

HB1166\_L.001

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation.HB12-1166 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. **Legislative declaration.** (1) The general  
4 assembly hereby finds and declares that:

5 (a) Part of addressing the budget challenges facing our state  
6 government includes employing measures to steward public resources in  
7 order to save money, water, and energy, and to ensure that those savings  
8 are attained;

9 (b) The daily activities of state government have a significant  
10 impact on the quality of the state's budget, public health, environment,  
11 and use of its natural resources. To achieve greening government goals  
12 and to measure progress toward those goals, further reductions in state  
13 agency consumption of water and energy are necessary, and to be  
14 effective, systematic collection of reduction data must be implemented.

15 (c) The evaluation, upgrading, and optimized operation of  
16 state-assisted facilities will expand opportunities for skilled jobs in  
17 construction trades, engineering, operations, sales, and innovative  
18 technologies;

19 (d) Investing in energy efficiency contributes to stable, long-term  
20 economic growth, encourages job creation, and enhances stewardship of  
21 natural resources;

22 (e) While previous legislation has required a state agency or  
23 department to perform any substantial renovation, design, or new  
24 construction of a state-assisted facility to achieve the highest performance  
25 standard certification attainable, the state agencies and departments are  
26 not statutorily required to track the data needed to measure whether the  
27 certification is indeed attained; and

28 (f) In order to manage our state-assisted facilities to attain the  
29 highest performance standard possible, it is important to measure the  
30 resource usage of such facilities carefully and to evaluate whether the  
31 facilities are performing at an optimum level.

32 **SECTION 2.** In Colorado Revised Statutes, 24-30-1305, **amend**  
33 (9) (b); and **repeal** (9) (c) (IV) as follows:

34 **24-30-1305. Life-cycle cost - application - high performance**  
35 **standards - report.** (9) (b) (I) A state agency or department controlling  
36 the substantial renovation, design, or new construction of a state-assisted  
37 facility shall, pursuant to the program adopted in paragraph (a) of this  
38 subsection (9), perform the substantial renovation, design, or new



1 construction to achieve the highest performance certification attainable  
2 as certified by an independent third party pursuant to the high  
3 performance standard certification program. For purposes of this  
4 paragraph (b), a certification is attainable if the increased initial costs of  
5 the substantial renovation, design, or new construction, including the time  
6 value of money, TO ACHIEVE THE HIGHEST PERFORMANCE CERTIFICATION  
7 can be recouped from decreased operational costs within fifteen years.

8 (II) (A) FOR ALL STATE-ASSISTED FACILITIES THAT HAVE  
9 COMPLETED THE DESIGN PROCESS ON OR AFTER JULY 1, 2012, EACH STATE  
10 AGENCY OR DEPARTMENT SHALL MONITOR, TRACK, AND VERIFY UTILITY  
11 VENDOR BILL DATA PERTAINING TO THE STATE-ASSISTED FACILITY AND  
12 SHALL ANNUALLY REPORT TO THE OFFICE OF THE STATE ARCHITECT, OR AN  
13 ANALOGOUS SUCCESSOR OFFICE IN THE DEPARTMENT, ANY NECESSARY  
14 INFORMATION, AS DETERMINED BY THE STATE ARCHITECT, THAT THE  
15 STATE AGENCY OR DEPARTMENT USES TO ENSURE THAT THE INCREASED  
16 INITIAL COSTS OF THE SUBSTANTIAL RENOVATION, DESIGN, OR NEW  
17 CONSTRUCTION, INCLUDING THE TIME VALUE OF MONEY, TO ACHIEVE THE  
18 HIGHEST PERFORMANCE CERTIFICATION ARE IN FACT RECOUPED. A STATE  
19 AGENCY OR DEPARTMENT MAY USE A COMMERCIAL UTILITY TRACKING  
20 SOFTWARE OR OTHER TRACKING PROGRAM APPROVED BY THE OFFICE OF  
21 THE STATE ARCHITECT TO MONITOR, TRACK, AND VERIFY THE  
22 STATE-ASSISTED FACILITY AS SET FORTH IN THIS SUB-SUBPARAGRAPH (A).  
23 THE ANNUAL REPORT SHALL ALSO INCLUDE INFORMATION RELATED TO  
24 BUILDING PERFORMANCE BASED ON THE STATE-ASSISTED FACILITY'S  
25 UTILITY CONSUMPTION.

26 (B) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND  
27 DECLARES THAT STATE-ASSISTED FACILITIES THAT HAVE ACHIEVED THE  
28 HIGHEST PERFORMANCE CERTIFICATION AND COMPLETED THE DESIGN  
29 PROCESS PRIOR TO JULY 1, 2012, ARE STRONGLY ENCOURAGED TO  
30 MONITOR, TRACK, AND VERIFY UTILITY VENDOR BILL DATA PERTAINING TO  
31 SUCH STATE-ASSISTED FACILITY IN ORDER TO ENSURE THAT THE  
32 INCREASED INITIAL COSTS TO ACHIEVE THE HIGHEST PERFORMANCE  
33 CERTIFICATION ARE IN FACT RECOUPED.

34 (c) (IV) ~~A state-assisted facility may be exempted from complying~~  
35 ~~with this section upon a determination by the executive director that~~  
36 ~~extenuating circumstances exist such as to preclude the implementation~~  
37 ~~of this subsection (9).~~

38 **SECTION 3. Safety clause.** The general assembly hereby finds,  
39 determines, and declares that this act is necessary for the immediate  
40 preservation of the public peace, health, and safety.

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