

Regular Session, 2010

# ACT No. 1021

HOUSE BILL NO. 699

BY REPRESENTATIVES GEYMANN, ARMES, LEGER, LIGI, MCVEA, MORRIS,  
AND SMILEY AND SENATOR MOUNT

1 AN ACT

2 To amend and reenact R.S. 39:1496.1(E)(1)(b) and (c) and (2) and to enact R.S.  
3 39:1496.1(F) and (G), relative to performance-based energy efficiency contracts; to  
4 provide for the approval process of such contracts; to provide for the Energy  
5 Efficiency Procurement Support Team; to provide for the audit and review process  
6 of such contracts; to provide for appropriation of such contracts; to provide for an  
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 39:1496.1(E)(1)(b) and (c) and (2) are hereby amended and reenacted  
10 and R.S. 39:1496.1(F) and (G) are hereby enacted to read as follows:

11 §1496.1. Performance-based energy efficiency contracts

12 \* \* \*

13 E.(1)

14 \* \* \*

15 (b) A state agency shall forward the results of its evaluation of each such  
16 proposal to the commissioner of administration. The commissioner of administration  
17 may select an independent third-party evaluation consultant to review and evaluate  
18 the submitted proposals. The consultant shall submit the result of his evaluation to  
19 the Energy Efficiency Procurement Support Team and to the commissioner of  
20 administration. The Energy Efficiency Procurement Support Team who shall review  
21 the evaluation of the independent third-party evaluation consultant. Upon completion  
22 of such review, the Energy Efficiency Procurement Support Team shall submit its  
23 recommendation to the commissioner of administration. The commissioner of  
24 administration shall review the evaluation of the independent third-party evaluation



1           F. For the purposes of this Section, any appropriation to an agency shall not  
 2           be deemed an appropriation of funds by the legislature to fulfill the requirements of  
 3           a performance-based energy efficiency contract awarded on or after January 1, 2010,  
 4           unless and until such contract has been approved in accordance with the provisions  
 5           of this Section.

6           G. For the purposes of this Section, the Energy Efficiency Procurement  
 7           Support Team shall consist of an attorney chosen jointly by the speaker of the House  
 8           of Representatives and the president of the Senate from the legislative services staff  
 9           of the House of Representatives or the staff of the Senate and one or more  
 10          representatives chosen by each of the following: the Division of Administration,  
 11          facility planning and control; the using agency initiating the procurement action; and  
 12          the Legislative Fiscal Office. At least four members, one from each office or agency  
 13          designated, must be present to constitute a quorum. The Energy Efficiency  
 14          Procurement Support Team shall evaluate the submitted proposal in accordance with  
 15          guidelines to be published by the Division of Administration.

16          Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor  
 17          and subsequently approved by the legislature, this Act shall become effective on July 1,  
 18          2010, or on the day following such approval by the legislature, whichever is later.

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_