research, development, and use.

108 5. Undertaking other initiatives to advance the development
109 and use of renewable energy resources in this state.

110
111 In the exercise of its responsibilities under this paragraph,
112 the department shall seek the assistance of the renewable ~~solar~~
113 energy industry in this state and other interested parties and
114 may ~~is authorized to~~ enter into contracts, retain professional
115 consulting services, and expend funds appropriated by the
116 Legislature for such purposes.

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117 (i) The department shall promote energy efficiency and
118 conservation in all energy use sectors throughout the state and
119 be ~~shall constitute~~ the state agency primarily responsible for
120 this function. The Department of Management Services, in
121 consultation with the department, shall coordinate the energy
122 conservation programs of all state agencies and review and
123 comment on the energy conservation programs of all state
124 agencies.

125 Section 3. Section 377.712, Florida Statutes, is amended to
126 read:

127 377.712 Florida participation.—

128 (1) (a) The Governor shall appoint one member of the
129 Southern States Energy Board. The member or the Governor may
130 designate another person as the deputy or assistant to such
131 member.

132 (b) The Commissioner of Agriculture may appoint one member
133 of the Southern States Energy Board. The member or the
134 commissioner may designate another person as the assistant or
135 deputy to such member.

136 (c) ~~(b)~~ The President of the Senate shall appoint one member
137 of the Southern States Energy Board. The member or the president
138 may designate another person as the assistant or deputy to such
139 member.

140 (d) ~~(e)~~ The Speaker of the House of Representatives shall
141 appoint one member of the Southern States Energy Board. The
142 member or the speaker may designate another person as the
143 assistant or deputy to such member.

144 (2) Any supplementary agreement entered into under s.
145 377.711(6) requiring the expenditure of funds may ~~shall~~ not

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146 become effective as to Florida until the required funds are
147 appropriated by the Legislature.

148 (3) Departments, agencies, and officers of this state, and
149 its subdivisions are authorized to cooperate with the board in
150 the furtherance of ~~any of~~ its activities pursuant to the
151 compact, provided such proposed activities have been made known
152 to, and have the approval of, ~~either~~ the Governor or the
153 Department of Agriculture and Consumer Services ~~Department of~~
154 ~~Health~~.

155 Section 4. Section 377.801, Florida Statutes, is amended to
156 read:

157 377.801 Short title.—Sections 377.801-377.804 ~~377.801-~~
158 ~~377.807~~ may be cited as the "Florida Energy and Climate
159 Protection Act."

160 Section 5. Section 377.802, Florida Statutes, is amended to
161 read:

162 377.802 Purpose.—This act is intended to provide incentives
163 for Florida's citizens, businesses, school districts, and local
164 governments to take action to diversify the state's energy
165 supplies, reduce dependence on foreign oil, and mitigate the
166 effects of climate change by providing funding for activities
167 designed to achieve these goals. The grant programs in this act
168 are intended to stimulate capital investment in and enhance the
169 market for renewable energy technologies and technologies
170 intended to diversify Florida's energy supplies, reduce
171 dependence on foreign oil, and combat or limit climate change
172 impacts. ~~This act is also intended to provide incentives for the~~
173 ~~purchase of energy-efficient appliances and rebates for solar~~
174 ~~energy equipment installations for residential and commercial~~

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175 ~~buildings.~~

176 Section 6. Section 377.803, Florida Statutes, is amended to
177 read:

178 377.803 Definitions.—As used in ss. 377.801-377.804 ~~ss.~~
179 ~~377.801-377.807~~, the term:

180 (1) "Act" means the Florida Energy and Climate Protection
181 Act.

182 (2) "Department" means the Department of Agriculture and
183 Consumer Services.

184 (3) "Person" means an individual, partnership, joint
185 venture, private or public corporation, association, firm,
186 public service company, or any other public or private entity.

187 (4) "Renewable energy" means electrical, mechanical, or
188 thermal energy produced from a method that uses one or more of
189 the following fuels or energy sources: hydrogen, biomass, as
190 defined in s. 366.91, solar energy, geothermal energy, wind
191 energy, ocean energy, waste heat, or hydroelectric power.

192 (5) "Renewable energy technology" means any technology that
193 generates or utilizes a renewable energy resource.

194 ~~(6) "Solar energy system" means equipment that provides for~~
195 ~~the collection and use of incident solar energy for water~~
196 ~~heating, space heating or cooling, or other applications that~~
197 ~~would normally require a conventional source of energy such as~~
198 ~~petroleum products, natural gas, or electricity that performs~~
199 ~~primarily with solar energy. In other systems in which solar~~
200 ~~energy is used in a supplemental way, only those components that~~
201 ~~collect and transfer solar energy shall be included in this~~
202 ~~definition.~~

203 ~~(7) "Solar photovoltaic system" means a device that~~

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204 ~~converts incident sunlight into electrical current.~~

205 ~~(8) "Solar thermal system" means a device that traps heat~~
206 ~~from incident sunlight in order to heat water.~~

207 Section 7. Section 377.815, Florida Statutes, is created to
208 read:

209 377.815 Alternative fueling stations and electric vehicle
210 charging stations.—The Department of Agriculture and Consumer
211 Services may post information on its website relating to
212 alternative fueling stations or electric vehicle charging
213 stations that are available for public use in this state.

214 (1) As used in this section, the term "alternative fuel"
215 means nontraditional transportation fuel, such as pure methanol,
216 ethanol, and other alcohols; blends of 85 percent or more of
217 alcohol with gasoline; natural gas and liquid fuels domestically
218 produced from natural gas; liquefied petroleum gas; coal-derived
219 liquid fuels; hydrogen; electricity; pure biodiesel; fuels,
220 other than alcohol, derived from biological materials; and P-
221 series fuels.

222 (2) An owner or operator of an alternative fueling station
223 that is available in this state may report the following
224 information to the department:

225 (a) The type of alternative fuel available;

226 (b) The station's name, address, or location; or

227 (c) The fees or costs associated with the alternative fuel
228 that is available for purchase.

229 (3) The owner or operator of an electric vehicle charging
230 station that is available in this state may report the following
231 information to the department:

232 (a) The station's name, address, or location; or

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233 (b) The fees or costs, if any, associated with the electric
234 vehicle charging services provided by the station.

235 Section 8. Subsection (1) of section 553.74, Florida
236 Statutes, is amended to read:

237 553.74 Florida Building Commission.—

238 (1) The Florida Building Commission is created and located
239 within the Department of Business and Professional Regulation
240 for administrative purposes. Members are appointed by the
241 Governor subject to confirmation by the Senate. The commission
242 is composed of 27 ~~26~~ members, consisting of the following:

243 (a) One architect registered to practice in this state and
244 actively engaged in the profession. The American Institute of
245 Architects, Florida Section, is encouraged to recommend a list
246 of candidates for consideration.

247 (b) One structural engineer registered to practice in this
248 state and actively engaged in the profession. The Florida
249 Engineering Society is encouraged to recommend a list of
250 candidates for consideration.

251 (c) One air-conditioning or mechanical contractor certified
252 to do business in this state and actively engaged in the
253 profession. The Florida Air Conditioning Contractors
254 Association, the Florida Refrigeration and Air Conditioning
255 Contractors Association, and the Mechanical Contractors
256 Association of Florida are encouraged to recommend a list of
257 candidates for consideration.

258 (d) One electrical contractor certified to do business in
259 this state and actively engaged in the profession. The Florida
260 Association of Electrical Contractors ~~Association~~ and the
261 National Electrical Contractors Association, Florida Chapter,

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262 are encouraged to recommend a list of candidates for
263 consideration.

264 (e) One member from fire protection engineering or
265 technology who is actively engaged in the profession. The
266 Florida Chapter of the Society of Fire Protection Engineers and
267 the Florida Fire Marshals and Inspectors Association are
268 encouraged to recommend a list of candidates for consideration.

269 (f) One general contractor certified to do business in this
270 state and actively engaged in the profession. The Associated
271 Builders and Contractors of Florida, the Florida Associated
272 General Contractors Council, and the Union Contractors
273 Association are encouraged to recommend a list of candidates for
274 consideration.

275 (g) One plumbing contractor licensed to do business in this
276 state and actively engaged in the profession. The Florida
277 Association of Plumbing, Heating, and Cooling Contractors is
278 encouraged to recommend a list of candidates for consideration.

279 (h) One roofing or sheet metal contractor certified to do
280 business in this state and actively engaged in the profession.
281 The Florida Roofing, Sheet Metal, and Air Conditioning
282 Contractors Association and the Sheet Metal and Air Conditioning
283 Contractors' ~~Contractors~~ National Association are encouraged to
284 recommend a list of candidates for consideration.

285 (i) One residential contractor licensed to do business in
286 this state and actively engaged in the profession. The Florida
287 Home Builders Association is encouraged to recommend a list of
288 candidates for consideration.

289 (j) Three members who are municipal or district codes
290 enforcement officials, one of whom is also a fire official. The

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291 Building Officials Association of Florida and the Florida Fire
292 Marshals and Inspectors Association are encouraged to recommend
293 a list of candidates for consideration.

294 (k) One member who represents the Department of Financial
295 Services.

296 (l) One member who is a county codes enforcement official.
297 The Building Officials Association of Florida is encouraged to
298 recommend a list of candidates for consideration.

299 (m) One member of a Florida-based organization of persons
300 with disabilities or a nationally chartered organization of
301 persons with disabilities with chapters in this state.

302 (n) One member of the manufactured buildings industry who
303 is licensed to do business in this state and is actively engaged
304 in the industry. The Florida Manufactured Housing Association is
305 encouraged to recommend a list of candidates for consideration.

306 (o) One mechanical or electrical engineer registered to
307 practice in this state and actively engaged in the profession.
308 The Florida Engineering Society is encouraged to recommend a
309 list of candidates for consideration.

310 (p) One member who is a representative of a municipality or
311 a charter county. The Florida League of Cities and the Florida
312 Association of Counties are encouraged to recommend a list of
313 candidates for consideration.

314 (q) One member of the building products manufacturing
315 industry who is authorized to do business in this state and is
316 actively engaged in the industry. The Florida Building Material
317 Association, the Florida Concrete and Product ~~Products~~
318 Association, and the Fenestration Manufacturers Association are
319 encouraged to recommend a list of candidates for consideration.

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320 (r) One member who is a representative of the building
321 owners and managers industry who is actively engaged in
322 commercial building ownership or management. The Building Owners
323 and Managers Association is encouraged to recommend a list of
324 candidates for consideration.

325 (s) One member who is a representative of the insurance
326 industry. The Florida Insurance Council is encouraged to
327 recommend a list of candidates for consideration.

328 (t) One member who is a representative of public education.

329 (u) One member who is a swimming pool contractor licensed
330 to do business in this state and actively engaged in the
331 profession. The Florida Swimming Pool Association and the United
332 Pool and Spa Association are encouraged to recommend a list of
333 candidates for consideration.

334 (v) One member who is a representative of the green
335 building industry and who is a third-party commission agent, a
336 Florida board member of the United States Green Building Council
337 or Green Building Initiative, a professional who is accredited
338 under the International Green Construction Code (IGCC), or a
339 professional who is accredited under Leadership in Energy and
340 Environmental Design (LEED).

341 (w) One member who is a representative of a natural gas
342 distribution system and who is actively engaged in the
343 distribution of natural gas in this state. The Florida Natural
344 Gas Association is encouraged to recommend a list of candidates
345 for consideration.

346 (x) One member who is a representative of the Department of
347 Agriculture and Consumer Services' Office of Energy who is
348 appointed from a list of three nominees provided by the

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349 Commissioner of Agriculture. If the Governor refuses to appoint
350 a nominee within 60 days after receipt of such list, the
351 Governor shall inform the commissioner and the commissioner
352 shall submit a new list of three nominees.

353 (y)~~(*)~~ One member who shall be the chair.

354

355 ~~Any person serving on the commission under paragraph (c) or~~
356 ~~paragraph (h) on October 1, 2003, and who has served less than~~
357 ~~two full terms is eligible for reappointment to the commission~~
358 ~~regardless of whether he or she meets the new qualification.~~

359 Section 9. Sections 377.806 and 377.807, Florida Statutes,
360 are repealed.

361 Section 10. This act shall take effect July 1, 2014.