

**EXECUTIVE ORDER EXECUTIVE ORDER S-20-04**

12/14/2004

WHEREAS, the Energy Action Plan adopted by the state's energy agencies places conservation and energy efficiency first in the loading order of energy resources because they are the least expensive and most environmentally protective resources; and

WHEREAS, commercial buildings use 36 percent of the state's electricity and account for a large percentage of greenhouse gas emissions, raw materials use and waste; and

WHEREAS, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED), the nation's leading green building rating system, promotes "high performance" building practices; energy, water and materials conservation; environmentally preferred products and practices; improvements in employee health, comfort and productivity; and reductions in facility operation costs and environmental impacts; and

WHEREAS, electricity costs for California's commercial and institutional buildings exceed \$12 billion per year, and cost-effective efficiency practices outlined in this Order can save more than \$2 billion per year; and

WHEREAS, the state's own buildings consume over \$500 million of electricity per year, and the measures outlined in this Order can save California taxpayers \$100 million per year; and

WHEREAS, high-performance schools also reduce energy and resource consumption, while creating safer and healthier learning environments; and

WHEREAS, investments in energy efficiency measures provide high returns on investment and boost California's economy, creating more jobs, local spending and tax revenue.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power vested in me by the Constitution and statutes of the State of California, do hereby order effective immediately:

1. That the state commit to aggressive action to reduce state building electricity usage by retrofitting, building and operating the most energy and resource efficient buildings by taking all cost-effective measures described in the Green Building Action Plan for facilities owned, funded or leased by the state and to encourage cities, counties and schools to do the same.
2. That state agencies, departments, and other entities under the direct executive authority of the Governor cooperate in taking measures to reduce grid-based energy purchases for state-owned buildings by 20% by 2015, through cost-effective efficiency measures and distributed generation technologies; these measures should include but not be limited to:
 - 2.1. Designing, constructing and operating all new and renovated state-owned facilities paid for with state funds as "LEED Silver" or higher certified buildings; and
 - 2.2. Identifying the most appropriate financing and project delivery mechanisms to achieve these goals; and
 - 2.3. Seeking out office space leases in buildings with a U.S. EPA Energy Star rating; and
 - 2.4. Purchasing or operating Energy Star electrical equipment whenever cost-effective.

3. The Division of the State Architect in the Department of General Services should adopt guidelines by December 31, 2005, to enable and encourage schools built with state funds to be resource and energy efficient.
4. That the California Public Utilities Commission (CPUC) is urged to apply its energy efficiency authority to support a campaign to inform building owners and operators about the compelling economic benefits of energy efficiency measures; improve commercial building efficiency programs to help achieve the 20% goal; and submit a biennial report to the Governor commencing in September 2005, on progress toward meeting these goals.
5. That the California Energy Commission (CEC) propose by July 2005, a benchmarking methodology and building commissioning guidelines to increase energy efficiency in government and private commercial buildings.
6. That the CEC undertake all actions within its authority to increase efficiency by 20% by 2015, compared to Titles 20 and 24 non-residential standards adopted in 2003; collaborate with the building and construction industry state licensing boards to ensure building and contractor compliance; and promptly submit its report as per Assembly Bill 549 (Statutes of 2001) on strategies for greater energy and peak demand savings in existing buildings.
7. The California Public Employees Retirement System and State Teachers Retirement System are requested to target resource efficient buildings for real estate investments and commit clean technology funds to advanced sustainable and efficiency technologies.
8. Other entities of state government not under the Governor's direct executive authority, including the University of California, California State University, California Community Colleges, constitutional officers, legislative and judicial branches, and CPUC, are requested to actively participate in this effort.
9. Nothing in this Order shall be construed to confer upon any state agency decision-making authority over substantive matters within another agency's jurisdiction, including any informational and public hearing requirements needed to make regulatory and permitting decisions.
10. Commercial building owners are also encouraged to take aggressive action to reduce electricity usage by retrofitting, building and operating the most energy and resource efficient buildings by taking measures described in the Green Building Action Plan.
11. This Order is not intended to, and does not create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.
12. That as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.



IN WITNESS WHEREOF I have here unto set my hand and caused the Great Seal of the State of California to be affixed this the fourteenth day of December 2004.

/s/ Arnold Schwarzenegger

Governor of California