

SENATE BILL NO. 360—SENATORS SPEARMAN, FORD, WOODHOUSE,
KIHUEN, PARKS; DENIS, MANENDO AND SEGERBLOM

MARCH 16, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Provides for an interim study concerning energy efficiency programs and the financing of clean energy in this State. (BDR S-41)

FISCAL NOTE: Effect on Local Government: No.
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 efficiency; directing the Legislative Committee on Energy to conduct an interim study concerning the development, viability, expansion and implementation of energy efficiency programs and the viability of establishing green banks and similar entities to help finance the use and harnessing of clean energy in this State, for both commercial and residential properties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Legislative Committee on Energy and directs the Committee to take a variety of actions with respect to matters related to energy policy within this State. (NRS 218E.800-218E.815) **Section 1.5** of this bill directs the Committee to conduct an interim study concerning: (1) the development, viability, expansion and implementation of energy efficiency programs; and (2) the viability of establishing green banks and similar entities to help finance the use and harnessing of clean energy projects in this State, for both commercial and residential properties. The Committee will consult with entities and interests from various backgrounds including government, public utilities, real estate development and finance. **Section 2** of this bill directs the Governor's Office of Energy (the Office of Energy created within the Office of the Governor) to provide administrative and technical assistance to the Committee. **Section 3** of this bill defines the terms "clean energy," "green bank," "Legislative Committee on Energy" and "Office of Energy."



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

Section 1. The Legislature hereby finds and declares that:

1. Developing sustainable and reliable energy efficiency programs is critical to the future of Nevada's economy and competitiveness;

2. Energy production and energy efficiency programs in Nevada should be diverse, stable, affordable, technologically advanced and environmentally sound;

3. Attracting investors and participants in energy efficiency programs from private businesses and industries is paramount to establishing an energy policy in Nevada consistent with Nevada's energy goals for the 21st century; and

4. The efficient use of energy frees public and private money for use in other areas such as education, infrastructure, public health and public safety.

Sec. 1.5. 1. The Legislative Committee on Energy shall conduct an interim study concerning:

(a) The development, viability, expansion and implementation of energy efficiency programs in this State, including, without limitation, programs for businesses and industries in this State, energy efficiency resource standards and other energy efficiency incentive programs; and

(b) The viability of establishing green banks and similar entities to help finance the use and harnessing of clean energy projects in this State, for both commercial and residential properties.

2. In carrying out the duties set forth in this section, the Committee shall consult with and solicit input from the following entities and interests:

(a) The Public Utilities Commission of Nevada;

(b) A utility company regulated by the Public Utilities Commission of Nevada;

(c) The Office of Energy;

(d) A financial institution in this State that has expertise in the financing of clean energy projects;

(e) The Office of the State Treasurer;

(f) A residential or commercial builder in this State that has expertise in the installation and integration of clean energy products and techniques in residential or commercial building projects;

(g) An association of residential or commercial real estate developers;

(h) As determined appropriate by the Committee, other persons, businesses, state agencies, entities, interests or other organizations with expertise in matters relevant to energy efficiency programs,



1 including, without limitation, consumers, representatives from
2 organizations that promote energy efficiency and representatives
3 from businesses and industries that may be affected by any
4 recommendations of the Committee; and

5 (i) Any other person determined appropriate by the Committee.

6 3. The Committee shall study, without limitation:

7 (a) The existing energy efficiency incentive programs within
8 this State and existing clean energy programs and financial activities
9 occurring within this State, including, without limitation, programs
10 and activities of state governmental agencies, the Public Utilities
11 Commission of Nevada, local governmental entities within this
12 State, public and private utilities serving customers in this State and
13 other private entities and organizations within this State.

14 (b) Other states' laws, regulations and policies relating to energy
15 efficiency incentive programs and energy efficiency resource
16 standards.

17 (c) The methods of capitalization, structure, organization and
18 financing of green banks and similar entities that assist in financing
19 the production and harnessing of clean energy in the United States
20 and outside the United States.

21 (d) The sources, types and amounts of private capital leveraged
22 or invested in connection with green banks and similar entities for
23 financing clean energy.

24 (e) The current and potential size, in this State, of existing and
25 potential markets for clean energy.

26 (f) The need to provide reasonably priced financing or establish
27 related market structures to increase clean energy market
28 penetration and fill any existing market gaps.

29 (g) Potential financial instruments or services to be used by a
30 green bank or a similar entity for helping to finance and harness
31 projects in this State, including, without limitation, loans, leases,
32 credit enhancements, warehouses and securitization.

33 (h) The need for a green bank or similar entity to finance clean
34 energy in this State.

35 (i) The impact and advisability of implementing legislation
36 regarding energy efficiency resource standards and any other energy
37 efficiency incentive programs considered by the Committee.

38 4. The Committee may accept any gifts, grants or donations to
39 assist the Committee in carrying out the duties set forth in this
40 section.

41 5. If the Committee determines that a green bank or similar
42 entity is needed to help finance or harness projects of clean energy
43 in this State, the Committee shall provide recommendations
44 regarding:

45 (a) The legal steps required to create such an entity;



- 1 (b) Capital resources that can be used to pay for the entity;
- 2 (c) The structure and organization of the entity;
- 3 (d) The markets in this State that such an entity should serve;
- 4 and

- 5 (e) The types of financing activities the entity should undertake.

6 6. On or before January 1, 2017, the Committee shall submit a
7 report of its findings, including, without limitation, any
8 recommendations for legislation, to:

9 (a) The Director of the Legislative Counsel Bureau for
10 distribution to the 79th Session of the Nevada Legislature;

11 (b) The Public Utilities Commission of Nevada; and

12 (c) The Director of the Office of Energy.

13 **Sec. 2.** The Office of Energy, in consultation with the Public
14 Utilities Commission of Nevada and with the encouraged
15 cooperation of various public and private utilities in this State, shall
16 provide administrative and technical assistance to the Committee.

17 **Sec. 3.** As used in sections 1.5 and 2 of this act:

18 1. "Clean energy" includes:

19 (a) Energy produced from renewable resources, including,
20 without limitation, biomass, fuel cells, geothermal, solar,
21 waterpower, wind or any other source of energy that occurs
22 naturally or is regenerated naturally; and

23 (b) Energy saved as a result of the installation and use of
24 products or technologies that are energy efficient.

25 2. "Green bank" means an institution that exists or is created to
26 help harness or use clean energy and includes features or properties
27 such as, without limitation:

28 (a) The institution is public or quasi-public.

29 (b) The institution provides or helps to provide financing that is
30 low-cost, or long-term, or both, for projects that generate clean
31 energy.

32 (c) The leveraging of private investment by way of the
33 stimulating investment of public money.

34 (d) The reduction of market inefficiencies.

35 (e) Greater deployment of the use of clean energy.

36 (f) Recycling of public capital, so that investment in clean
37 energy may increase without affecting taxpayers.

38 3. "Legislative Committee on Energy" or "Committee" means
39 the Legislative Committee on Energy created by NRS 218E.805.

40 4. "Office of Energy" means the Office of Energy created
41 within the Office of the Governor by NRS 701.150.

42 **Sec. 4.** The provisions of subsection 1 of NRS 218D.380 do
43 not apply to any provision of this act which adds or revises a
44 requirement to submit a report to the Legislature.



1 **Sec. 5.** This act becomes effective on July 1, 2015.

