

LEGISLATIVE ACTIVITIES REPORT

September 30, 2011

Southwest Energy Efficiency Project

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2011 Legislative Activities

In the Southwest region, the state legislatures in Arizona, Colorado, Nevada, New Mexico, Utah and Wyoming met during the first and second quarter of 2011. SWEEP actively engaged in each session to advance energy efficiency through sound and effective legislation. These efforts included researching and writing bill language, building coalitions, and testifying at committee hearings to advocate for the passage of energy efficiency legislation.

Support for energy efficiency in the Southwest continues to grow as SWEEP actively supported a total of six energy efficiency bills that became law. Milestones for energy efficiency in our region include the following:

- **Colorado HB 1160** requires the Governor's Energy Office to create a green building incentive pilot program.
- **Colorado HB 1275** sets a statewide idling standard for commercial diesel vehicles which prohibits idling the engine for more than 5 minutes in an hour except in certain specified situations.
- **Nevada AB 150** eliminates the need for energy efficiency measures that count towards an electric utility's portfolio standard to be on-site.
- **Nevada SB 60** revises provisions to include energy efficiency in the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans.
- **Nevada SB 426** repeals the position of Nevada Energy Commissioner and the Renewable Energy and Energy Efficiency Authority and requires the Office of Energy and its Director to assume the duties of those entities.
- **Wyoming HB 179** authorizes the adoption of an energy improvement program by a local government as specified and provides for financing.

Even though other bills were not adopted, SWEEP continues to work on advancing these measures in preparation for 2012 legislative sessions. Details on SWEEP's 2011 legislative efforts, along with information on the outcome of energy efficiency bills all six states are described below.

ARIZONA

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| SB 1172 | Energy and Water Savings Accounts | Did not pass |
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SB 1172: Energy and Water Savings Accounts

Sponsor: Senator Nelson

Bill Summary: This bill would establish an energy and water savings account that consists of a designated pool of capital investment monies to fund energy or water savings projects in county facilities. It expands the scope and use of energy and water savings accounts and guaranteed energy cost savings contracts. SWEEP supported this bill.

Bill Activity: SB 1172 was introduced in the Senate on January 20, was amended by the Government Reform Committee, and died in the Water, Land Use and Rural Development Committee.

For additional information regarding these bills, visit the website of the Arizona State Legislature, at <http://www.azleg.state.az.us>.

Colorado

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| HB 11-1047 | Including Commercial Buildings in the Colorado New Energy Improvement District | Did not pass |
| HB 11-1160 | Governor's Energy Office Green Building Incentive Pilot Program | PASSED |
| HB 11-1240 | Concerning Measures to Reduce the Cost to Consumers of Reductions in Greenhouse Gas Emissions by Public Utilities | Did not pass |
| HB 11-1271 | Concerning Limitations on Electric Utilities' Ability to Establish a Graduated Scale of Charges | Did not pass (SWEEP opposed) |
| HB 11-1275 | Idling Commercial Diesel Vehicles | PASSED |
| SB 11-032 | On-bill Financing Program for Energy Cost Savings | Did not pass |
| SB 11-130 | Concerning an Increase in the Transparency of a Building's Energy Performance | Did not pass |

HB 11-1047: Including Commercial Buildings in the Colorado New Energy Improvement District

Sponsors: Representative Jones and Senator Schwartz

Bill Summary: This bill expands the scope of the new energy improvement program established by the Colorado new energy improvement district pursuant to the "New Energy Jobs Creation Act of 2010" by making commercial buildings, including buildings owned or used by nonprofit entities, eligible to be included in the district and making appropriate conforming amendments.

Bill Activity: HB 11-1047 was introduced in the House on January 12, and died in the Local Government Committee.

HB 11-1160: Governor's Energy Office Green Building Incentive Pilot Program

Sponsor: Representative Gerou

Bill Summary: This bill requires the Governor's Energy Office to create a green building incentive pilot program whereby the office awards grants to qualified homebuyers who are selling current primary residences with home energy ratings below minimum standards and purchasing highly efficient new residential construction. The grant allows the qualified homebuyer to make improvements to the homebuyer's current primary residence for purposes of increasing the residence's energy efficiency. The office is to award grants from federal funds transferred to the office that the office has already received or may receive in the future. The office may require additional information to secure future federal funds.

Bill Activity: HB 11-1160 was introduced in the House on February 1, assigned to the House Committee on Local Government, and passed the House on a vote of 34-10-1. The bill was

introduced in the in Senate on March 22, assigned to the Senate Committee on Local Government, and passed the Senate on a 25-10-0 vote. The Governor signed the bill on May 4.

HB 11-1240: Concerning Measures to Reduce the Cost to Consumers of Reductions in Greenhouse Gas Emissions by Public Utilities

Sponsors: Representatives Swalm, Balmer, Baumgardner, Becker, Beezley, Brown, Conti, Coram, DelGrosso, Gardner B., Holbert, Joshi, Kerr J., Liston, Looper, Priola, Ramirez, Scott, Sonnenberg, Soper, Swerdfeger, Szabo; Senators Cadman, King K., Tochtrop, Grantham, White

Bill Summary: The 2004 voter initiative known as "Amendment 37" committed Colorado to a policy of increasing the portion of the state's electricity generated from renewable sources. Subsequent legislation allows the Colorado public utilities commission (PUC) to impute the cost of a carbon tax imposed at the federal level when calculating an electric utility's investments and comparing the cost of maintaining existing infrastructure with the cost of replacing existing power plants with more energy-efficient power plants.

- Section 1 of the bill conditions the PUC's imputation of the carbon tax on the actual adoption of a carbon tax as part of federal law.
- Section 2 limits the rate of return that a utility may earn on new infrastructure that replaces existing infrastructure that is not yet fully depreciated.

Bill Activity: HB 1240 was introduced in the House on February 7, and died in the Committee on Agriculture, Livestock, & Natural Resources.

HB 11-1271: Concerning Limitations on Electric Utilities' Ability to Establish a Graduated Scale of Charges

Sponsors: Representative Scott and Senator Jahn

Bill Summary: SWEEP opposed this bill as it would reduce incentives that higher consumption households would have to lower their electricity use in summer months. Current law allows heat, light, gas, water, power, and telephone utilities to establish a graduated scale of charges. The bill requires electric utilities that are currently charging a residential tiered rate to file with the public utilities commission a revised residential rate design by April 30, 2011, to take effect on or before June 1, 2011, that collapses the residential summer tiered rate into a single rate that applies to all kilowatt-hours consumed by the residential customer during the summer. The single rate must be designed to collect the same revenues during the summer as the tiered rate was designed to collect. An electric utility cannot charge a residential tiered rate or residential inverted block rate until the utility files a new electric rate case.

Bill Activity: HB 11-1271 was introduced in the House on March 1, assigned to the Transportation Committee, and passed the House on April 6 on a vote of 34-31-0. The bill was introduced in the Senate on April 21, and died in the State, Veterans & Military Affairs Committee.

HB 11-1275: Idling Commercial Diesel Vehicles

Sponsors: Representative Priola and Senators S. Williams and Spence

Bill Summary: This bill sets a statewide idling standard that applies to commercial diesel vehicles. Local authorities may adopt a standard if it is not more stringent. The standard prohibits idling the engine for more than 5 minutes in an hour except:

- When remaining motionless because of traffic, a traffic control device, or direction by a law enforcement officer;
- In an emergency or when training for an emergency;
- During maintenance, service, or repair;
- During an inspection;
- During the operation of power take-off equipment;
- When a driver of an armored vehicle idles to guard its contents or during loading or unloading;
- In the case of a passenger bus, which may idle for up to 5 minutes in any 60-minute period to maintain passenger comfort while non-driver passengers are on board;
- When used to heat or cool a sleeper berth compartment during a rest or sleep period;
- At a rest area;
- At a location where the vehicle is legally permitted to park and that is at least 1,000 feet from residential housing, schools, daycare facilities, or hospitals; or
- When the temperature is less than 10 degrees Fahrenheit or has been less than 20 degrees Fahrenheit for the past 24 hours.

A violation of idling standards is punishable by a fine of up to \$150 for the first offense and \$500 for a subsequent offense and a surcharge of \$20.

Bill Activity: HB 11-1275 was introduced in the House on March 4, assigned to House Committee on Transportation and House Committee on Appropriations, and passed the House on April 18. The bill was introduced in the Senate on April 21, assigned to the Transportation Committee, and passed by Senate passed on May 4. The Governor signed the bill on May 27.

SB 11-032: On-bill Financing Program for Energy Cost Savings

Sponsor: Senator Johnston

Bill Summary: This bill requires the Public Utilities Commission (PUC) to promulgate rules no later than January 1, 2012, to establish an on-bill clean energy improvement financing program under which a retail customer of a PUC-regulated public utility that sells electricity or natural gas may enter into an on-bill financing arrangement with the public utility under which the public utility finances the costs of completing a clean energy improvement to the customer's real property and the customer agrees to repay the costs by paying a temporary surcharge or a

temporary increased rate for electricity or natural gas, as applicable, on the customer's utility bill; and specifies minimum provisions that the rules must include relating to:

- The imposition of temporary surcharges or temporary increased rates;
- The application of energy savings from the program to a public utility's demand-side management targets or goals; and
- The exemption of a public utility from participation in the program if participation will not reduce the public utility's future present value revenue requirements.

Bill Activity: SB 11-032 was introduced in the Senate on January 12, and was amended by the Committee on Agriculture and Natural Resources on May 2. On May 4 the Committee on Appropriations referred the amended bill to the Committee of the Whole, but the bill was laid over and missed the deadline for a full vote in the Senate.

SB 11-130: Concerning an Increase in the Transparency of a Building's Energy Performance

Sponsors: Senator Johnston and Representative Kerr

Bill Summary: The bill requires, on and after January 1, 2012, a qualifying utility to maintain energy consumption data for all commercial buildings to which the utility provides service. Beginning January 1, 2013, a commercial building's owner or operator and a qualifying utility must upload the energy consumption data to a portfolio manager maintained by the United States environmental protection agency for the purpose of generating an energy performance rating. An owner, operator, or agent of a commercial building is required to disclose the building's energy performance rating to the purchaser or lessee at the time of conveyance and, upon request, to a prospective purchaser or lessee. The requisite disclosure will be phased in as follows:

- For commercial buildings greater than 50,000 square feet, the disclosure is required on and after January 1, 2012; and
- For all commercial buildings, regardless of size, the disclosure will be required on and after January 1, 2013.

A person who supplies false information in connection with disclosure of an energy performance rating commits a class 1 misdemeanor.

The bill authorizes the real estate commission in the department of regulatory agencies to develop standardized forms for energy performance ratings disclosures.

Bill Activity: SB 11-130 was introduced in the Senate on January 31, and died in the Committee on Agriculture, Natural Resources, and Energy.

For additional information regarding these bills, visit the website of the Colorado General Assembly, at <http://www.leg.state.co.us>.

Nevada

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| AB 150 | <i>Eliminates need for efficiency measure in RPS to be on-site</i> | PASSED |
| AB 172 | <i>Adds two persons to NSOE</i> | Did not pass |
| AB 432 | <i>Establishes licensure of energy auditors, establishes requirements for energy audits, and repeals mandatory audits</i> | PASSED (SWEEP opposed) |
| SB 4 | <i>Expands the fund for REEEEC, and authorizes bonds for efficiency</i> | Did not pass |
| SB 60 | <i>Includes efficiency in the fund for REEEEC</i> | PASSED |
| SB 144 | <i>Requires tire pressure checks</i> | Did not pass |
| SB 181 | <i>Requires efficiency info among contractors, lenders, real estate agents and brokers, and appraisers</i> | Did not pass |
| SB 281 | <i>Establishes electric vehicle demonstration program to promote electric vehicles and charging stations</i> | Did not pass |
| SB 313 | <i>Mandates all cost-effective DSM and DSM profitability. Authorizes appliance standards. Amendments limit it to only appliance standards.</i> | Did not pass |
| SB 409 | <i>Requires Buildings and Grounds to consider energy efficiency when leasing office space</i> | Did not pass |
| SB 426 | <i>Repeals establishment of the Energy Commissioner and reverts responsibility back to NSOE</i> | PASSED |

AB 150: AN ACT relating to energy; revising the definition of “energy efficiency measure” for the purposes of the portfolio standard for providers of electric service; and providing other matters properly relating thereto

Sponsors: Assemblymen Bobzien, Atkinson, Conklin, Ocegüera, and Smith; Senators Horsford, Schneider, and Leslie

Bill Summary: This bill revises provisions governing energy efficiency measures. It eliminates the need for energy efficiency measures that count towards the portfolio standard to be on-site.

Bill Activity: AB 150 was introduced in the Assembly on February 14, referred to the Committee on Commerce and Labor, and passed the Assembly on April 20 on a 42-0 vote. The bill was introduced in the Senate on April 22, referred to the Committee on Commerce, Labor and Energy, and passed the Senate on May 10 on a 21-0 vote. The Governor signed the bill on May 18.

AB 172: AN ACT requiring the Director of the Department of Health and Human Services and the Director of the Office of Energy each to employ two persons to solicit, procure, manage and coordinate the use of grants and other money for certain purposes...

Sponsors: Assemblymen Brooks and Anderson

Bill Summary: This bill creates two new positions of coordinator of grants in the Office of Energy and the Department of Health and Human Services.

Bill Activity: Introduced in the Assembly on February 16, referred to the Committee on Government Affairs, and died in the Committee on Ways and Means.

AB 432:

Sponsors: Assemblymen Brooks and Anderson

Bill Summary: This bill creates two new positions of coordinator of grants in the Office of Energy and the Department of Health and Human Services.

Bill Activity: Introduced in the Assembly on February 16, referred to the Committee on Government Affairs, and died in the Committee on Ways and Means.

SB 4: AN ACT relating to energy; revising certain provisions governing the administration of the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans; authorizing the Director of the Office of Energy to make loans from the Fund...

Sponsor: Senator Schneider

Bill Summary: This bill revises provisions concerning financing renewable energy and energy efficiency projects. It expands the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans to include efficiency, and authorizes bonds for efficiency by local governments.

Bill Activity: SB 4 was introduced in the Senate on February 7 and died in the Committee on Commerce, Labor, and Energy.

SB 60: AN ACT relating to energy; revising certain provisions governing the administration of the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans; authorizing the Director of the Office of Energy to make loans from the Fund...

Sponsor: Senate Committee on Commerce, Labor and Energy

Bill Summary: This bill revises provisions relating to the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans. It includes energy efficiency in the fund. It also authorizes the Director of the Office of Energy to make loans from the Fund to qualified applicants for the construction of an energy efficiency project or an energy conservation project

or the construction, expansion or operation of a renewable energy system. SWEEP supported this bill.

Bill Activity: SB 60 was introduced in the Senate on February 7, referred to the Committee on Commerce, Labor, and Energy. It was passed by the Assembly on May 30 on a vote of 41-0-1, and by the Senate on June 4 on a 21-0-0 vote. The Governor signed the bill on June 13.

SB 144: AN ACT relating to motor vehicles; requiring a garage that performs any repairs on a motor vehicle to also check the tire pressure of the vehicle and adjust the pressure to meet the specifications of the tire manufacturer...

Sponsor: Senate Committee on Transportation

Bill Summary: This bill requires certain garages to check and adjust the tire pressure of motor vehicles.

Bill Activity: SB 144 was introduced in the Senate on February 10, referred to Committee on Transportation, and passed the Senate on a 12-9-0 vote. The bill was introduced in the Assembly on April 25 and died in the Committee on Transportation.

SB 181: AN ACT relating to energy; requiring certain contractors to offer upgrades for renewable energy and energy efficiency; requiring certain contractors assisting buyers in obtaining financing to offer, or work with lenders that offer energy efficient...

Sponsor: Senate Committee on Commerce, Labor and Energy

Bill Summary: This bill enacts provisions relating to energy efficiency, renewable energy and building construction, and requires efficiency information to be provided by contractors, lenders, real estate agents and brokers, and appraisers.

Bill Activity: SB 181 was introduced in the Senate on February 21 and died in the Committee on Commerce, Labor and Energy.

SB 281: AN ACT relating to energy; requiring the Public Utilities Commission of Nevada to establish the Electric Vehicle Demonstration Program; requiring the Commission to adopt regulations to carry out the Demonstration Program...

Sponsor: Senator Schneider

Bill Summary: This bill requires the Public Utilities Commission of Nevada to establish an Electric Vehicle Demonstration Program to promote electric vehicles and charging stations.

Bill Activity: SB 281 was introduced in the Senate on March 21, referred to Committee on Commerce, Labor and Energy, and passed the Senate on a 12-9 vote. The bill was introduced in the Assembly on April 25 and died in the Committee on Commerce and Labor.

SB 313: AN ACT relating to energy; requiring the Nevada Energy Commissioner to prescribe minimum standards of energy efficiency for certain electrical devices; authorizing the Commissioner to charge and collect a fee from manufacturers...

Sponsor: Senator Schneider

Bill Summary: This bill revises certain provisions relating to energy, mandates consideration of all cost-effective energy efficiency as part of utility resource plans, and authorizes appliance standards. Specific measures include: requiring the Nevada Energy Commissioner to prescribe minimum standards of energy efficiency for certain electrical devices; authorizing the Commissioner to charge and collect a fee from manufacturers of certain electrical devices for the costs of any tests to confirm that such electrical devices comply with the minimum standards of energy efficiency prescribed by the Commissioner; authorizing the Commissioner to impose administrative fines; requiring the Public Utilities Commission of Nevada, in evaluating a 3-year plan submitted by an electric utility, to give preference to certain measures and sources of electricity; requiring an electric utility to include in its 3-year plan at least one scenario of supply and demand which maximizes the achievable net benefits from energy efficiency and conservation measures and programs; requiring the Commission to adopt regulations which include the opportunity for an electric utility to earn a return on investment from the implementation of energy efficiency and conservation programs equal to the return on investment earned by the utility from investment in alternative supply-side resources; and providing other matters properly relating thereto.

Bill Activity: SB 313 was introduced in the Senate on March 21. It was amended by the Committee on Commerce, Labor and Energy, and amended by the Committee on Finance. It failed in a June 5 Senate vote of 10-11-0.

SB 409: AN ACT relating to state financial administration; revising provisions relating to the lease of office space for use by state agencies; and providing other matters properly relating thereto

Sponsor: Senate Committee on Government Affairs

Bill Summary: Section 1 of this bill requires the Chief of the Buildings and Grounds Division to consider certain standards relating to energy efficiency and conservation before entering or renewing a lease for such space.

Bill Activity: SB 409 was introduced in the Senate on March 28, and died in Committee on Commerce, Labor and Energy.

SB 426: AN ACT relating to energy; eliminating the Renewable Energy and Energy Efficiency Authority and the position of Nevada Energy Commissioner; requiring the Office of Energy and its Director to assume certain responsibilities

Sponsor: Senate Committee on Finance

Bill Summary: This bill repeals the position of Nevada Energy Commissioner and the Renewable Energy and Energy Efficiency Authority and requires the Office of Energy and its Director to assume the duties of those entities.

Bill Activity: SB 426 was introduced in the Senate on March 28 and amended by Committee on Finance. The bill was passed by the Senate on May 30 with vote of 21-0-0, and passed by the Assembly on June 3 with a 41-0-1 vote. The Governor signed the bill on June 13.

For additional information regarding these bills, visit the website of the Nevada State Legislature, at <http://www.leg.state.nv.us>.

New Mexico

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| HB 167 | Fire Prevention Ordinances and Code Changes | PASSED (SWEEP opposed) |
| HB 168 | Municipal Chief Building Officials | Did not pass (SWEEP opposed) |
| SB 61 | Local Government Building Inspectors | Did not pass (SWEEP opposed) |
| SB 201 | Fire Prevention Ordinances and Code Changes | Did not pass (SWEEP opposed) |
| SB 262 | Construction Commission Inspector Authority | PASSED (SWEEP opposed) |
| SB 276 | Utility Cost Test Cost Effectiveness | Did not pass |
| SB 442 | Building Energy Disclosure Act | Did not pass |

HB 167: Fire Prevention Ordinances and Code Changes

Sponsor: Representative Doyle

Bill Summary: SWEEP opposed this bill, which prohibits the State from adopting some aspects of the Residential Fire Code. This is a risk for other building codes:

- The State has a responsibility to adopt new building codes as they become needed for public safety and well being.
- The State has a public process in place that results in the adoption of statewide building codes. When code proposals are received on any issue, they go through a rigorous public process that allows input from all parties. This is the proper avenue to utilize to ensure the statewide codes contain provisions that are good for New Mexico.
- Limiting the State's ability to adopt any form of building codes sets a dangerous precedent and puts all building codes at risk in the future.

Bill Activity: HB 167 was introduced in the House, amended by the Consumer and Public Affairs Committee, passed the Judiciary Committee, and passed by the House on March 5 on a vote of 62-2. The bill was introduced in the Senate on March 9, assigned to the Corporations and Transportation Committee and the Senate Rules Committee, and was passed by the Senate on March 18 on a 29-0 vote. The Governor signed the bill on April 8.

HB 168: Municipal Chief Building Officials

Sponsor: Representative Little

Bill Summary: SWEEP opposed this bill, which would allow local jurisdictions to conduct their own building code inspections. While SWEEP supports that general concept, several portions of these bills represent substantial risks to the statewide implementation of the New Mexico Energy Conservation Code, including:

- Lack of uniformity across jurisdictions;

- Lack of uniformity in training requirements for local inspectors; and
- State officials prohibited from inspecting State buildings.

Bill Activity: HB 168 was introduced in the House on January 25 and died in the House Health and Government Affairs Committee.

SB 61: Local Government Building Inspectors

Sponsor: Senator Hardin.

Bill Summary: SWEEP opposed this bill, which would allow local jurisdictions to conduct their own building code inspections. While SWEEP supports that general concept, several portions of these bills represent substantial risks to the statewide implementation of the New Mexico Energy Conservation Code, including:

- Lack of uniformity across jurisdictions;
- Lack of uniformity in training requirements for local inspectors; and
- State officials prohibited from inspecting State buildings.

Bill Activity: SB 61 was introduced in the Senate on January 4 and died in the Senate Public Affairs Committee.

SB 201: Fire Prevention Ordinances and Code Changes

Sponsor: Senator Munoz

Bill Summary: SWEEP opposed this bill, which prohibits the State from adopting some aspects of the Residential Fire Code. This is a risk for other building codes:

- The State has a responsibility to adopt new building codes as they become needed for public safety and well being.
- The State has a public process in place that results in the adoption of statewide building codes. When code proposals are received on any issue, they go through a rigorous public process that allows input from all parties. This is the proper avenue to utilize to ensure the statewide codes contain provisions that are good for New Mexico.
- Limiting the State's ability to adopt any form of building codes sets a dangerous precedent and puts all building codes at risk in the future.

Bill Activity: SB 201 was introduced in the Senate on January 20, amended by the Senate Corporations and Transportation Committee, and passed by the Senate on February 21 on a 36-0 vote. In the House, the bill passed through the Business and Industry Committee and the Judiciary Committee, and passed by the House on March 17 on a 60-1 vote. The bill was vetoed by the Governor.

SB 262: Construction Commission Inspector Authority

Sponsor: Senator Sanchez

Bill Summary: SWEEP opposed this bill, which prohibits the state from setting education and training requirements for local jurisdiction inspectors. Lack of uniform training requirements for local inspectors will adversely impact the quality of statewide building inspections.

Bill Activity: SB 262 was introduced in the Senate on January 26. The Corporations and Transportation Committee recommended Do Pass Amended, and the Public Affairs Committee recommended Do Pass as amended, and the bill passed the Senate on March 14 on a vote of 33-0. In the House, the Health and Government Affairs Committee recommended Do Pass, and the bill passed the House on March 18 on a 67-0 vote. The Governor signed the bill on April 7.

SB 276: Utility Cost Test Cost Effectiveness

Sponsor: Senator Wirth

Bill Summary: This bill amends sections of the Efficient Use of Energy Act to provide for cost-effectiveness using the utility cost test.

Bill Activity: SB 276 was introduced in the Senate on January 26 and died in the Senate Conservation Committee.

SB 442: Building Energy Disclosure Act

Sponsor: Senator Cisneros

Bill Summary: Increasing energy transparency in buildings unlocks opportunities to create jobs and reduce energy costs for businesses. This bill gives tenants and investors the right to know the energy rating for a commercial building before completing a lease or sale transaction, ensuring they can compare the energy efficiency of buildings. Energy ratings would be generated using the EPA's Portfolio Manager, a 100% free rating tool available online. State buildings would also report energy use to all New Mexicans. Specifically, this bill would:

- Require the disclosure of the energy efficiency of state-owned buildings;
- Require owners of nonresidential buildings to measure and disclose energy performance in advertising materials to tenants and prospective tenants, buyers and lenders;
- Require utilities to release consumption data to building owners;
- Require rulemaking by the Energy, Minerals and Natural Resources Department.

Bill Activity: SB 442 was introduced in the Senate on February 8, and died in the Senate Conservation Committee.

For additional information regarding these bills, visit the website of the New Mexico State Legislature, at <http://legis.state.nm.us/lcs/>.

Utah

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| HJR 3 | Resolution for Healthy and Efficient Schools | Did not Pass |
| SB 182 | Construction Trades Licensing Amendments | Did not Pass |

HJR 3: Resolution for Healthy and Efficient Schools

Sponsor: Representative Wheatley

Bill Summary: This joint resolution of the Legislature encourages the Utah State Board of Education and Utah's school districts to promote healthier and more energy-efficient schools in the state.

Bill Activity: HJR 3 was introduced in the House on January 24, and died in the House Education Committee.

SB 182: Construction Trades Licensing Amendments

Sponsor: Senator Knudson

Bill Summary: Utah's heating, ventilation & air conditioning (HVAC) contractors who work with both incidental electricity and natural gas are currently not required to be individually licensed. This bill amends Utah's Construction Trades Licensing Act to:

- Create a licensing requirement for individual residential HVAC Air System Technicians (similar to electricians and plumbers);
- Require HVAC Air System technicians to participate in industry-standard education, training and ongoing continuing education;
- Temporarily expand the scope of the Plumbers Licensing Board to oversee licensing requirements;
- Add members to the Plumbers Licensing Board; and
- Require licensed residential HVAC contractors to receive fuel and electricity efficiency education.

Bill Activity: SB 182 was introduced in the Senate on February 14, and died in the Senate Rules Committee.

For additional information regarding these bills, visit the website of the Utah State Legislature, at <http://www.le.state.ut.us>.

Wyoming

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| HB 179 | Energy Improvement Program | PASSED |
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HB 179: Energy Improvement Program

Sponsor: Representatives Petroff, Gingery, Miller and Roscoe; Senator Christensen

Bill Summary: This bill authorizes the adoption of an energy improvement program by a local government as specified and provides for financing.

Bill Activity: HB 179 was introduced in the House on January 21, referred to the House Committee on Corporations, Elections and Political Subdivisions, and passed the House on a vote of 40-17-13. The bill was introduced in the Senate on February 7, where it was amended by the Committee on Corporations, Elections and Political Subdivisions, and passed amended by the Senate on February 25 on a vote of 28-2-0. The Governor signed the bill on March 3.

For additional information regarding these bills, visit the website of the Wyoming State Legislature at <http://legisweb.state.wy.us/lisoweb/default.aspx>.