

UNOFFICIAL TRANSLATION

COMMONWEALTH OF PUERTO RICO

17th Legislative
Assembly

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SENATE OF PUERTO RICO

S. B. 843

November 20, 2013

Introduced by Mr. *Bhatia-Gautier*

Referred to the Committee on Energy Affairs and Water Resources

AN ACT

To create the Legislative Assembly's Energy Efficiency Act in order to devise an energy savings strategy to reduce the consumption of electric power in the offices and facilities of the Legislative Assembly, among other issues.

STATEMENT OF MOTIVES

The Legislative Assembly has the responsibility to lead by example and implement a public policy directed to promote the smart and efficient use of energy resources. The Legislative Branch, the Office of Legislative Services, and the Office of Legislative Maintenance, also known as "Superintendencia", as well as the buildings where said entities are located in the Capitol District must implement an energy savings and efficiency plan.

Similar to other government instrumentalities, the Legislative Assembly has experienced a significant increase in energy expenses and consumption. The illumination in some offices and buildings is left on even when it is not being used.

Furthermore, some facilities within the Capitol District have obsolete lamps and appliances that may be easily replaced with more efficient ones.

This Legislative Assembly must be at the forefront of implementing initiatives that guarantee the smart and efficient use of energy resources in its facilities. We are aware that the Legislative Assembly has already begun to gear its efforts toward attaining this goal by replacing inefficient equipment with higher efficiency ones and by installing renewable energy generation equipment. However, there is still much left to do, such as repairing equipment intended for energy conservation, ensuring the conservation of energy in vacant capitol facilities, and developing new renewable energy generation projects in the Legislative Assembly's offices. Currently, the consumption of electric power by the entities that comprise the Legislative Branch amounts to \$4,380,000 annually; such amount should gradually decrease as a result of conservation efforts already under way. However, deterrent measures must be established to ensure full compliance with the energy efficiency initiatives provided in this Act.

For all of the foregoing, the Legislative Branch hereby adopts the Legislative Assembly's Energy Efficiency Act as a means to save energy in its facilities and premises.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

1 Section 1.- Title.-

2 This Act shall be known as the "Legislative Assembly's Energy Efficiency
3 Act".

4 Section 2.- Declaration of Public Policy.-

5 It is hereby declared the public policy of the Commonwealth of Puerto Rico
6 that energy resources available in the Island shall be used wisely and efficiently.
7 Thus, the Legislative Assembly shall be required to take actions and adopt
8 measures that reduce or eliminate those activities and practices that waste or

1 inefficiently use energy resources in their premises. Our strategy consists on
2 establishing specific initiatives to achieve energy efficiency.

3 Section 3.- Definitions.-

4 The following terms shall have the meanings stated below:

5 (a) “Puerto Rico Electric Power Authority” means the public corporation
6 created by virtue of Act No. 83 of May 2, 1941, as amended.

7 (b) “Baseline Energy Use” means the average electric power consumed by
8 every office of the Legislative Assembly, according to the electricity consumption
9 records of the Puerto Rico Electric Power Authority, during the two (2) years
10 preceding the effective date of this Act.

11 (c) “Savings Percentage Deficiency” means the monetary cost or value of
12 the electric power consumed by a facility of the Legislative Assembly that failed to
13 achieve or meet the savings percentage provided in this Act, using the baseline
14 energy use as a benchmark, which the Puerto Rico Electric Power Authority shall
15 charge to the Legislative Assembly through an electric bill.

16 (d) “Savings Percentage” means the minimum electric power savings
17 percentage that the facilities of the Legislative Assembly must achieve annually,
18 using the baseline energy use as a benchmark.

19 Section 4.- Energy Savings Plan for the Legislative Assembly.-

20 It shall be the duty and responsibility of the Legislative Assembly to
21 implement strategies that reduce electric power consumption in the offices and
22 facilities under its jurisdiction. To such ends, the Legislative Assembly shall take
23 any actions and measures geared toward reducing the annual consumption of
24 electric power, taking into account the savings rate stated below:

25 (a) The savings percentage shall be two percent (2%) of the baseline energy
26 use during the first, second, and third years following the approval of this Act.

1 (b) The savings percentage shall be five percent (5%) of the baseline energy
2 use during the fourth, fifth, and sixth years following the approval of this Act.

3 (c) The savings percentage shall be seven percent (7%) of the baseline
4 energy use after the seventh year following the approval of this Act.

5 Section 5.- Noncompliance with the Energy Savings Plan.-

6 Any facility of the Legislative Assembly that fails to comply with the
7 savings percentage established in Section 4 of this Act shall pay the Puerto Rico
8 Electric Power Authority the amount corresponding to such savings percentage
9 deficiency duly computed. The Puerto Rico Electric Power Authority shall be a
10 preferred creditor and may charge any savings percentage deficiency amount to the
11 corresponding facility or section of the Legislative Branch. Given that the Puerto
12 Rico Electric Power Authority enjoys a preferred creditor status, it is hereby
13 empowered to collect any outstanding invoices causing the Department of the
14 Treasury to deduct the amount owed from the monthly allocations of the
15 operational budget appropriated to them.

16 Section 6.- This Act shall take effect immediately after its approval.