

**Amendment No. 452**

Assembly Amendment to Assembly Bill No. 385

(BDR 22-730)

**Proposed by:** Committee on Government Affairs**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No

Adoption of this amendment will ADD a 2/3s majority vote requirement for final passage of AB385 (§ 8.3).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting section 1 and adding:

**“Section 1.** (Deleted by amendment.)”.

Amend sec. 2, page 2, line 41, by deleting “278A” and inserting “278”.

Amend sec. 2, pages 2 and 3, by deleting lines 43 and 44 on page 2 and lines 1 through 15 on page 3, and inserting:

***“If a governing body establishes a committee or task force on sustainable energy, the committee or task force shall consider:***

- 1. Standards for the efficient use of water;***
- 2. Standards for the efficient use of energy, including, without limitation, the use”.***

SP/LJM

Date: 4/25/2005

A.B. No. 385—Revises provisions governing building and zoning and creates incentives and standards for green buildings.

Amend sec. 2, page 3, line 17, by deleting “(c)” and inserting “3.”.

Amend sec. 2, page 3, line 19, by deleting “(d)” and inserting “4.”.

Amend sec. 3, page 3, line 27, after “at” by inserting:

*“or meet the equivalent of”.*

Amend sec. 3, page 3, by deleting lines 29 and 30 and inserting:

*“Rating System or its equivalent, as adopted by the Director of the Office of Energy pursuant to section 11 of this act.”.*

Amend sec. 3, page 3, line 33, after “at” by inserting:

*“or meet the equivalent of”.*

Amend sec. 3, page 3, by deleting lines 35 and 36 and inserting:

*“Design Green Building Rating System or its equivalent, as adopted by the Director of the Office of Energy pursuant to section 11 of this act.”.*

Amend the bill as a whole by deleting sec. 4 and adding:

**“Sec. 4.** (Deleted by amendment.)”.

Amend sec. 5, page 4, line 8, by deleting “[Identify]” and inserting “[Identify the]”.

Amend sec. 5, page 4, by deleting lines 11 through 14 and inserting:

*“(b) Identify measures , including, without limitation, for [:*

*—(a)] the:*

*(1) Conservation of water;*

*(2) Conservation of energy; and*

*[ (b) ] (3) Use of types of energy which are alternatives to fossil”.*

Amend sec. 6, page 4, line 35, after “at” by inserting:

*“or meet the equivalent of”.*

Amend sec. 6, page 4, by deleting lines 38 and 39 and inserting:

*“or its equivalent, as adopted by the Director of the Office of Energy pursuant to section 11 of this act.*

*2. The partial abatement must be for a duration of not more than 10 years”.*

Amend sec. 6, page 4, line 42, after “3.” by inserting:

*“The Commission on Economic Development shall establish by regulation the qualifications and methods to determine eligibility for the abatement.*

*4.”.*

Amend sec. 7, page 5, by deleting lines 15 through 17 and inserting:

*“(d) Products or materials used in the construction or remodel of a building if the building is certified or will, when complete, meet the requirements to be certified at or meet the equivalent of the silver level or”.*

Amend sec. 7, page 5, by deleting line 33 and inserting:

*“adopted by the Director of the Office of Energy pursuant to section 11 of this act.”.*

Amend the bill as a whole by adding new sections designated sections 8.1 through 8.12, following sec. 8, to read as follows:

**“Sec. 8.1.** Chapter 618 of NRS is hereby amended by adding thereto the provisions set forth as sections 8.2 to 8.12, inclusive, of this act.

**Sec. 8.2.** *As used in sections 8.2 to 8.12, inclusive, of this act, unless the context otherwise requires:*

1. *“Occupation” means a specific discipline involved in a solar energy system project, including, without limitation, those tasks performed by an inspector, management planner, consultant, project designer, contractor, supervisor or worker engaged in a solar energy system project.*

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

3. *“Solar energy system project” means a project related to:*

*(a) The installation of a solar energy system; or*

*(b) The maintenance of a solar energy system.*

4. *“Worker” means any person actually engaged in work directly related to a solar energy system project in a capacity other than as an inspector, management planner, consultant, project designer, contractor or supervisor engaged in a solar energy system project.*

**Sec. 8.3. 1.** *The Division shall adopt regulations establishing standards and procedures for the certification of each occupation. The regulations must include, without limitation:*

*(a) Standards for:*

*(1) Courses that provide initial training;*

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

*(3) Examinations;*

*(4) Qualifications;*

*(5) Certification;*

*(6) Renewal of certification; and*

*(7) Revocation of certification.*

*(b) A schedule of fees designed to recover revenue to defray the costs of carrying out the provisions of sections 8.2 to 8.12, inclusive, of this act. The Division may collect fees for applications for certification, the issuance, renewal and reinstatement of certification, examinations, the review and approval of training courses, job notifications and inspections, recordkeeping, and any other activity of the Division related to the provisions of sections 8.2 to 8.12, inclusive, of this act.*

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

*2. In adopting regulations pursuant to subsection 1, the Division shall consult with the State Apprenticeship Council.*

*3. The Division may adopt:*

*(a) Such regulations as are necessary to carry out the provisions of sections 8.2 to 8.12, inclusive, of this act; and*

*(b) Regulations to include within the definition of “occupation” any discipline deemed necessary, including, without limitation, that of instructor in any activity related to a solar energy system project.*

*Sec. 8.4. 1. A person shall not engage in a solar energy system project unless he holds a valid certificate issued by the Division.*

*2. The Division shall issue certificates to:*

*(a) Persons enrolled in courses that provide the initial training related to solar energy systems; and*

*(b) Qualified applicants in each occupation.*

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

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

**Sec. 8.5. A person applying for a certificate in an occupation must:**

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

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

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

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

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

**Sec. 8.6. 1. To renew a certificate in an occupation, a person must, on or before January 1 of each year:**

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

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

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

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

*Sec. 8.7. 1. In addition to the requirements of sections 8.5 and 8.6 of this act, an applicant for the issuance or renewal of a certificate in an occupation shall submit to the Division:*

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

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

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

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

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

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

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

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

*4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the*

*district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.*

*Sec. 8.8. 1. If the Division receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a certificate in an occupation, the Division shall deem the certificate issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued, unless the Division receives a letter issued to the holder of the certificate by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the certificate has complied with the subpoena or warrant, or has satisfied the arrearage pursuant to NRS 425.560.*

*2. The Division shall reinstate a certificate that has been suspended by a district court pursuant to NRS 425.540 if the Division receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certificate was suspended stating that the person whose certificate was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

*Sec. 8.9. The Division or a person authorized by the Division shall inspect annually at least one solar energy system project conducted by each contractor issued a certificate. The contractor shall, upon request of the Division or a person authorized by the Division, allow the inspection of all property, activities and facilities of the project and all related documents and records.*

*Sec. 8.10. 1. If the Division finds that a person, other than a worker, has violated any of the provisions of sections 8.2 to 8.12, inclusive, of this act, or the standards or regulations adopted pursuant thereto, it may:*

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

*(b) Upon the second violation or a subsequent violation:*

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

*(2) If he is certified pursuant to sections 8.2 to 8.12, inclusive, of this act, suspend or revoke his certificate and require him to fulfill certain training or educational requirement to have his certificate reinstated.*

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

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

*Sec. 8.11. 1. If the Division intends to suspend or revoke a person's certificate, it shall first notify him by certified mail. The notice must contain a statement of the Division's legal authority, jurisdiction and reasons for the proposed action.*

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

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

**Sec. 8.12.** *The Division may maintain in a court of competent jurisdiction a suit for an injunction against any person engaged in a solar energy system project in violation of the provisions of sections 8.2 to 8.12, inclusive, of this act, or the standards or regulations adopted pursuant thereto. An injunction:*

- 1. May be issued without proof of actual damage sustained by any person.*
- 2. Does not relieve the person from criminal liability for engaging in a solar energy system project without a certificate.”.*

Amend the bill as a whole by deleting sec. 10 and adding:

**“Sec. 10.** (Deleted by amendment.)”.

Amend sec. 11, page 6, by deleting lines 36 and 37 and inserting:

**“Sec. 11. 1. The Director, in cooperation with:**

*(a) Representatives of the building and development industry, shall”.*

Amend sec. 11, page 6, by deleting line 40 and inserting:

*“(b) The Manager appointed pursuant to NRS 341.100, shall adopt the Leadership in Energy and Environmental Design Green Building Rating System, or its equivalent.*

*2. Guidelines adopted pursuant to paragraph (a) of subsection 1 must include, without limitation,”.*

Amend sec. 11, page 7, by deleting lines 6 through 10.

Amend sec. 13, page 7, line 20, after **“Council,”** by inserting:

**“and any amendments to the Code,”.**

Amend sec. 13, page 7, line 30, by deleting **“second”** and inserting **“third”**.

Amend the bill as a whole by deleting sections 14 through 17 and adding new sections designated sections 14 through 17, following sec. 13, to read as follows:

**“Sec. 14.** NRS 701.350 is hereby amended to read as follows:

701.350 1. The Task Force for Renewable Energy and Energy Conservation is hereby created.

The Task Force consists of ~~10~~ **11** members who are appointed as follows:

(a) Two members appointed by the Majority Leader of the Senate, one of whom represents the interests of the renewable energy industry in this State with respect to biomass and the other of whom represents the interests of the mining industry in this State.

(b) Two members appointed by the Speaker of the Assembly, one of whom represents the interests of the renewable energy industry in this State with respect to geothermal energy and the other of whom represents the interests of a nonprofit organization dedicated to the protection of the environment or to the conservation of energy or the efficient use of energy.

(c) One member appointed by the Minority Leader of the Senate to represent the interests of the renewable energy industry in this State with respect to solar energy.

(d) One member appointed by the Minority Leader of the Assembly to represent the interests of the public utilities in this State.

(e) Two members appointed by the Governor, one of whom represents the interests of the renewable energy industry in this State with respect to wind and the other of whom represents the interests of the gaming industry in this State.

(f) One member appointed by the Consumer’s Advocate to represent the interests of the consumers in this State.

(g) One member appointed by the governing board of the State of Nevada AFL-CIO or, if the State of Nevada AFL-CIO ceases to exist, by its successor organization or, if there is no successor organization, by the Governor.

***(h) One member appointed by the Governor to represent the interests of energy conservation and the efficient use of energy in this State.***

2. A member of the Task Force:

(a) Must be a citizen of the United States and a resident of this State.

(b) Must have training, education, experience or knowledge concerning:

(1) The development or use of renewable energy;

(2) Financing, planning or constructing renewable energy generation projects;

(3) Measures which conserve or reduce the demand for energy or which result in more efficient use of energy;

(4) Weatherization;

(5) Building and energy codes and standards;

(6) Grants or incentives concerning energy;

(7) Public education or community relations; or

(8) Any other matter within the duties of the Task Force.

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

3. After the initial terms, the term of each member of the Task Force is 3 years. A vacancy on the Task Force must be filled for the remainder of the unexpired term in the same manner as the original appointment. A member may be reappointed to the Task Force.

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

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

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

**Sec. 15.** Chapter 704 of NRS is hereby amended by adding thereto the provisions set forth as sections 16 and 17 of this act.

**Sec. 16. 1.** *For the purpose of complying with a portfolio standard pursuant to NRS 704.7821, a provider shall be deemed to have generated or acquired 1.5 kilowatt hours of electricity from a renewable energy system for each 1 kilowatt hour of actual electricity generated or acquired from a solar photovoltaic system if:*

*(a) Not less than 25 percent of the components in the system are manufactured in this State; and*

*(b) The employees of the owner of the renewable energy system are trained and certified pursuant to sections 8.2 to 8.12, inclusive, of this act.*

*2. The total amount of electricity deemed to have been generated or acquired pursuant to the provisions of this section must not exceed 50 megawatt hours.*

*3. The Commission shall adopt regulations to carry out the provisions of this section.*

**Sec. 17. 1. *For the purpose of complying with a portfolio standard pursuant to NRS 704.7821, a provider shall be deemed to have generated or acquired 2.4 kilowatt hours of electricity from a renewable energy system for each 1 kilowatt hour of actual electricity generated or acquired from a solar photovoltaic system, if:***

***(a) The solar photovoltaic system is established in an enterprise zone in Nevada;***

***(b) The employees of the owner of the solar photovoltaic system are trained and certified pursuant to sections 8.2 to 8.12, inclusive, of this act; and***

***(c) The average price paid for electricity generated by the solar photovoltaic system is 75 percent of the average price paid for solar energy in this State.***

***2. The total amount of electricity deemed to have been generated or acquired pursuant to this section must not exceed 20 megawatt hours.***

***3. The Commission shall adopt regulations to carry out the provisions of this section.”.***

Amend sec. 18, page 12, line 26, by deleting “500” and inserting “150”.

Amend the bill as a whole by adding new sections designated sections 18.2 through 18.8, following sec. 18, to read as follows:

“**Sec. 18.2.** NRS 704.773 is hereby amended to read as follows:

704.773 1. ~~[A]~~ ***Except as otherwise provided in subsection 2, a*** utility shall offer net metering, as set forth in NRS 704.775, to the customer-generators operating within its service area.

2. A utility ~~[is]~~ ***is not required to provide net metering to additional customer-generators operating within its service area if the combined total peak demand of all customer-generators served by the utility equals or exceeds 1 percent of the peak customer demand of the utility.***

3. ***For net metering systems with a generating capacity of 30 kilowatts or less, a utility:***

(a) Shall offer to make available to each of its customer-generators who has accepted its offer for net metering an energy meter that is capable of registering the flow of electricity in two directions.

(b) May, at its own expense and with the written consent of the customer-generator, install one or more additional meters to monitor the flow of electricity in each direction.

(c) Shall not charge a customer-generator any fee or charge that would increase the customer-generator's minimum monthly charge to an amount greater than that of other customers of the utility in the same rate class as the customer-generator.

***4. For net metering systems with a generating capacity of more than 30 kilowatts, a utility:***

***(a) May require that a customer-generator install one or more meters capable of separately measuring the flow of electricity in both directions. All meters must provide time-of-use measurements of the flow of electricity and the customer-generator must take service on a time-of-use schedule. If the existing meter of the customer-generator is not a time-of-use meter or is not capable of measuring the total flow of electricity in both directions, the customer-generator is responsible for all expenses involved in purchasing and installing a time-of-use meter that is able to measure the total flow of electricity in both directions.***

***(b) Shall charge the customer-generator for the consumption of electricity from the utility at a price consistent with the tariffed rate that would be charged to the customer-generator if the customer-generator did not use a net metering system. The generation of electricity provided to the utility must result in a credit to the customer-generator and must be priced in accordance with the generation component that is established under the applicable rate structure to which the customer would be assigned if the customer did not use a net metering system. The customer-generator shall pay all other fees and charges, including, without limitation, the customer,***

*demand and facility charges that are charged to the other customers of the utility in the same rate class as the customer-generator.*

**Sec. 18.4.** NRS 704.775 is hereby amended to read as follows:

704.775 1. The billing period for net metering ~~[may be either]~~ **must be** a monthly period . ~~[or, with the written consent of the customer-generator, an annual period.]~~

2. The net energy measurement must be ***measured in kilowatt hours and*** calculated in the following manner:

(a) The utility shall measure the net electricity produced or consumed during the billing period, in accordance with normal metering practices.

(b) If the electricity supplied by the utility exceeds the electricity generated by the customer-generator which is fed back to the utility during the billing period, the customer-generator must be billed for the net electricity supplied by the utility ~~[ ]~~ ***with such charges for energy due and payable with each monthly bill.***

(c) If the electricity generated by the customer-generator which is fed back to the utility exceeds the electricity supplied by the utility during the billing period:

(1) Neither the utility nor the customer-generator is entitled to compensation for electricity provided to the other during the billing period; and

(2) The ~~[excess]~~ electricity which is fed back to the utility ~~[shall be deemed to be electricity that the utility generated or acquired from a renewable energy system for the purposes of complying with its portfolio standard pursuant to NRS 704.7801 to 704.7828, inclusive.]~~ ***that exceeds the electricity supplied by the utility during the billing period must be carried forward and treated as a credit in the next billing period in addition to the kilowatt hours generated by the customer-***

*generator. If the customer-generator is provided service by the utility pursuant to a rate schedule that employs a time-of-use period for billing purposes, the electricity carried forward must be applied to the same time-of-use period for the next billing period in which it is generated. If no comparable time-of-use period exists in the next billing period, the electricity carried forward must be evenly apportioned between the time-of-use periods in the next billing period. The excess electrical energy for each month is carried forward to the next month unless:*

*(I) The net metering system is no longer operating;*

*(II) The net metering system is no longer connected to the utility's electric system;*

*(III) The customer-generator ceases to take electric service from the utility at that location; or*

*(IV) The customer-generator assigns the net metering system to another party.*

**Sec. 18.5.** NRS 704.7801 is hereby amended to read as follows:

704.7801 As used in NRS 704.7801 to 704.7828, inclusive, *and sections 16 and 17 of this act*, unless the context otherwise requires, the words and terms defined in NRS 704.7805 to 704.7818, inclusive, have the meanings ascribed to them in those sections.

**Sec. 18.6.** NRS 704.7815 is hereby amended to read as follows:

704.7815 "Renewable energy system" means:

1. A facility or energy system that:

(a) Uses renewable energy or energy from a qualified energy recovery process to generate electricity; and

(b) Transmits or distributes the electricity that it generates from renewable energy or energy from a qualified energy recovery process via:

(1) A power line which is dedicated to the transmission or distribution of electricity generated from renewable energy or energy from a qualified energy recovery process and which is connected to a facility or system owned, operated or controlled by a provider of electric service; or

(2) A power line which is shared with not more than one facility or energy system generating electricity from nonrenewable energy and which is connected to a facility or system owned, operated or controlled by a provider of electric service.

2. A solar energy system that reduces the consumption of electricity ~~[-, natural gas or propane.]~~ ***or any fossil fuel.***

3. A net metering system used by a customer-generator pursuant to NRS 704.766 to 704.775, inclusive.

**Sec. 18.8.** NRS 704.860 is hereby amended to read as follows:

704.860 “Utility facility” means:

1. Electric generating plants and their associated facilities, other than :

(a) ***Electric generating*** plants and their associated facilities that are or will be located entirely within the boundaries of a county whose population is 100,000 or more. ~~[-As used in this subsection, “associated facilities” includes, without limitation, any facilities for the storage, transmission or treatment of water, including, without limitation, facilities to supply water or for the treatment or disposal of wastewater, which support or service an electric generating plant.]~~

(b) ***Electric generating plants and their associated facilities that use or will use renewable energy or energy from a qualified energy recovery process as the primary source of energy to generate electricity and that have or will have a generating capacity of not more than 150 kilowatts, including, without limitation, a net metering system. As used in this paragraph:***

*(1) “Net metering system” has the meaning ascribed to it in NRS 704.771.*

*(2) “Qualified energy recovery process” has the meaning ascribed to it in NRS 704.7809.*

*(3) “Renewable energy” has the meaning ascribed to it in NRS 704.7811.*

2. Electric transmission lines and transmission substations that:

- (a) Are designed to operate at 200 kilovolts or more;
- (b) Are not required by local ordinance to be placed underground; and
- (c) Are constructed outside any incorporated city.

3. Gas transmission lines, storage plants, compressor stations and their associated facilities when constructed outside:

- (a) Any incorporated city; and
- (b) Any county whose population is 100,000 or more.

4. Water storage, transmission and treatment facilities, other than facilities for the storage, transmission or treatment of water from mining operations.

5. Sewer transmission and treatment facilities.”.

Amend sec. 19, page 12, by deleting line 41 and inserting:

“3. This act expires by limitation on ~~June 30,~~ **December 31**, 2005.”.

Amend the bill as a whole by adding new sections, designated sections 19.2 through 19.8, following sec. 19, to read as follows:

“**Sec. 19.2.** Section 18 of Chapter 331, Statutes of Nevada 2003, at page 1869, is hereby amended to read as follows:

Sec. 18. 1. On or before May 1 of each year, the Public Utilities Commission of Nevada shall:

(a) Review each application nominated by the Committee to ensure that the application meets the requirements of subsection 3 of section 14 of this act; and

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

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

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

- (1) 100 kilowatts of capacity for schools;
- (2) 200 kilowatts of capacity for other public buildings; and
- (3) 200 kilowatts of capacity for private residences and small businesses.

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

- (1) An additional ~~[450]~~ **570** kilowatts of capacity for schools;
- (2) An additional ~~[450]~~ **570** kilowatts of capacity for other public buildings; and
- (3) An additional ~~[600]~~ **760** kilowatts of capacity for private residences and small

businesses.

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

- (1) An additional ~~[900]~~ **570** kilowatts of capacity for schools;
- (2) An additional ~~[900]~~ **570** kilowatts of capacity for other public buildings; and
- (3) An additional ~~[1200]~~ **760** kilowatts of capacity for private residences and small

businesses.

*(d) For the program year beginning July 1, 2007:*

- (1) An additional 570 kilowatts of capacity for schools;*

*(2) An additional 570 kilowatts of capacity for other public buildings; and*

*(3) An additional 760 kilowatts of capacity for private residences and small businesses.*

*(e) For the program year beginning July 1, 2008:*

*(1) An additional 570 kilowatts of capacity for schools;*

*(2) An additional 570 kilowatts of capacity for other public buildings; and*

*(3) An additional 760 kilowatts of capacity for private residences and small businesses.*

*(f) For the program year beginning July 1, 2009:*

*(1) An additional 570 kilowatts of capacity for schools;*

*(2) An additional 570 kilowatts of capacity for other public buildings; and*

*(3) An additional 760 kilowatts of capacity for private residences and small businesses.*

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

**Sec. 19.4.** Section 24 of Chapter 331, Statutes of Nevada 2003, at page 1871, is hereby amended to read as follows:

Sec. 24. The provisions of sections 4 to 21, inclusive, of this act expire by limitation on June 30, ~~{2007.}~~ **2010.**

**Sec. 19.6.** 1. The Director of the Office of Energy shall review model commercial standards for appliances, including, without limitation, the appliance efficiency standards adopted by the California Energy Commission.

2. The Director shall prepare a report summarizing the review and submit the report by July 1, 2006, to the Director of the Legislative Counsel Bureau for transmittal to the Legislative

Commission and to the 74th Session of the Nevada Legislature. The report must be made available to the general public.

**Sec. 19.8.** There is hereby appropriated from the State General Fund to the Trust Fund for Renewable Energy and Energy Conservation, created pursuant to NRS 701.370, the sum of \$250,000.”.

Amend sec. 20, page 12, by deleting line 44 and inserting:

“2. Sections 1 to 18.8, inclusive, and sections 19.2 to 19.8, inclusive, of this act become effective:”.

Amend sec. 20, page 13, after line 4, by inserting:

“3. Sections 8.7 and 8.8 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

1. Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

2. Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States.”.

Amend the title of the bill by deleting the eighth and ninth lines and inserting:

“purchases; providing for the certification of persons engaged in solar energy system projects; making various changes concerning portfolio standards and net metering; making an appropriation; providing a penalty;”.