

# COMMITTEE ON WATER AND ENERGY

Representative Lucy Mason, Chairman  
Representative David Stevens, Vice-Chairman  
René Guillen, Legislative Research Analyst



\* Strike-Everything Amendment  
[E] Emergency Clause  
[P 105] Proposition 105 Clause  
[P 108] Proposition 108 Clause  
[LIV] Line Item Veto

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### **HB 2330 – Chapter 46 – biodiesel fuel dispensers; labeling**

Requires biodiesel to be labeled in conformance with federal law, but allows a person to label a biodiesel dispenser that contains less than five percent biodiesel and requires that product transfer documents indicate the per cent, by volume, in biodiesel blends.

### **HB 2332 – Chapter 101 – schools; energy contracts**

Expands the ability of school districts to enter into energy performance contracts in order to install energy efficiency and renewable energy measures. The savings realized from the contracts may be used to pay for project implementation.

- Requires a school district to report the name, qualified provider, total cost and expected energy savings of all projects carried out to the ADOC Energy Office.
- Eliminates the requirement for an energy audit to be performed on a facility one year after the energy savings measure was installed and every three years thereafter, for the length of the contract. The qualified provider of the energy savings measure is required to conduct, pay for and send a copy to SFB.
- Requires the qualified provider of an energy cost savings measure to submit an annual report that measures and verifies savings for the first three years that the measures are in effect.
- Requires school districts to report information regarding all guaranteed energy cost savings contracts to the ADOC Energy Office.
- Authorizes the use of a simplified energy performance contract for projects under \$500,000.
- Expands the definition of *energy cost savings measure*.
- Exempts property that is procured through an energy performance contract, simplified energy performance contract or renewable energy power purchase contract from requiring approval by an election.

#### ***School District and Charter Schools Energy and Water Savings Accounts***

- Authorizes school districts to establish an energy and water savings account (account) consisting of a designated pool of capital investment monies to fund energy or water savings projects in school facilities. Monies may be deposited in the account from companies that provide utility, energy or water services to the school pursuant to a contract, as well as energy related rebate or grant monies and other sources, including clean renewable energy bonds and funding from the ARRA.
- Requires any contract entered into to contain an agreement between the qualified provider and the school district that each party has performed a reasonable investigation to determine that the measures in the contract will result in stated energy or water savings.
- Outlines the expenditures that are authorized to be funded through an account.
- Requires school districts to procure and contract for energy or water savings measures or services with monies distributed from the accounts after the qualified provider has computed and the school district has reviewed the estimated amount of energy savings to be achieved monthly and annually over the life of the measure, as well as a monthly repayment schedule, which must result in lower energy or water costs, including installation, for the school district.

### ***Miscellaneous***

- Adds reporting requirements from school districts to SFB and requires SFB to submit an annual report by December 31 of each year regarding the projects entered into by schools.
- Repeals the provisions relating to school districts and reporting after June 30, 2013.
- Modifies the existing guidelines for the standard appraisal of solar energy devices on property to specify that it applies grid-tied photovoltaic systems, applies to devices designed primarily for on-site consumption and the device adds no value to property on which the device is installed.
- Adds that energy efficient buildings components, renewable energy equipment, and combined heat and power systems add no value to property.
- Creates energy efficiency standards for pool pumps and portable electric spas.

### **HB 2336 – Chapter 86 – \*county renewable energy incentive districts**

Authorizes the governing bodies of counties and municipalities to create a renewable energy incentive district (district), provided the area meets certain criteria and the governing bodies follows certain steps before establishing a district, including holding public hearings. The district may contain:

- Expedited zoning or rezoning procedures.
- Expedited processing of plans, proposals, and permits.
- Waivers or abatement of zoning fees, processing fees, and improvement district fees and assessments for development activities.
- Waiver or abatement of development standards and procedural requirements.

### **HB 2440 – Chapter 49 – drought emergency groundwater transfers**

Allows groundwater to be transported away from a groundwater basin that is outside an active management area under specific emergency circumstances and on a temporary basis. Contains a retroactive effective date of April 30, 2009 and a repeal date of April 30, 2010.