

HOUSE BILL No. 4980

September 19, 2017, Introduced by Reps. Yanez, Moss, Green, Chang, Ellison, Sneller, Rabhi, Sowerby, Clemente, Camilleri, Hoadley, Yaroach, Pagan, LaGrand, Durhal, Wittenberg, Liberati, Hammoud and Gay-Dagnogo and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding sections 1275, 1275a, and 1275b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 1275. (1) THE DEPARTMENT OF EDUCATION SHALL STRONGLY**
2 **ENCOURAGE THE BOARD OF EACH SCHOOL DISTRICT OR INTERMEDIATE SCHOOL**
3 **DISTRICT TO ENSURE THAT ONCE EVERY 3 YEARS, BEGINNING WITH THE 2018**
4 **THROUGH 2020 TRIENNIUM, EACH SCHOOL BUILDING OWNED BY THE SCHOOL**
5 **DISTRICT OR INTERMEDIATE SCHOOL DISTRICT AND USED FOR INSTRUCTIONAL**
6 **OR ADMINISTRATIVE PURPOSES UNDERGOES 1 OF THE FOLLOWING:**

7 **(A) A LEVEL II ASHRAE ENERGY AUDIT BY A QUALIFIED ENERGY AUDIT**
8 **CONTRACTOR TO IDENTIFY POTENTIAL ENERGY EFFICIENCY AND ENERGY**
9 **CONSERVATION IMPROVEMENTS AND ESTIMATE RESULTING COST SAVINGS.**

10 **(B) BENCHMARKING BY USE OF THE ENERGY STAR PORTFOLIO MANAGER.**

11 **(2) THE ENERGY OFFICE OF THE MICHIGAN AGENCY FOR ENERGY SHALL**

1 DO ALL OF THE FOLLOWING:

2 (A) ASSIST SCHOOL DISTRICTS AND INTERMEDIATE SCHOOL DISTRICTS
3 TO DO BOTH OF THE FOLLOWING:

4 (i) FOR THE PURPOSES OF SUBSECTION (1) (A) , IDENTIFY SOURCES OF
5 FUNDING AND FINANCING METHODS AND A LICENSED PROFESSIONAL ENGINEER
6 OR ARCHITECT WHO CAN PROVIDE ENERGY AUDIT SERVICES.

7 (ii) ACHIEVE ECONOMIES OF SCALE BY CREATING PURCHASING
8 CONSORTIA THAT ALLOW CONTRACTS FOR ENERGY EFFICIENCY AND ENERGY
9 CONSERVATION IMPROVEMENTS JOINTLY WITH OTHER SCHOOL DISTRICTS AND
10 INTERMEDIATE SCHOOL DISTRICTS.

11 (B) PROVIDE TECHNICAL ASSISTANCE TO SCHOOL DISTRICTS AND
12 INTERMEDIATE SCHOOL DISTRICTS TO DO BOTH OF THE FOLLOWING:

13 (i) INCREASE ENERGY EFFICIENCY AND ENERGY CONSERVATION BY
14 ACHIEVING GREEN BUILDING CERTIFICATION THROUGH PROGRAMS SUCH AS
15 LEED.

16 (ii) EXPAND THE BENEFITS OF ENERGY CONSERVATION STRATEGIES TO
17 INCLUDE INDOOR ENVIRONMENTAL QUALITY IMPROVEMENTS THAT CAN BOOST
18 STUDENT AND TEACHER PERFORMANCE.

19 (3) AS USED IN THIS SECTION:

20 (A) "ENERGY STAR" MEANS THAT TERM AS DEFINED IN SECTION 5 OF
21 THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT, 2008
22 PA 295, MCL 460.1005.

23 (B) "ENERGY STAR PORTFOLIO MANAGER" MEANS A PROGRAM CREATED BY
24 THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY THAT IS AVAILABLE
25 FOR FREE ONLINE USE AT THE ENERGY STAR WEBSITE AND THAT MEASURES
26 AND TRACKS ENERGY AND WATER CONSUMPTION, AS WELL AS GREENHOUSE GAS
27 EMISSIONS, BY 1 OR MORE BUILDINGS.

1 (C) "LEED" MEANS THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL
2 DESIGN GREEN BUILDING RATINGS SYSTEM AND CERTIFICATION PROGRAM
3 DEVELOPED AND MANAGED BY U.S. GREEN BUILDING COUNCIL, INC.

4 (D) "LEVEL II ASHRAE ENERGY AUDIT" MEANS A DETAILED BUILDING
5 SURVEY AND ENERGY ANALYSIS AS DEFINED BY THE AMERICAN SOCIETY OF
6 HEATING, REFRIGERATING, AND AIR-CONDITIONING ENGINEERS.

7 (E) "MICHIGAN AGENCY FOR ENERGY" MEANS THE MICHIGAN AGENCY FOR
8 ENERGY CREATED IN EXECUTIVE REORGANIZATION ORDER NO. 2015-3, MCL
9 460.21.

10 SEC. 1275A. (1) THE DEPARTMENT OF EDUCATION SHALL STRONGLY
11 ENCOURAGE THE BOARD OF EACH SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
12 DISTRICT TO CONSIDER THE VALUE OF A COMPREHENSIVE ENERGY AUDIT,
13 EITHER ONCE EVERY 10 YEARS BEGINNING WITH THE DECADE OF 2018 TO
14 2027, OR BEFORE ANY MAJOR FACILITY RENOVATION, FOR EACH SCHOOL
15 BUILDING OWNED BY THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
16 DISTRICT AND USED FOR INSTRUCTION OR ADMINISTRATIVE PURPOSES.

17 (2) AS USED IN THIS SECTION, "COMPREHENSIVE ENERGY AUDIT"
18 MEANS A LEVEL III ASHRAE ENERGY AUDIT, WHICH IS A HIGHLY
19 INSTRUMENTED AND LONG-TERM ANALYSIS OF CAPITAL-INTENSIVE
20 MODIFICATIONS, AS DEFINED BY THE AMERICAN SOCIETY OF HEATING,
21 REFRIGERATING, AND AIR-CONDITIONING ENGINEERS, CONDUCTED BY A
22 QUALIFIED ENERGY AUDIT CONTRACTOR TO IDENTIFY POTENTIAL ENERGY
23 EFFICIENCY AND ENERGY CONSERVATION IMPROVEMENTS AND ESTIMATE
24 RESULTING COST SAVINGS.

25 SEC. 1275B. (1) THE DEPARTMENT OF EDUCATION SHALL STRONGLY
26 ENCOURAGE THE BOARD OF EACH SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
27 DISTRICT TO ENTER AND MAINTAIN ENERGY CONSUMPTION DATA IN ITS

1 BENCHMARKING SYSTEM, INCLUDING THE FOLLOWING:

2 (A) MONTHLY UTILITY CONSUMPTION DATA FOR ALL BUILDINGS UNDER
3 ITS CUSTODIAL CONTROL.

4 (B) CONTINUOUS ENERGY CONSUMPTION DATA WITHIN EACH SCHOOL
5 BUILDING USING AVAILABLE METERING TECHNOLOGY AND REPORTING
6 PLATFORMS SUCH AS ARC THAT, IN ADDITION TO OR AS A COMPLEMENT TO
7 THE ENERGY STAR PLATFORM, TRACK AND COMMUNICATE BUILDING
8 SUSTAINABILITY PERFORMANCE BEYOND ENERGY, INCLUDING WATER, WASTE,
9 TRANSPORTATION, AND HUMAN EXPERIENCE.

10 (2) AS USED IN THIS SECTION, "ARC" MEANS A DIGITAL PLATFORM
11 FOR BENCHMARKING BUILDING PERFORMANCE CREATED BY ARC SKORU, INC.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.