

Energy Codes 2011

Finding places to legislatively adopt
a new energy code

David Karmol, VP, Federal & External,
ICC

Evaluate current framework

- ◉ Statewide, uniform adoption by legislative enactment.
- ◉ Statewide adoption by a board, established by law, with authority to adopt codes statewide.
- ◉ Statewide adoption by a named official, such as State Fire Marshall.
- ◉ Statewide adoption by a board, with a legislative approval or veto mechanism.

Evaluate current framework

- ◉ Statewide adoption of a minimum code, with authority of local jurisdictions to adopt more stringent codes.
- ◉ Statewide adoption of a maximum code, with local governments able to choose to adopt or not adopt the state code.

Evaluate current framework

- ◉ No statewide adoption, but a required code minimum/maximum or specific requirements for local jurisdictions that choose to adopt a code.
- ◉ No statewide adoption, with authority for local governments to adopt a code of their choosing. Constitutional (Home Rule), or by tradition

Evaluate political situation

- Cities/counties vs. legislature- which holds balance of power
- Political climate- red state/blue state
- Dominant interest groups- construction/real estate or labor/environmental
- Economic situation: growth / recession
- Individuals in key positions: Governor, key legislative leaders, mayors, key corp. execs; major utilities

Examine areas of opportunity

- ◉ Where building codes exist, look at enacting/authorizing legislation
- ◉ Examine public utility regulations, for potential opportunities (and allies)
- ◉ Look for progressive cities, with innovative codes
- ◉ Look for legislation / regulations relating to energy conservation

Goal for your proposal

- Greatest impact- in terms of reach and results of legislation.
- Least disruption-to current framework, and existing political and power structure.
- Win-win solutions are good, win-win-win are better
- Ideal proposal makes modest change to state law, with great impact in terms of broad adoption of code, benefits to several major players.

Examples

- Provide expanded authority to existing building and fire code adopting body, to adopt energy code, with certain requirements
- Authorize and incentivize cities to adopt minimum energy code
- Change to an existing list of public utility authorizations, authorizing utility to offer lower rate/rebate/ to homes/buildings built to named energy code.