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# A BILL FOR AN ACT

RELATING TO ENERGY EFFICIENCY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that energy efficiency is  
2 the most cost-effective way to reduce emissions associated with  
3 electricity generation and consumption. The legislature further  
4 finds that maximizing efficiency and thereby reducing demand for  
5 power generation is a necessary component of reaching the  
6 State's goal of one hundred per cent renewable energy by 2045.  
7 Energy used to power buildings accounts for more than fifty per  
8 cent of the electricity consumed in the State, but despite  
9 setting ambitious policy goals for increased energy efficiency  
10 and renewable energy, the State has not undertaken improvements  
11 for increased efficiency in many of its own facilities, forgoing  
12 millions of dollars in potential savings. It is important for  
13 the State to lead by example when it comes to energy efficiency,  
14 energy-efficient new building construction, and maximizing  
15 savings of taxpayer dollars that would otherwise be spent on  
16 utility bills.

17           The purpose of this Act is to:



- 1           (1) Require all state facilities, with the exception of  
2           smaller facilities and facilities at Aloha Stadium, to  
3           implement all cost-effective energy efficiency  
4           measures;
- 5           (2) Direct the Hawaii state energy office to collect all  
6           state-owned facilities' utility bill and energy usage  
7           data and make this data publicly available;
- 8           (3) Provide that certain agencies that perform energy  
9           efficiency retrofitting may continue to receive budget  
10          appropriations for energy expenditures at an amount  
11          that accounts for any costs or debt service for the  
12          implementation and management of energy efficiency  
13          measures; and
- 14          (4) Beginning July 1, 2020, require, where feasible and  
15          cost-effective, the design of all new state building  
16          construction to maximize energy generation and water  
17          efficiency, maximize energy and water efficiency,  
18          maximize energy generation potential, and use building  
19          materials that reduce the carbon footprint of the  
20          project.



1 SECTION 2. Chapter 196, Hawaii Revised Statutes, is  
2 amended by adding two new sections to part II to be  
3 appropriately designated and to read as follows:

4 **"§196- Energy efficiency implementation for state**  
5 **facilities.** (a) All state facilities shall implement all cost-  
6 effective energy efficiency measures or enter into performance  
7 contracts for the implementation of all cost-effective energy  
8 efficiency measures as follows:

9 (1) Beginning on January 1, 2022, for all state facilities  
10 that have not implemented section 36-41 since 2010;  
11 and  
12 (2) Beginning on January 1, 2024, for all other state  
13 facilities; provided that the simple payback period  
14 shall not exceed the performance period of the  
15 contract.

16 (b) State facilities having an area under ten thousand  
17 square feet and facilities at Aloha Stadium shall be exempt from  
18 the requirements of subsection (a).

19 **§196- Utility bills and energy usage data; state-owned**  
20 **facilities.** The Hawaii state energy office shall collect all  
21 utility bill and energy usage data for state-owned facilities



1 monthly and shall make this information available in a publicly  
2 accessible format."

3 SECTION 3. Section 36-41, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) All agencies shall evaluate and identify for  
6 implementation energy efficiency retrofitting through  
7 performance contracting. Agencies that perform energy  
8 efficiency retrofitting may continue to receive budget  
9 appropriations for energy expenditures at an amount that [~~shall~~  
10 ~~not fall below the pre retrofitting energy budget but shall rise~~  
11 ~~in proportion to any increase in the agency's overall budget for~~  
12 ~~the duration of the performance contract or project payment~~  
13 ~~term.] accounts for any costs for contracts or debt service for  
14 the implementation and management of energy efficiency  
15 measures."~~

16 SECTION 4. Section 107-27, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 "**§107-27 Design of state buildings.** (a) No later than  
19 one year after the adoption of codes or standards pursuant to  
20 section 107-24(c), the design of all state building construction  
21 shall be in compliance with the Hawaii state building codes,



1 except state building construction shall be allowed to be  
2 exempted from:

3 (1) County codes that have not adopted the Hawaii state  
4 building codes;

5 (2) Any county code amendments that are inconsistent with  
6 the minimum performance objectives of the Hawaii state  
7 building codes or the objectives enumerated in this  
8 part; or

9 (3) Any county code amendments that are contrary to code  
10 amendments adopted by another county.

11 (b) Exemptions shall include county ordinances allowing  
12 the exercise of indigenous Hawaiian architecture adopted in  
13 accordance with section 46-1.55.

14 (c) The State shall consider hurricane resistant criteria  
15 when designing and constructing new public schools for the  
16 capability of providing shelter refuge.

17 (d) Beginning July 1, 2020, where feasible and cost-  
18 effective, the design of all new state building construction  
19 shall:

20 (1) Maximize energy and water efficiency measures;

21 (2) Maximize energy generation potential; and



1        (3) Use building materials that reduce the carbon  
2                    footprint of the project."

3            SECTION 5. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6            SECTION 6. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8            SECTION 7. This Act shall take effect upon its approval.



**Report Title:**

Energy Efficiency; State Facilities; Building Design

**Description:**

Requires and establishes deadlines for all state facilities with an area of 10,000 square feet and over, except facilities at Aloha Stadium, to implement all cost-effective energy efficiency measures. Provides that certain agencies that perform energy efficiency retrofitting may continue to receive appropriations for energy expenditures at an amount that accounts for any costs or debt service for the implementation and management of energy efficiency measures. Beginning 7/1/2020, requires, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency, maximize energy generation potential, and use building materials that reduce the carbon footprint of the project. Directs the Hawaii State Energy Office to collect utility bill and energy usage data for state-owned buildings and to make the data publicly available. (SD2)

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