

Amendment No. 782

Assembly Amendment to Assembly Bill No. 385 First Reprint

(BDR 22-730)

Proposed by: Committee on Ways and Means**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: Amend Joint Sponsorship: No Digest: No

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of A.B. 385 R1 (§ 8.5).

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 sec. 3, page 2, by deleting lines 38 through 40 and inserting:

“1. Each occupied public building constructed, sponsored or financed by this State must be certified at the silver level or higher in”.

Amend sec. 3, page 2, line 42, by deleting:

“System or its equivalent,” and inserting:***“System, or constructed to an equivalent standard,”.***

Amend sec. 3, page 3, by deleting lines 1 and 2 and inserting:

“2. Each occupied public building constructed, sponsored or financed by a local”.

Amend sec. 3, page 3, lines 5 and 6, by deleting:

“System or its equivalent,” and inserting:

SP/LJM

Date: 5/23/2005

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



“System, or constructed to an equivalent standard,”.

Amend sec. 3, page 3, between lines 7 and 8, by inserting:

“3. As used in this section, “occupied public building” means a public building used primarily as an office space or work area for persons employed by this State or a local government. The term does not include a public building used primarily as a storage facility or warehouse or for similar purposes.”.

Amend sec. 5, page 3, by deleting line 11 and inserting:

“occupied public building which is larger than 20,000 square feet, each”.

Amend sec. 5, page 3, by deleting lines 22 and 23 and inserting:

*“(2) Conservation of energy ~~and~~
—(b)) and energy efficiency measures that will generate cost savings within 10 years that are equal to or greater than the cost of implementation; and*

(3) Use of types of energy which are alternatives to fossil”.

Amend sec. 5, page 3, line 29, before “building” by inserting “*public*”.

Amend sec. 5, page 3, line 32, by deleting “*incorporate*” and inserting “*consider*”.

Amend sec. 5, page 3, line 36, after “4.” by inserting:

“The State may select, through the bidding process, a contractor to conduct the analysis required pursuant to this section. If a contractor is selected to conduct the analysis, any contract for the purchase, lease or rental of cost-saving measures must provide that all payments, other than any obligations that become due if the contract is terminated before the contract expires, be made from the cost savings.

5.”.

Amend sec. 7, page 4, line 27, by deleting “*or remodel*”.

Amend sec. 8, page 5, by deleting lines 35 and 36 and inserting:

“Design Professional Accreditation Exam or its equivalent.”

Amend sec. 8.2, pages 5 and 6, by deleting lines 42 through 44 on page 5 and lines 1 through 13 on page 6, and inserting:

“1. “Apprentice photovoltaic installer” means a person actually engaged in a course of training and apprenticeship which:

(a) Incorporates photovoltaic installation; and

(b) Is registered and approved by the State Apprenticeship Council pursuant to chapter 610 of NRS.

2. “Photovoltaic installer” means a person actually engaged in work directly related to the placement and installation of a photovoltaic system project in a capacity other than as an inspector, management planner, consultant, project designer, contractor or supervisor engaged in a photovoltaic system project.

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

4. “Photovoltaic system project” means a project related to:

(a) The installation of a photovoltaic system; or

(b) The maintenance of a photovoltaic system.”

Amend the bill as a whole by deleting sections 8.3 through 8.5 and adding new sections designated sections 8.3 through 8.5, following sec. 8.2, to read as follows:

“Sec. 8.3. The Division shall issue a license to each qualified applicant for licensure as an apprentice photovoltaic installer or a photovoltaic installer.

Sec. 8.4. 1. Except as otherwise provided in subsection 2, a person shall not engage in a photovoltaic system project unless he holds a valid license issued by the Division.

2. A person is not required to obtain a license from the Division to install or maintain a photovoltaic system on property that the person owns and occupies as a residence.

3. A person who:

(a) Engages in a photovoltaic system project without a license; or

(b) Employs a person to engage in a photovoltaic system project as a photovoltaic installer who does not hold a license issued by the Division,

↪ is guilty of a misdemeanor and may be fined a reasonable amount as determined by the Division by regulation.

Sec. 8.5. A person applying for a license as an apprentice photovoltaic installer or a photovoltaic installer must:

1. Submit an application, on a form prescribed and furnished by the Division, and all required fees;

2. Successfully complete a course of training and apprenticeship which incorporates photovoltaic installation that is registered and approved by the State Apprenticeship Council pursuant to chapter 610 of NRS;

3. Pass an examination approved or administered by the Division for a photovoltaic installer;

4. If he is a contractor, provide proof to the Division that he has been issued a license of the appropriate classification by the State Contractors’ Board pursuant to chapter 624 of NRS; and

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

Amend sec. 8.6, page 7, line 27, by deleting:

“certificate in an occupation,” and inserting:

“license as an apprentice photovoltaic installer or photovoltaic installer,”.

Amend sec. 8.6, page 7, by deleting lines 35 through 38 and inserting:

“education or training of a person for issuance or renewal of a license as an apprentice photovoltaic installer or a photovoltaic installer.”.

Amend sec. 8.7, page 7, line 41, by deleting:

“certificate in an occupation” and inserting:

“license as an apprentice photovoltaic installer or a photovoltaic installer”.

Amend sec. 8.7, page 8, line 4, by deleting **“certificate;”** and inserting **“license;”**.

Amend sec. 8.7, page 8, line 6, by deleting:

“certificate in an occupation” and inserting:

“license as an apprentice photovoltaic installer or a photovoltaic installer”.

Amend sec. 8.8, page 8, by deleting line 28 and inserting:

“license as an apprentice photovoltaic installer or a photovoltaic installer, the Division shall deem the license”.

Amend sec. 8.8, page 8, lines 33 and 36, by deleting **“certificate”** and inserting **“license”**.

Amend sec. 8.8, page 8, by deleting line 40 and inserting:

“license was suspended stating that the person whose license”.

Amend the bill as a whole by deleting sec. 8.9 and adding:

“Sec. 8.9. (Deleted by amendment.)”.

Amend sec. 8.10, page 9, line 5, by deleting “*worker*,” and inserting “*photovoltaic installer*,”.

Amend sec. 8.10, page 9, by deleting lines 13 and 14 and inserting:

“(2) If he is licensed pursuant to sections 8.2 to 8.12, inclusive, of this act, suspend or revoke his license and require”.

Amend sec. 8.10, page 9, line 16, by deleting “*certificate*” and inserting “*license*”.

Amend sec. 8.10, page 9, by deleting lines 19 and 20 and inserting:

“photovoltaic system project without a license.

3. If the license of a contractor for photovoltaic system”.

Amend sec. 8.10, page 9, line 23, by deleting “*certified*” and inserting “*licensed*”.

Amend sec. 8.11, page 9, line 29, by deleting “*certificate*,” and inserting “*license*,”.

Amend sec. 8.11, page 9, line 33, by deleting “*certificate.*” and inserting “*license.*”.

Amend sec. 8.12, page 9, line 41, by deleting “*solar energy*” and inserting “*photovoltaic*”.

Amend sec. 8.12, page 10, by deleting line 2 and inserting:

“engaging in a photovoltaic system project without a license.”.

Amend sec. 11, page 10, by deleting lines 6 through 12 and inserting:

“Sec. 11. 1. The Director, in consultation with the State Public Works Board and any other interested agency, shall:

(a) In cooperation with representatives of the building and development industry, adopt guidelines establishing Green Building Standards for all new building projects of occupied public buildings.

(b) Adopt the Leadership in Energy and Environmental Design Green Building Rating System, or its equivalent, pursuant to subsection 4.”.

Amend sec. 11, page 10, between lines 22 and 23, by inserting:

“3. If standards equivalent to the Leadership in Energy and Environmental Design Green Building Rating System are adopted, the standards adopted must provide reasonable exceptions based on the size, location and use of the building.

4. The Director shall establish a process for adopting the Leadership in Energy and Environmental Design Green Building Rating System, or its equivalent. The process must include, without limitation:

- (a) The gathering and development of scientific data;***
- (b) Comment from representatives of the building industry;***
- (c) Consensus from representatives of the building industry;***
- (d) A method by which the Director, the State Public Works Board and other interested agencies may cast ballots on the proposed standards;***
- (e) A pilot program for the purpose of refining the standards; and***
- (f) A process by which an aggrieved person may file an appeal of the standards adopted.”.***

Amend sec. 13, page 10, line 33, before “***Code,***” by inserting:

“Code that will not materially lessen the effective energy savings requirements of the Code and are deemed necessary to support effective compliance and enforcement of the”.

Amend sec. 13, page 10, line 41, by deleting “***Code***” and inserting:

“Code, and any amendments thereto,”.

Amend sec. 13, page 11, lines 5 and 7, after “energy” by inserting:

“and energy efficiency”.

Amend sec. 16, pages 12 and 13, by deleting line 45 on page 12 and lines 1 through 9 on page 13, and inserting:

“standard pursuant to NRS 704.7821, a renewable energy system shall be deemed to have generated 1.5 kilowatt-hours of renewable energy credits for each 1 kilowatt-hour of actual electricity generated from a renewable energy project if:

(a) The components used in the renewable energy system are manufactured in an expanded production line at an existing facility or at a new manufacturing facility; and

(b) The employees of the manufacturing facility that produced the components of the renewable energy system are trained and licensed to the highest standard for the manufacturing activity.”.

Amend sec. 16, page 13, line 12, by deleting:

“50 megawatt hours.” and inserting *“200 megawatt-hours.”*.

Amend sec. 17, page 13, by deleting lines 16 through 29 and inserting:

“standard pursuant to NRS 704.7821, a solar energy system shall be deemed to have generated 1.5 kilowatt-hours of renewable energy credits for each 1 kilowatt-hour of actual electricity generated from the solar energy system if:

(a) The employees of the manufacturing facility that produced the components of the solar energy system are trained and licensed to the highest standard for the manufacturing activity; and

(b) The average price paid for electricity generated by the solar energy system is substantially less than the average price paid for energy delivered by a provider of electric service during peak hours.

2. The Commission shall annually establish and publish the market rate for solar energy in this State. The market rate must be equal to the weighted average price set in solar energy contracts executed with owners of solar energy systems in this State, except that the Commission may use the weighted average price set in solar energy contracts executed in another state if a sufficient number of solar energy contracts have not been executed in this State. The weighted average price must be determined using the price and kilowatt capacity specified in the solar energy contracts such that the weight given to the price of each contract is proportionate to the kilowatt capacity of that contract.

3. A solar energy system installed pursuant to this section is eligible for a monetary incentive of not more than 10 percent of the market price of solar energy, as determined by the Commission pursuant to subsection 2, if the owner of the solar energy system executes a 10-year solar energy contract with a provider of electric service. Such an incentive is in addition to the price of solar energy specified in the contract executed with the provider.

4. The total amount of electricity deemed to have been”.

Amend sec. 17, page 13, lines 30 and 31, by deleting:

“20 megawatt hours.” and inserting *“30 megawatt-hours.”*

Amend sec. 17, page 13, line 32, by deleting *“3.”* and inserting *“5.”*

Amend the bill as a whole by deleting sections 18 through 18.4 and inserting:

“Secs. 18-18.4. (Deleted by amendment.)”.

Amend the bill as a whole by deleting section 18.8 and inserting:

“Sec. 18.8. (Deleted by amendment.)”.

Amend sec. 19.6, page 19, line 6, by deleting:

“commercial standards for” and inserting:

“standards for commercial”.

Amend sec. 20, page 19, by deleting line 20 and inserting:

“2. Sections 1, 2, 4 to 8, inclusive, 9 to 18.8, inclusive, and 19.2 to 19.8,”.

Amend sec. 20, page 19, line 26, after “3.” by inserting:

“Sections 8.1 to 8.12, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2006, for all other purposes.

4. Section 3 of this act becomes effective on July 1, 2007, and applies to buildings constructed, sponsored or financed on or after that date.

5.”.

Amend the preamble of the bill, page 2, between lines 10 and 11, by inserting:

“WHEREAS, The Nevada Legislature encourages a sound financial economy, the reduction of usage and demand of fossil fuels, and a reduction of harmful emissions; and”.

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

“purchases; providing for the licensure of persons engaged in photovoltaic system projects; making various changes concerning portfolio standards;”.