

2003 SWEEP LEGISLATIVE ACTIVITIES REPORT

The state legislatures in the SWEEP region typically meet annually, during the first and second quarter of the year (the Nevada and Wyoming state legislatures meet bi-annually, during the first and second quarter of odd-numbered years). SWEEP's 2003 advocacy activities ranged from researching and writing bill language, to building coalitions to support energy efficiency bills, to testifying at committee hearings and submitting letters of support. Here's a state-by-state rundown of these advocacy efforts.

ARIZONA

House Bill 2324: Energy Conservation Standard for State Buildings

Sponsored by Rep. Randy Graf (R-Green Valley), HB 2324 was signed by Arizona Governor Janet Napolitano on April 28, 2003, and has become law. This is a significant victory for energy efficiency! HB 2324 requires state agencies and universities to achieve a 10% reduction in energy use per unit of floor area by 2008, and a 15% reduction by 2011. State agencies and universities must also purchase cost-effective ENERGY STAR® or Federal Energy Management Program-designated energy-efficient products, and new state buildings will be required to meet energy conservation standards developed by the Arizona Department of Commerce's Energy Office, standards which are to be consistent with those used in two widely-adopted model energy codes.

SWEEP estimates that the bill will reduce energy costs in state buildings and universities in Arizona by around \$11 million per year as of 2011. During the twelve-year period 2004-2015, the bill should cut energy costs for the state facilities by around \$90 million.

State agencies are expected to make use of Energy Service Companies (ESCOs) to implement energy savings projects, thus not requiring the state to make up-front capital expenditures in times of fiscal difficulties. ESCOs are businesses that develop, install, and finance projects designed to improve the energy efficiency and lower the operating costs of buildings and facilities. The projects are paid for by the savings in energy costs.

SWEEP worked very proactively in support of HB 2324, assisting the sponsor in crafting the bill language, organizing coalition support for the bill, and testifying in support of the bill at House and Senate committee hearings.

- [HB 2324 Amended Fact Sheet](#)
- [HB 2324 Bill Text](#)
- [SWEEP's Press Release Announcing Signing of HB 2324](#)
- [Arizona Daily Star Article About the Signing of HB 2324](#)
- [Arizona Business Gazette Article About the Signing of HB 2324](#)

COLORADO

Senate Bill 03-129: PUC Electric Utility Efficiency Standards Act

Sponsored by State Senator Peggy Reeves (D-Fort Collins), SB 129 would have directed qualifying investor-owned utilities to save one percent of their annual electricity sales each year through energy efficiency programs and the purchase of energy savings credits. SWEEP estimates that Senate Bill 129 would have saved Colorado consumers and businesses over \$1 billion net during 2003-2020; reduced electricity use by 16% in 2020; reduced water consumption by about 2.3 billion gallons per year by 2020; and eliminated the need for three 300 MW baseload power plants.

The bill was aimed specifically at Xcel Energy, which meets energy savings goals similar to those proposed in SB 129 in Minnesota, where it is based and where it is also the largest utility in the state - circumstances similar to their situation in Colorado. One goal of the bill was to bring Xcel's energy efficiency programs in Colorado up to the level of funding they give their Minnesota programs (which are mandated by the state). SWEEP argued in testimony before the Colorado Senate Business Affairs and Labor Committee that if Xcel is able to offer a high level of energy efficiency programs and services in their home state, it is reasonable to ask that they do the same in Colorado.

SWEEP Executive Director Howard Geller was the primary author of SB 129. SWEEP organized coalition support of the bill, worked to publicize the bill through local and state-wide media, and coordinated a slate of speakers to testify in support of the bill at its committee hearing. Xcel opposed SB 129, however, and it was defeated in committee.

- [SB 129 Bill Text](#)
- [SB 129 Fact Sheet](#)
- [SWEEP's Press Release Regarding SB 129](#)
- [February 6, 2003 Denver Post Article Regarding SB 129](#)

House Bill 03-1168: Appliance Energy Efficiency Standards Act

Sponsored by Representative Alice Borodkin (D-Denver), HB 1168 was based on appliance efficiency standards adopted in California in 2002 and a model act developed by the [Appliance Standards Awareness Project](#). The bill would have set minimum energy efficiency standards beginning in 2005 on ten products not currently covered by federal standards, including transformers, exit signs, traffic signals, ceiling fans, commercial refrigerators and freezers, and commercial clothes washers. At least eight other state legislatures were expected to take up variations of this bill in 2003.

SWEEP estimated that the bill would have saved Colorado consumers and businesses about \$740 million through lower electricity bills; would have lowered water use by nearly 8 billion gallons between 2005 and 2020, mainly because of the need to generate less electricity; and would have resulted in one avoided new power plant.

SWEEP's advocacy efforts focused on organizing coalition support for the bill, which generated broad support from businesses, governmental authorities, and consumer and environmental groups. SWEEP also coordinated a slate of speakers to testify in support of the bill in front of the House Information and Technology committee. Though no party spoke in opposition to the bill, HB 1168 was defeated in committee on a 6 - 5 party line vote.

- [HB 1168 Bill Text](#)
- [HB 1168 Fact Sheet](#)
- [SWEEP's Press Release Regarding HB 1168](#)

Senate Bill 03-91: Hybrid Vehicles Use HOV Lanes

Sponsored by Senator Ron Tupa (D-Boulder), SB 91 will allow alternative fuel vehicles and hybrid-electric vehicles to use the state's high-occupancy vehicle (HOV) lanes regardless of the number of occupants in the vehicles. Currently only vehicles with two or more occupants are allowed in HOV lanes. While the federal government currently prohibits this option, Colorado is working to have this prohibition repealed, at such time S.B. 91 will become law. S.B. 91 also supports the state's efforts to increase its use of alternative fuels in the state fleet, and nicely complements the state's tax credit program for the purchase of hybrid vehicles by Colorado residents.

Hybrid-electric vehicles are much more fuel-efficient than conventional vehicles, and also have very low pollutant emissions. Though advances are being made in the use of this technology, only 150,000 hybrids have been sold worldwide since their introduction in the late 1990s. By comparison, about 18 million new vehicles (cars and light trucks) are purchased in the United States each year. Thus, in a letter to Colorado's state legislators, SWEEP supported S.B. 91 because it "is a common sense approach to supporting hybrid-electric vehicles and provides a much-needed perk for purchasers of hybrid technology."

SWEEP's advocacy efforts consisted of letters of support to the Senate and House committees in which the bill was heard. SB 91 was approved by both the Colorado Senate and House, and signed into law by Colorado Governor Bill Owens on Earth Day, April 22, 2003.

- [SB 91 Bill Text](#)
- [SWEEP Letter of Support for SB 91](#)

NEVADA

Assembly Bill 398: Performance Contracting for State and Local Governments

Sponsored by Assemblyman Jason Geddes (R-Reno), AB 398 was signed by Nevada Governor Kenny Guinn on June 11, 2003, and has become law. The bill allows state agencies and local governments to enter into performance contracts with energy service companies (ESCOs) for the purpose of installing energy efficiency and other cost-savings measures. Performance contracts may extend for a term of up to 15 years.

SWEEP estimates that the bill could reduce energy use and costs in state and local buildings in Nevada by around 20 percent as of 2015, resulting in about \$120 million in energy savings. With Nevada being the fastest growing state in the nation in terms of both population and energy use, AB 398 represents a step towards greater energy efficiency and lower energy costs for the state and its taxpayers, in addition to lower pollutant emissions and reduced water consumption by power plants.

Performance contracting will enable state and local agencies to implement energy savings projects without up-front capital expenditures, important in times of fiscal difficulties. ESCOs are businesses that develop, install, and finance projects designed to improve the energy and resource efficiency and lower the operating costs of buildings and facilities. The projects are paid for through the energy and other cost savings.

SWEEP assisted with the preparation of A.B. 398 and actively supported the bill as it moved through the legislative process. SWEEP hopes that the bill will be complemented by other initiatives to improve energy and resource efficiency in households and businesses in Nevada.

- [AB 398 Bill Text](#)
- [SWEEP's Press Release Announcing Signing of AB 398](#)

NEW MEXICO

Senate Joint Memorial 89: Renewable Energy and Energy Efficiency Goals

Sponsored by Senator Richard Romero (D-Albuquerque), SJM 89 requests that state government develop and adopt specific goals to implement the use of renewable energy and energy efficiency technologies throughout the state. The resolution supports the renewable energy and energy efficiency goals of New Mexico Governor Bill Richardson. Senate Joint Memorial 89 sets a target goal of having 10 percent of New Mexico's electricity needs be generated from renewable sources by the year 2010. It also encourages state government to "lead by example" in regards to renewable energy and energy efficiency.

While a renewable energy target is called out in the resolution, no complementary energy efficiency goal is included. SWEEP analysis in The New Mother Lode has shown that a proactive approach to energy efficiency could reduce electricity demand in New Mexico by nearly 36 percent by 2020; significantly reduce power plant emissions; save 6.5 billion gallons of water per year by 2020 (equivalent to the average consumption of 36,000 households); eliminate the need for five 500 megawatt power plants; and save New Mexico consumers and businesses \$2.8 billion during 2003-2020.

SWEEP's advocacy efforts consisted of letters of support to the Senate and House committees in which the bill was heard. SWEEP also offered an amendment to the memorial in hopes of having an energy efficiency target included, to no avail. SJM 89 was approved by both the New Mexico Senate and House of Representatives.

- [SJM 89 Resolution Text](#)
- [SWEEP Letter of Support for SJM 89](#)

Senate Bill 865/House Bill 1025: Clean Energy Act

Sponsored by Senator Cisco McSorley (D-Albuquerque) and Representative James Madalena (D-Jemez Pueblo), these two identical bills would have established a Clean Energy Fund through a very small surcharge on all retail electricity sales in the state. The Fund would have been used to support energy efficiency and renewable energy projects in state and local government facilities, schools, higher educational institutions, and on Native American lands. It would have raised monies for low-income home weatherization, and provided low-income energy bill assistance. About 25 other states have adopted electricity bill surcharges to support these types of activities.

SWEEP's advocacy efforts consisted of a joint letter of support with the [Land and Water Fund of the Rockies](#) (LAW Fund) to the Senate and House committees in which the bills were heard. SB 865 and HB 1025 were tabled in their respective committees, as the support did not exist to get the bills approved.

- [SB 865 Bill Text](#)
- [SWEEP/LAW Fund Letter of Support for SB 865/HB 1025](#)

Senate Bill 193/House Bill 70: Exempting Hybrid and Alternative Fuel Vehicles from Certain Motor Vehicle Excise Taxes and Registration Fees

Sponsored by Senator Dede Feldman (D-Albuquerque) and Representative Miguel Garcia (D-Albuquerque), these two identical bills would have exempted hybrid-electric and alternative fuel vehicles from motor vehicle excise taxes and registration fees. SWEEP believed the bills were reasonable steps forward in supporting hybrid and alternative fuel vehicles, and would have provided an important and needed financial incentive for the purchase of these technologies.

SWEEP's advocacy efforts consisted of a letter of support to the Senate and House committees in which the bills were heard. SB 193 and HB 70 were tabled in their respective committees, as the support did not exist to get the bills approved.

- [HB 70 Bill Text](#)
- [SWEEP Letter of Support for SB 193/HB 70](#)