

FIRST REGULAR SESSION

# HOUSE BILL NO. 1051

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE THOMSON.

2086L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 174, RSMo, by adding thereto one new section relating to the higher education energy savings project.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 174, RSMo, is amended by adding thereto one new section, to be known as section 174.333, to read as follows:

**174.333. 1. There is hereby established a pilot program at Northwest Missouri State University to be referred to as the "Higher Education Energy Savings Project", to encourage and fund energy conservation measures on the campus of Northwest Missouri State University. For purposes of this section, "energy conservation measure" means any improvement, repair, alteration, betterment of any building or facility, subject to all applicable building codes, owned or operated by Northwest Missouri State University, or any equipment, fixture, or furnishing to be added to, upgraded, modified, or used in any such building or facility that is designed to reduce energy consumption or operating costs or avoid increased costs, and may include, without limitation, measures that accomplish the following:**

**(1) Reduce dependency on fossil fuels by purchasing or generating energy produced from renewable sources or recycled materials;**

**(2) Improve or replace central plant equipment and distribution systems;**

**(3) Improve the building shell to reduce heat loss or control heat gain;**

**(4) Modify or replace heating, ventilating, or air conditioning systems, including the adoption of energy recovery systems and computerized energy management control systems;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **(5) Replace or modify lighting fixtures to increase the energy efficiency of the**  
19 **lighting system without increasing the overall illumination of a facility, unless an increase**  
20 **in illumination is necessary to conform to the applicable state or local building code for the**  
21 **lighting system after the proposed modifications are made; and**

22           **(6) Implement other energy conservation measures that provide long-term**  
23 **operating cost reductions, such as peak demand shaving.**

24           **2. No later than January 1, 2011, Northwest Missouri State University shall submit**  
25 **an energy savings project proposal to the department of natural resources energy center**  
26 **for review and approval.**

27           **3. The state environmental improvement and energy resources authority, in**  
28 **accordance with sections 260.005 to 260.125, RSMo, may sell up to twelve million dollars**  
29 **in bonds with the expenditure of the proceeds from that sale to be used for energy**  
30 **efficiency and energy retrofitting under the higher education energy savings project.**  
31 **Additional funding for the project may be provided by general appropriations, grants,**  
32 **private donations, energy savings dollars, or through moneys received by the state due to**  
33 **the American Recovery and Reinvestment Act of 2009, as enacted by the 111th United**  
34 **States Congress.**

35           **4. Northwest Missouri State University shall report annually to the general**  
36 **assembly regarding the progress of the higher education energy savings project.**

37           **5. The higher educational energy savings project may be replicated at any other**  
38 **public institution of higher education in this state, or may be expanded to include**  
39 **additional public institutions of higher education.**

40           **6. The department of natural resources, in conjunction with the department of**  
41 **higher education, may promulgate rules and regulations to carry out the provisions of this**  
42 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**  
43 **that is created under the authority delegated in this section shall become effective only if**  
44 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**  
45 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
46 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**  
47 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
48 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
49 **adopted after August 28, 2009, shall be invalid and void.**

50           **7. Under section 23.253, RSMo, of the Missouri Sunset Act:**

51           **(1) The provisions of the new program authorized under this section shall**  
52 **automatically sunset six years after the effective date of this section unless reauthorized by**  
53 **an act of the general assembly; and**

54           **(2) If such program is reauthorized, the program authorized under this section**  
55 **shall automatically sunset twelve years after the effective date of the reauthorization of this**  
56 **section; and**

57           **(3) This section shall terminate on September first of the calendar year immediately**  
58 **following the calendar year in which the program authorized under this section is sunset.**

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