SENATE . . . . . No. 1418

The Commonwealth of Massachusetts

SENATE, April 27, 1976.

The committee on State Administration, to whom was referred the petition (accompanied by bill, Senate, No. 1004) of William M. Bulger for legislation to require estimates be taken for solar energy utilization for all state construction; and the petition (accompanied by bill, House, No. 4216) of Carol C. Amick relative to amending certain provisions of the law pertaining to energy impact reports, reports the accompanying bill (Senate, No. 1418).

For the Committee,

ALAN D. SISITSKY

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

AN ACT REQUIRING ESTIMATES BE TAKEN FOR SOLAR AND WIND ENERGY UTILIZATION FOR ALL FUTURE STATE CONSTRUCTION.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

SECTION 1. Amend Chapter 149 of the General Laws by adding the following new section 44M: —

44M a) Definitions — For the purposes of section 44M of Chapter 149, the phrase "new building" shall be deemed to include an entire building or any addition to an existing building that will add at least ten per cent (10%) gross floor space to the building, where the cost of construction is estimated to exceed $25,000.

For the purposes of section 44M of Chapter 149, the phrase "life-cycle cost estimate" shall be deemed to mean the cost of installing, financing, fueling, maintaining and replacing an energy system including the cost of energy conservation measures to reduce an energy system's required capacity or fuel consumption and any other costs incidental to owning such energy system. The phrase "life-cycle cost estimate" shall be further defined in regulations to be issued by the Bureau of Building Construction and thereafter updated at least every two (2) years.

For the purposes of section 44M of Chapter 149, the phrase "technically feasible energy systems" shall be deemed to include, but not be limited to: any equipment that is employed to heat a building, or heat water used in the building, or generate electricity for the building and that uses the sun, wind, oil, natural gas, or electricity as its power supply in whole or in part; any equipment that is employed to cool a building and that uses the sun or electricity as its power source in whole or in part; and energy conservation measures included in the building design and construction that decrease the building's energy requirements in whole or in part.

44M b) All public awarding authorities subject to the bid-

31 ding requirements of sections 44A through L of Chapter 149
32 of the General Laws shall ensure that energy system life-cycle
33 cost estimates are considered during the preliminary design of
34 all new buildings. Life-cycle cost estimates shall be obtained
35 for technically feasible energy systems, including any eco-
36 nomically advantageous combination of energy systems, rea-
37 sonably capable of meeting in whole or in part the anticipated
38 energy requirements of a new building. The Bureau of Build-
39 ing Construction shall issue a list, as part of its regulations
40 pursuant to this act mandating the minimum number and
41 types of energy systems for which life-cycle cost estimates
42 must be obtained in compliance with this section. Said list
43 shall be updated and revised at least every two years. For
44 the purpose of determining life-cycle cost estimates, location
45 of initial building design upon the selected site shall maximize
46 exposure to the sun for a solar energy system or the wind
47 energy system's exposure to the wind. The life-cycle cost esti-
48 mates shall be employed to determine the least costly energy
49 system.
50 *44M* c) Summaries of the energy system life-cycle cost esti-
51 mates shall be filed with the Bureau of Building Construction.
52 Nothing in this act shall be deemed to require an awarding
53 authority to select any energy system other than the one de-
54 sired by such awarding authority.
55 *44M* d) The Bureau of Building Construction shall have au-
56 thority to issue any additional regulations, lists, or definitions
57 necessary to accomplish the purposes of this section.

1 SECTION 2. This Act shall take effect on January 1, 1977.