

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB40)**

Received: **06/25/2007**

Received By: **jkuesel**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-3013**

By/Representing: **Runde (DL)**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **State Govt - state bldg proj**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

LFB:.....Runde (DL) -

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**Topic:**

Energy conservation construction project modifications

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**Instructions:**

Per LFB Paper #184 (see attached).

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 06/27/2007	lkunkel 06/28/2007		_____			
/1			nmatzke 06/28/2007	_____	cduerst 06/28/2007		

FE Sent For:

<END>

DMOPEJ

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1/?	jkuesel 6/27/07	1/mk 6/28	nwn 6/28	nwn 6/28			

FE Sent For:

<END>

JRC  
c. Energy Conservation Construction Projects (paper #184)

i. Adopt alternative A2 and Alternative B2

1. Require all energy efficiency projects funded through program to be measured and verified in accordance with the International Performance Measurement and Verification protocol adopted by the Federal Energy Management program.
2. Require DOA to use performance guarantees from energy service companies for projects funded through the program

**Note:** There is an explanation of "performance contracting" in §16.858. However, its use is discretionary. We would like to say the state **shall, to the extent feasible,** use performance contracting, as outlined in §16.858 when implementing energy efficiency projects in the state (rather than "may"). In addition, the procedure set out in §16.858 does not include the component that the contractor will guarantee the savings. That should also be added.



[DRAFT]  
State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0597/2 1

JTK:.....

Imk

LFB:.....Runde (DL) - Energy conservation construction project modifications

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,**

**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2007 SENATE BILL 40**

ASSEMBLY

LPS: PLS chg request sheet

At the locations indicated, amend the substitute amendment as follows:

1. Page 46, line 1: after "PROJECTS." insert "(a)".
2. Page 46, line 6: after that line insert:

"(b) The department shall measure and verify each energy conservation construction project funded under this subsection in accordance with the performance measurement and verification guidelines adopted by the federal Energy Management Program.

(c) The department shall, to the extent feasible, use the procedures under s. 16.858 to carry out energy conservation construction projects funded under this subsection. In any contract entered into by the department under s. 16.858 that is

funded under this subsection, the contract shall set forth the minimum savings in energy usage that will be realized by the state from construction of the project and the contractor shall guarantee that the savings will be realized." ✓

(END)



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0597/1dn

JTK.....

*JTK*

*(date)*

Al Runde:

From what I can determine, the International Performance Measurement and Verification Protocol is an organization outside the U.S. Department of Energy. The department has adopted measurement and verification guidelines in conjunction with that organization. The draft therefore references those guidelines as the standard that will govern energy conservation construction contracts. Please let me know if this is not consistent with your understanding and intent. ✓

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0597/1dn  
JTK:lmk:nwn

June 28, 2007

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Phone: (608) 266-6778



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0597/1  
JTK:lmk:nwn

LFB:.....Runde (DL) - Energy conservation construction project  
modifications

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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3 the contractor shall guarantee that the savings will be realized.”

4 (END)