
ASSEMBLY BILL NO. 431—ASSEMBLYWOMAN GIUNCHIGLIANI

MARCH 17, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Establishes program to provide incentives for installation of certain solar energy systems. (BDR 53-723)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to energy; requiring the licensure of solar energy system installers; requiring the Division of Industrial Relations of the Department of Business and Industry to adopt regulations regarding the licensure of such installers; requiring the Public Utilities Commission of Nevada to adopt a system of renewable energy credits; providing for the establishment of the Solar Energy Systems Demonstration Program; providing a penalty; and providing other matters properly relating thereto.

1 WHEREAS, Distributed generation of electricity using solar
2 technology, including photovoltaic cells, can play an important role
3 in the future of energy production in Nevada; and

4 WHEREAS, Even though each individual solar energy system is
5 small, the combination of a large number of systems on homes,
6 businesses, schools and public buildings can reduce the demand for
7 electricity at times of peak consumption; and

8 WHEREAS, A large demand for individual solar energy systems
9 will have the effect of creating new, skilled jobs and lead to the
10 location in this state of the manufacturing of these systems and
11 research into and development of these systems; and

12 WHEREAS, The Nevada Legislature recently passed legislation
13 creating a portfolio standard for renewable energy for producers of
14 electricity and seeks to build upon that effort; and



1 WHEREAS, Legislative action is necessary to accelerate the
2 development of a market for photovoltaic systems in schools, public
3 buildings, homes and small businesses, to develop the skilled labor
4 force necessary to install and maintain photovoltaic systems and to
5 encourage the use of trained and certified solar energy system
6 installers; now, therefore,

7
8 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
9 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

10
11 **Section 1.** Chapter 618 of NRS is hereby amended by adding
12 thereto the provisions set forth as sections 2 to 16, inclusive, of this
13 act.

14 **Sec. 2.** *As used in sections 2 to 16, inclusive, of this act,*
15 *unless the context otherwise requires, the words and terms defined*
16 *in sections 3 to 6, inclusive, of this act have the meanings ascribed*
17 *to them in those sections.*

18 **Sec. 3.** *“Occupation” means a specific discipline involved in*
19 *a solar energy system project, including those tasks performed by*
20 *an inspector, management planner, consultant, project designer,*
21 *contractor, supervisor or worker engaged in a solar energy system*
22 *project.*

23 **Sec. 4.** *“Solar energy system” means a facility or energy*
24 *system for the generation of electricity that uses photovoltaic cells*
25 *and solar energy to generate electricity.*

26 **Sec. 5.** *“Solar energy system project” means a project related*
27 *to:*

28 *1. The installation of a solar energy system; or*

29 *2. The maintenance of a solar energy system.*

30 **Sec. 6.** *“Worker” means any person actually engaged in*
31 *work directly related to a solar energy system project who is not*
32 *required to be certified in any other occupation set forth in section*
33 *3 of this act.*

34 **Sec. 7. 1.** *The Division shall adopt regulations establishing*
35 *standards and procedures for the certification of each occupation.*
36 *The regulations must include, without limitation:*

37 *(a) Standards for:*

38 *(1) Courses that provide initial training;*

39 *(2) Courses that provide a review of the initial training;*

40 *(3) Examinations;*

41 *(4) Qualifications;*

42 *(5) Certification;*

43 *(6) Renewal of certification; and*

44 *(7) Revocation of certification.*



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1 (b) *A schedule of fees designed to recover revenue to defray*
2 *the costs of carrying out the provisions of sections 2 to 16,*
3 *inclusive, of this act. The Division may collect fees for*
4 *applications, the issuance and renewal of licenses, examinations,*
5 *the review and approval of training courses, job notifications and*
6 *inspections, record keeping, and any other activity of the Division*
7 *related to the provisions of sections 2 to 16, inclusive, of this act.*

8 (c) *Standards for solar energy system projects.*

9 2. *The Division may adopt regulations to include within the*
10 *definition of "occupation" any discipline deemed necessary,*
11 *including that of instructor in any activity related to a solar energy*
12 *system project.*

13 3. *The Division may adopt such regulations as are necessary*
14 *to carry out the provisions of sections 2 to 16, inclusive, of this act.*

15 **Sec. 8. 1.** *A person shall not engage in a solar energy*
16 *system project unless he holds a valid certificate issued by the*
17 *Division.*

18 2. *The Division shall issue certificates to qualified applicants*
19 *in each occupation.*

20 3. *The Division shall not issue a certificate as a contractor for*
21 *solar energy system projects solely on the basis of a person's status*
22 *as a licensee pursuant to chapter 624 of NRS.*

23 4. *Any person who engages in a solar energy system project*
24 *without a certificate issued by the Division is guilty of a*
25 *misdemeanor.*

26 **Sec. 9.** *A person applying for a certificate in an occupation*
27 *must:*

28 1. *Submit an application on a form prescribed and furnished*
29 *by the Division, accompanied by a fee prescribed by the Division;*

30 2. *Successfully complete a course of training in activities*
31 *related to a solar energy system project approved or administered*
32 *by the Division for that occupation;*

33 3. *Pass an examination approved or administered by the*
34 *Division for that occupation;*

35 4. *If he is a contractor, present proof satisfactory to the*
36 *Division that he is insured to the extent determined necessary by*
37 *the Administrator for the appropriate activities related to a solar*
38 *energy system project under the requested certificate, for the*
39 *effective period of the certificate; and*

40 5. *Meet any additional requirements established by the*
41 *Division.*

42 **Sec. 10. 1.** *In addition to the requirements of sections 9 and*
43 *11 of this act, an applicant for the issuance or renewal of a*
44 *certificate in an occupation shall submit to the Division:*



1 (a) *The statement prescribed by the Welfare Division of the*
2 *Department of Human Resources pursuant to NRS 425.520. The*
3 *statement must be completed and signed by the applicant.*

4 (b) *The social security number of the applicant.*

5 2. *The Division shall include the statement required pursuant*
6 *to subsection 1 in:*

7 (a) *The application or any other forms that must be submitted*
8 *for the issuance or renewal of a certificate; or*

9 (b) *A separate form prescribed by the Division.*

10 3. *A certificate in an occupation may not be issued or*
11 *renewed by the Division if the applicant:*

12 (a) *Fails to submit the statement required pursuant to*
13 *subsection 1; or*

14 (b) *Indicates on the statement submitted pursuant to*
15 *subsection 1 that he is subject to a court order for the support of a*
16 *child and is not in compliance with the order or a plan approved*
17 *by the district attorney or other public agency enforcing the order*
18 *for the repayment of the amount owed pursuant to the order.*

19 4. *If an applicant indicates on the statement submitted*
20 *pursuant to subsection 1 that he is subject to a court order for the*
21 *support of a child and is not in compliance with the order or a*
22 *plan approved by the district attorney or other public agency*
23 *enforcing the order for the repayment of the amount owed*
24 *pursuant to the order, the Division shall advise the applicant to*
25 *contact the district attorney or other public agency enforcing the*
26 *order to determine the actions that the applicant may take to*
27 *satisfy the arrearage.*

28 **Sec. 11.** *1. To renew a certificate a person must, on or*
29 *before January 1 of each year:*

30 (a) *Apply to the Division for renewal;*

31 (b) *Pay the annual fee for renewal set by the Division; and*

32 (c) *Submit evidence satisfactory to the Division of his*
33 *completion of the requirements for continuing education or*
34 *training established by the Division, if any.*

35 2. *The Division may adopt regulations requiring continuing*
36 *education or training of a person issued a certificate in any*
37 *occupation and, as a prerequisite to the renewal or restoration of a*
38 *certificate, require each person issued a certificate to comply with*
39 *those requirements.*

40 **Sec. 12.** *The Division or a person authorized by the Division*
41 *shall inspect annually at least one solar energy system project*
42 *conducted by each contractor issued a certificate. The contractor*
43 *shall, upon request of the Division or a person authorized by the*
44 *Division, allow the inspection of all property, activities and*
45 *facilities of the project and all related documents and records.*



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1 **Sec. 13. 1.** *If the Division receives a copy of a court order*
2 *issued pursuant to NRS 425.540 that provides for the suspension*
3 *of all professional, occupational and recreational licenses,*
4 *certificates and permits issued to a person who is the holder of a*
5 *license in an occupation, the Division shall deem the certificate*
6 *issued to that person to be suspended at the end of the 30th day*
7 *after the date on which the court order was issued unless the*
8 *Division receives a letter issued to the holder of the license by the*
9 *district attorney or other public agency pursuant to NRS 425.550*
10 *stating that the holder of the license has complied with the*
11 *subpoena or warrant or has satisfied the arrearage pursuant to*
12 *NRS 425.560.*

13 2. *The Division shall reinstate a certificate in an occupation*
14 *that has been suspended by a district court pursuant to NRS*
15 *425.540 if the Division receives a letter issued by the district*
16 *attorney or other public agency pursuant to NRS 425.550 to the*
17 *person whose license was suspended stating that the person whose*
18 *license was suspended has complied with the subpoena or warrant*
19 *or has satisfied the arrearage pursuant to NRS 425.560.*

20 **Sec. 14. 1.** *If the Division finds that a person, other than a*
21 *worker, has violated any of the provisions of sections 2 to 16,*
22 *inclusive, of this act, or the standards or regulations adopted*
23 *pursuant thereto, it may:*

24 (a) *Upon the first violation, impose upon him an*
25 *administrative fine of not more than \$1,500.*

26 (b) *Upon the second and subsequent violations:*

27 (1) *Impose upon him an administrative fine of not more*
28 *than \$2,500; and*

29 (2) *If he is certified pursuant to section 8 of this act, revoke*
30 *his certificate and require him to fulfill certain training or*
31 *educational requirements to have his certificate reinstated.*

32 2. *Any penalty imposed pursuant to subsection 1 does not*
33 *relieve the person from criminal prosecution for engaging in a*
34 *solar energy system project without a certificate.*

35 3. *If the certificate of a contractor for solar energy system*
36 *projects is revoked pursuant to subsection 1 and the owner of a*
37 *building or structure upon which the contractor is engaged in a*
38 *project employs another certified contractor to complete the*
39 *project, the original contractor may not bring an action against*
40 *the owner of the building or structure for breach of contract or*
41 *damages based on the employment of another contractor.*

42 **Sec. 15. 1.** *If the Division intends to revoke a person's*
43 *certificate, it shall first notify him by certified mail. The notice*
44 *must contain a statement of the Division's legal authority,*
45 *jurisdiction and reasons for the proposed action.*



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1 2. A person is entitled to a hearing to contest the suspension
2 or proposed revocation of his certificate. A request for such a
3 hearing must be made pursuant to regulations adopted by the
4 Division.

5 3. Upon receiving a request for a hearing to contest a
6 suspension or proposed revocation, the Division shall hold a
7 hearing within 10 days after the date of the receipt of the request.

8 **Sec. 16.** The Division may maintain in any court of
9 competent jurisdiction a suit for an injunction against any person
10 engaged in a solar energy system project in violation of the
11 provisions of sections 2 to 16, inclusive, of this act, or the
12 standards or regulations adopted pursuant thereto. An injunction:

13 1. May be issued without proof of actual damage sustained by
14 any person, this provision being a preventive as well as a punitive
15 measure.

16 2. Does not relieve the person from criminal liability for
17 engaging in a solar energy system project without a certificate.

18 **Sec. 17.** NRS 704.7821 is hereby amended to read as follows:

19 704.7821 1. For each provider of electric service, the
20 Commission shall establish a portfolio standard for renewable
21 energy. The portfolio standard must require each provider to
22 generate or acquire electricity from renewable energy systems in an
23 amount that is:

24 (a) For calendar years 2003 and 2004, not less than 5 percent of
25 the total amount of electricity sold by the provider to its retail
26 customers in this state during that calendar year.

27 (b) For calendar years 2005 and 2006, not less than 7 percent of
28 the total amount of electricity sold by the provider to its retail
29 customers in this state during that calendar year.

30 (c) For calendar years 2007 and 2008, not less than 9 percent of
31 the total amount of electricity sold by the provider to its retail
32 customers in this state during that calendar year.

33 (d) For calendar years 2009 and 2010, not less than 11 percent
34 of the total amount of electricity sold by the provider to its retail
35 customers in this state during that calendar year.

36 (e) For calendar years 2011 and 2012, not less than 13 percent
37 of the total amount of electricity sold by the provider to its retail
38 customers in this state during that calendar year.

39 (f) For calendar year 2013 and for each calendar year thereafter,
40 not less than 15 percent of the total amount of electricity sold by the
41 provider to its retail customers in this state during that calendar year.

42 2. In addition to the requirements set forth in subsection 1, the
43 portfolio standard for each provider must require that:

44 (a) Of the total amount of electricity that the provider is required
45 to generate or acquire from renewable energy systems during each



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1 calendar year, not less than 5 percent of that amount must be
2 generated or acquired from solar renewable energy systems.

3 (b) If the provider acquires electricity from a renewable energy
4 system pursuant to a renewable energy contract with another party:

5 (1) The term of the renewable energy contract must be not
6 less than 10 years, unless the other party agrees to a renewable
7 energy contract with a shorter term; and

8 (2) The terms and conditions of the renewable energy
9 contract must be just and reasonable, as determined by the
10 Commission. If the provider is a public utility and the Commission
11 approves the terms and conditions of the renewable energy contract
12 between the provider and the other party, the renewable energy
13 contract and its terms and conditions shall be deemed to be a
14 prudent investment and the provider may recover all just and
15 reasonable costs associated with the renewable energy contract.

16 3. If, for the benefit of one or more of its retail customers in
17 this state, the provider has subsidized, in whole or in part, the
18 acquisition or installation of a solar thermal energy system which
19 qualifies as a renewable energy system and which reduces the
20 consumption of electricity, the total reduction in the consumption of
21 electricity during each calendar year that results from the solar
22 thermal energy system shall be deemed to be electricity that the
23 provider generated or acquired from a renewable energy system for
24 the purposes of complying with its portfolio standard.

25 4. The Commission ~~may~~ *shall* adopt regulations that establish
26 a system of renewable energy credits that may be used by a provider
27 to comply with its portfolio standard.

28 5. Except as otherwise provided in subsection 6, each provider
29 shall comply with its portfolio standard during each calendar year.

30 6. If, for any calendar year, a provider is unable to comply with
31 its portfolio standard through the generation of electricity from its
32 own renewable energy systems or, if applicable, through the use of
33 renewable energy credits, the provider shall take actions to acquire
34 electricity pursuant to one or more renewable energy contracts. If
35 the Commission determines that, for a calendar year, there is not or
36 will not be a sufficient supply of electricity made available to the
37 provider pursuant to renewable energy contracts with just and
38 reasonable terms and conditions, the Commission shall exempt the
39 provider, for that calendar year, from the remaining requirements of
40 its portfolio standard or from any appropriate portion thereof, as
41 determined by the Commission.

42 7. The Commission shall adopt regulations for the
43 determination of just and reasonable terms and conditions for the
44 renewable energy contracts that a provider of electric service must
45 enter into to comply with its portfolio standard.



1 8. As used in this section:

2 (a) "Renewable energy contract" means a contract to acquire
3 electricity from one or more renewable energy systems owned,
4 operated or controlled by other parties.

5 (b) "Terms and conditions" includes, without limitation, the
6 price that a provider of electric service must pay to acquire
7 electricity pursuant to a renewable energy contract.

8 **Sec. 18.** As used in sections 18 to 38, inclusive, of this act,
9 unless the context otherwise requires, the words and terms defined
10 in sections 19 to 27, inclusive, of this act have the meaning ascribed
11 to them in those sections.

12 **Sec. 19.** "Applicant" means a person who is applying to
13 participate in the Demonstration Program.

14 **Sec. 20.** "Category" means one of the categories of
15 participants in the Demonstration Program as set forth in section 30
16 of this act.

17 **Sec. 21.** "Committee" means the Committee for the Solar
18 Energy Systems Demonstration Program created by section 28 of
19 this act.

20 **Sec. 22.** "Demonstration Program" means the Solar Energy
21 Systems Demonstration Program created by section 30 of this act.

22 **Sec. 23.** "Participant" means a person who has been approved
23 by the Public Utilities Commission of Nevada, pursuant to section
24 34 of this act, to participate in the Demonstration Program.

25 **Sec. 24.** "Person" includes a governmental entity.

26 **Sec. 25.** "Program year" means the period of July 1 to June 30
27 of the following year.

28 **Sec. 26.** "Solar energy system" has the meaning ascribed to it
29 in section 4 of this act.

30 **Sec. 27.** "Utility" means a public utility that supplies
31 electricity in this state.

32 **Sec. 28.** 1. The Committee for the Solar Energy Systems
33 Demonstration Project is hereby created. The Committee consists of
34 seven members who are appointed as follows:

35 (a) Two members appointed by the Majority Leader of the
36 Senate, one of whom represents the interests of the environment in
37 this state and the other who represents the interests of economic
38 development in this state.

39 (b) Two members appointed by the Speaker of the Assembly,
40 one of whom represents the interests of labor in this state, and the
41 other who represents the interests of education in this state.

42 (c) Three members appointed by the Governor.

43 2. A member of the Committee:

44 (a) Must be a resident of this state.



1 (b) Must have training, education, experience or knowledge
2 concerning matters within the scope of duties of the Committee.

3 (c) Must not be an officer or employee of the Legislative or
4 Judicial Branch of State Government.

5 3. The term of each member of the Committee is 4 years. A
6 vacancy on the Committee must be filled for the remainder of the
7 unexpired term in the same manner as the original appointment.

8 4. Any member of the Committee who is an officer or
9 employee of this state or a political subdivision of this state must be
10 relieved from his duties without loss of his regular compensation so
11 that he may prepare for and attend meetings of the Committee and
12 perform any work that is necessary to carry out the duties of the
13 Committee in the most timely manner practicable. A state agency or
14 political subdivision of this state shall not require an officer or
15 employee who is a member of the Committee to:

16 (a) Make up the time he is absent from work to carry out his
17 duties as a member of the Committee; or

18 (b) Take annual leave or compensatory time for the absence.

19 **Sec. 29.** 1. The members of the Committee shall select a
20 Chairman and Vice Chairman from among their membership. The
21 Vice Chairman shall perform the duties of the Chairman during any
22 absence of the Chairman.

23 2. The Chairman and Vice Chairman serve in those positions
24 for terms of 1 year. If a vacancy occurs in the chairmanship or vice
25 chairmanship, the vacancy must be filled for the remainder of the
26 unexpired term in the same manner as the original selection.

27 3. A majority of the members of the Committee constitutes a
28 quorum. A majority of the members present during a quorum may
29 exercise all the power and authority conferred on the Committee.

30 4. The Committee shall meet at least quarterly or more
31 frequently at the discretion of the Chairman.

32 5. A member of the Committee shall serve without salary, but
33 is entitled to receive the per diem allowance and travel expenses
34 provided for state officers and employees generally for each day or
35 portion of a day during which he attends a meeting of the
36 Committee or is otherwise engaged in the business of the
37 Committee.

38 6. The Public Utilities Commission of Nevada shall provide the
39 Committee with administrative and clerical support and with such
40 other assistance as may be necessary for the Committee to carry out
41 its duties. Such support and assistance must include, without
42 limitation, making arrangements for facilities, equipment and other
43 services in preparation for and during meetings.

44 **Sec. 30.** 1. The Solar Energy Systems Demonstration
45 Program is hereby created.



1 2. The Demonstration Program shall have three categories of
2 participants as follows:

- 3 (a) Schools;
4 (b) Other public buildings; and
5 (c) Private residences and small businesses.

6 3. A person is eligible to participate in the Demonstration
7 Program if the person:

8 (a) Uses solar energy system installers certified by the Division
9 of Industrial Relations of the Department of Business and Industry
10 pursuant to section 8 of this act to install and maintain the solar
11 energy system; and

12 (b) For a participant in the category of schools or a participant in
13 the category of public buildings, provides for the public display of
14 the solar energy system, including, without limitation, providing for
15 public demonstrations of the solar energy system and for hands-on
16 experience of the solar energy system by the public.

17 4. In addition to the requirements of subsection 3, to be eligible
18 to participate in the Demonstration Program, a person must be
19 approved by the Public Utilities Commission of Nevada.

20 5. The Public Utilities Commission of Nevada shall adopt
21 regulations providing for the qualifications an applicant must meet
22 to qualify to participate in the Demonstration Program in the
23 particular category of:

- 24 (a) Schools;
25 (b) Other public buildings; or
26 (c) Private residences or small businesses.

27 **Sec. 31.** 1. On or before November 1, 2003, the Committee
28 shall:

- 29 (a) Develop an application for the Demonstration Program; and
30 (b) Advertise for the submission of applications for the
31 Demonstration Program for the program year beginning July 1,
32 2004.

33 2. On or before November 1, 2004, and on or before
34 November 1 of each subsequent year, the Committee shall advertise
35 for the submission of applications for the Demonstration Program
36 for the following program year.

37 3. The advertisements of the Committee for application for the
38 Demonstration Program must include, without limitation:

- 39 (a) A description of the requirements for participation in the
40 Demonstration Program;
41 (b) A description of the incentives available to participants in
42 the Demonstration Program; and
43 (c) A description of the application process to participate in the
44 Demonstration Program.



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1 **Sec. 32.** 1. On or before February 1, 2004, and on or before
2 February 1 of each subsequent year, an applicant desiring to
3 participate in the Demonstration Program for the following program
4 year must apply to the Committee, on an application form
5 prescribed by the Committee.

6 2. The applicant shall include in the application to the
7 Committee:

8 (a) A designation of the category of the applicant.

9 (b) The kilowatt-hour capacity of the proposed solar energy
10 system.

11 (c) For an applicant in the category of schools or an applicant in
12 the category of other public buildings, a description of the plan to
13 provide for the public display of the solar energy system.

14 (d) An affidavit that the applicant will use solar installers
15 certified by the Division of Industrial Relations of the Department
16 of Business and Industry pursuant to the provisions of section 8 of
17 this act to install and maintain the solar energy project.

18 (e) Any other information required by the Committee.

19 **Sec. 33.** 1. On or before March 1, 2004, the Committee
20 shall:

21 (a) Review the applications submitted for participation in the
22 Demonstration Program for the program year beginning July 1,
23 2004, to ensure that the requirements of subsection 3 of section 30
24 of this act are met; and

25 (b) Nominate qualified applicants for participation in the
26 Demonstration Program for the program year beginning July 1,
27 2004.

28 2. On or before February 1, 2005, and on or before February 1
29 of each subsequent year, the Committee shall:

30 (a) Review the applications submitted for participation in the
31 Demonstration Program for the following program year to ensure
32 that the requirements of subsection 3 of section 30 of this act are
33 met; and

34 (b) Nominate qualified applicants for participation in the
35 Demonstration Program for the following program year.

36 3. If the Committee nominates an applicant for participation in
37 the Demonstration Program, the Committee shall forward the
38 application to the Public Utilities Commission of Nevada within 15
39 days after making the decision to nominate the applicant.

40 **Sec. 34.** 1. On or before May 1 of each year, the Public
41 Utilities Commission of Nevada shall:

42 (a) Review each application nominated by the Committee to
43 ensure that the application meets the requirements of subsection 3 of
44 section 30 of this act; and



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1 (b) From those nominees, select participants for the
2 Demonstration Program for the following program year.

3 2. The Public Utilities Commission of Nevada may approve,
4 from among the applications nominated by the Committee, solar
5 energy systems totaling:

6 (a) For the program year beginning July 1, 2004:

7 (1) 100 kilowatt-hours of capacity for schools;

8 (2) 200 kilowatt-hours of capacity for other public buildings;

9 and

10 (3) 200 kilowatt-hours of capacity for private residences and
11 small businesses.

12 (b) For the program year beginning July 1, 2005:

13 (1) An additional 450 kilowatt-hours of capacity for schools;

14 (2) An additional 450 kilowatt-hours of capacity for other
15 public buildings and

16 (3) An additional 600 kilowatt-hours of capacity for private
17 residences and small businesses.

18 (c) For the program year beginning July 1, 2006:

19 (1) An additional 900 kilowatt-hours of capacity for schools;

20 (2) An additional 900 kilowatt-hours of capacity for other
21 public buildings; and

22 (3) An additional 1200 kilowatt-hours of capacity for private
23 residences and small businesses.

24 3. The Public Utilities Commission of Nevada shall notify each
25 nominee of its selections no later than 10 days after the decision is
26 made.

27 **Sec. 35.** 1. After the participant installs the solar energy
28 system included in the Demonstration Project, the Public Utilities
29 Commission of Nevada shall issue to the participant the following
30 renewable energy credits for use within the system of renewable
31 energy credits adopted by the Commission pursuant to
32 NRS 704.7821:

33 (a) For a participant in the category of schools or a participant in
34 the category of other public buildings, the participant is entitled to
35 renewable energy credits equal to the twice the kilowatt-hour
36 capacity of the solar energy system of the participant.

37 (b) For a participant in the category for private residences and
38 small businesses, the participant is entitled to renewable energy
39 credits equal to the kilowatt-hour capacity of the solar energy
40 system of the participant.

41 2. The Commission shall designate the renewable energy
42 credits issued to the participant pursuant to subsection 1 as
43 renewable energy credits generated or acquired from
44 solar renewable energy systems. The participant may transfer the
45 renewable energy credits to a utility if the participant complies with



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1 the regulations adopted by the Commission to complete such a
2 transfer.

3 3. The Commission shall adopt regulations to provide for the
4 requirements and the procedures that a participant must follow to
5 transfer renewable energy credits from the participant to a utility.

6 **Sec. 36.** 1. A participant in the Demonstration Project is
7 entitled to participate in net metering pursuant to the provisions of
8 NRS 704.766 to 704.775, inclusive.

9 2. If the utility which provides service to the participant offers
10 an optional pricing plan that allows the utility to charge a customer
11 varying rates per kilowatt-hour of electricity depending on the time
12 of day that the customer uses the electricity, the participant is also
13 entitled to participate in net metering under that optional pricing
14 plan.

15 **Sec. 37.** If the Public Utilities Commission of Nevada
16 determines that a participant did not comply with the requirements
17 for participation in the Demonstration Program, including, but not
18 limited to, using solar energy system installers who are not certified
19 by the Division of Industrial Relations of the Department of
20 Business and Industry for the installation or maintenance of the
21 solar energy system included in the Demonstration Program, the
22 Public Utilities Commission of Nevada shall, after notice and an
23 opportunity for a hearing, withdraw the participant from the
24 Demonstration Program.

25 **Sec. 38.** As soon as practicable after July 1, 2003, the
26 appointing authorities shall make the appointments to the
27 Committee required by section 28 of this act.

28 **Sec. 39.** This act becomes effective on July 1, 2003.

29 **Sec. 40.** 1. The provisions of sections 18 to 38, inclusive, of
30 this act expire by limitation on June 30, 2007.

31 2. The provisions of sections 10 and 13 of this act expire by
32 limitation on the date on which the provisions of 42 U.S.C. § 666
33 requiring each state to establish procedures under which the state
34 has authority to withhold or suspend, or to restrict the use of
35 professional, occupational and recreational licenses of persons who:

36 (a) Have failed to comply with a subpoena or warrant relating to
37 a proceeding to determine the paternity of a child or to establish or
38 enforce an obligation for the support of a child; or

39 (b) Are in arrears in the payment for the support of one or more
40 children,

41 are repealed by the Congress of the United States.

