

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 56  
Finance Committee Substitute Adopted 4/20/99  
House Committee Substitute Favorable 5/27/99

Short Title: Energy Savings Contract Term/Sunset.

(Public)

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Sponsors:

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Referred to:

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February 9, 1999

A BILL TO BE ENTITLED

1 AN ACT TO INCLUDE SERVICES IN THE DEFINITION OF ENERGY  
2 CONSERVATION MEASURES, TO EXTEND THE MAXIMUM DURATION OF  
3 A GUARANTEED ENERGY SAVINGS CONTRACT, AND TO REPEAL THE  
4 SUNSET REGARDING THE AUTHORITY OF A LOCAL GOVERNMENTAL  
5 UNIT TO ENTER INTO A GUARANTEED ENERGY SAVINGS CONTRACT  
6 FOR A LOCAL PUBLIC FACILITY.  
7

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 143-64.17(1) reads as rewritten:

10 "(1) 'Energy conservation measure' means a facility ~~alteration or training~~  
11 alteration, training, or services related to the operation of the ~~facility~~  
12 facility, that reduces energy consumption or operating costs and includes:  
13 when the alteration, training, or services provide anticipated energy  
14 savings. Energy conservation measure includes any of the following:

- 15 a. Insulation of the building structure and systems within the  
16 ~~building;~~ building.  
17 b. Storm windows or doors, caulking, weatherstripping, multiglazed  
18 windows or doors, heat-absorbing or heat-reflective glazed or

1 coated window or door systems, additional glazing, reductions in  
2 glass area, or other window or door system modifications that  
3 reduce energy ~~consumption~~; consumption.

4 c. Automatic energy control ~~systems~~; systems.

5 d. Heating, ventilating, or air-conditioning system modifications or  
6 ~~replacements~~; replacements.

7 e. Replacement or modification of lighting fixtures to increase the  
8 energy efficiency of a lighting system without increasing the  
9 overall illumination of a facility, unless an increase in  
10 illumination is necessary to conform to the applicable State or  
11 local building code or is required by the light system after the  
12 proposed modifications are ~~made~~; made.

13 f. Energy recovery ~~systems~~; systems.

14 g. Cogeneration systems that produce steam or forms of energy  
15 such as heat, as well as electricity, for use primarily within a  
16 building or complex of ~~buildings~~; or buildings.

17 h. Other energy conservation ~~measures that provide long-term~~  
18 ~~operating cost reductions or significantly reduce energy~~  
19 ~~consumed~~ measures."

20 Section 2. G.S. 143-64.17(2) reads as rewritten:

21 "(2) 'Energy savings' means a measured reduction in ~~fuel~~; fuel costs, ~~energy~~,  
22 energy costs, or operating costs created from the implementation of one  
23 or more energy conservation measures when compared with an  
24 established baseline of previous ~~fuel~~; fuel costs, ~~energy~~, energy costs, or  
25 operating costs developed by the local governmental unit."

26 Section 3. G.S. 143-64.17B(a) reads as rewritten:

27 "(a) A local governmental unit may enter into a guaranteed energy savings contract  
28 with a qualified provider if all of the following apply:

29 (1) The term of the contract does not exceed ~~eight~~ 12 years from the date of  
30 the installation and acceptance by the local governmental unit of the  
31 energy conservation measures provided for under the contract.

32 (2) The local governmental unit finds that the energy savings resulting from  
33 the performance of the contract will equal or exceed the total cost of the  
34 contract.

35 (3) The energy conservation measures to be installed under the contract are  
36 for an existing building."

37 Section 4. Section 10 of Chapter 775 of the 1993 Session Laws, as amended  
38 by Section 3 of Chapter 295 of the 1995 Session Laws, reads as rewritten:

39 "~~Sec. 10. A local governmental unit may not enter into a guaranteed energy savings~~  
40 ~~contract under Part 2 of Article 3B of Chapter 143 of the General Statutes, as enacted by~~  
41 ~~this act, on or after July 1, 1999.~~"

42 Section 5. This act becomes effective July 1, 1999, and applies to contracts  
43 entered into on or after July 1, 1999.