

Missouri State Senate

Truly Agreed to and Finally Passed

CCS/HCS/SCS/SBs 1181, 1100, 1262 & 1263 - This act modifies and creates provisions regarding energy regulation.

SECTIONS 8.295 - 8.837 - STATE BUILDINGS

Up to 10% of the funds appropriated each year for the Facilities Maintenance Reserve Fund shall be used for otherwise eligible projects that are also energy projects with a 15-year payback or less.

Design documents submitted to the Office of Administration for new construction or substantial renovation of certain state buildings shall include a projection of the energy savings of the building as a result of meeting the state minimum energy efficiency standard.

The act requires that by January 1, 2009, the Department of Natural Resources shall modify the minimum energy efficiency standard so that it is at least as stringent as the 2006 International Energy Conservation Code (2006 IECC), or the latest version of the Code rather than the current standard of American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) Standard 90. The act modifies the date to July 1, 2009, by which all design for state buildings over 5,000 square feet involving new construction or substantial renovation and any building over 5,000 square feet considered for purchase or lease by a state agency shall comply with the minimum energy efficiency standard. The Commissioner of the Office of Administration may exempt any state building from meeting the minimum energy efficiency standard requirement for safety reasons or when the cost of compliance is expected to exceed the energy cost savings.

These sections are similar to SB 1117 (2008).

SECTIONS 30.750 - 30.765 - LINKED DEPOSIT LOAN PROGRAM

This act allows for low interest loans through the linked deposit loan program for eligible alternative energy operations producing and selling fuel or power from alternative energy sources including solar, hydroelectric, wind, and qualified biomass.

These sections are identical to SB 1161 (2008).

SECTION 64.170 - BUILDING CODES

Currently, the counties of Clay and Jefferson are authorized, without voter approval, to adopt building and construction regulations; require building permits; license certain building contractors; require inspections; establish and collect fees for permits, licenses, and inspections; and appoint a building commission to oversee these regulations, permits,

licenses, and inspections. This act expands that authority to include the adoption of regulations for electrical wiring and installation and the licensing of individuals to make them consistent with the authority granted to all other first and second classification counties.

This section is identical to HB 2380 (2008).

SECTIONS 143.121 & 144.526 - TAX INCENTIVES FOR ENERGY EFFICIENCY

The act creates an income tax deduction for either the cost of a home energy audit conducted by an energy auditor certified by the Department of Natural Resources or for the cost of implementing any of the recommendations made in any such energy audit, or for both such activities. The deduction is limited to \$1,000 per taxpayer per year, up to \$2,000 cumulative lifetime total per taxpayer. The deduction expires December 31, 2013.

The act creates the "Show Me Green Sales Tax Holiday." For 2009 and every year thereafter, during the seven day period beginning on April 19th and ending April 25th, all sales of Energy Star certified new appliances will be exempt from state sales tax. Political subdivisions may opt in at their choosing.

Provisions in these sections are similar to provisions in SB 1117 (2008).

SECTION 161.365 - GREEN SCHOOL CLEANING POLICIES

The Department of Elementary and Secondary Education, in consultation with the Department of Health and Senior Services and other interested parties, will establish annual guidelines for green cleaning programs and environmentally-sensitive cleaning product specifications. The Department shall distribute the guidelines to school districts and post the guidelines on its web site.

This section is similar to HB 1960 (2008).

SECTION 251.650 - INTER-AGENCY COLLABORATION TO SECURE ENERGY GRANTS

This act requires representatives of the Departments of Labor and Industrial Relations, Elementary and Secondary Education, Agriculture, Economic Development, and Natural Resources to meet, at least twice a year, to discuss ways to secure grants established under the federal Energy Independence and Security Act of 2007. Such grants would fund: green jobs, the production of renewable fuels, increasing energy efficiency of products, buildings and vehicles, and increasing research and development for manufacturing of renewable energy technologies. The Department of Natural Resources shall serve as the coordinating agency for the inter-agency group. The group shall report to the General Assembly and the Governor each year regarding any grants secured under this act.

This section is identical to SCS/SB 1261 (2008).

SECTION 386.850 - MISSOURI ENERGY TASK FORCE

The Missouri Energy Task Force created by Executive Order 05-46 shall reconvene at least annually to review progress made toward meeting the recommendations made in its final report as issued under the Executive Order. The Task Force shall issue its findings in an annual status report to the Governor and General Assembly.

SECTION 393.1045 - ENERGY RATES & RENEWABLE ENERGY MANDATE

Any required renewable mandate shall not raise retail electric rates by an average of more than 1% in any year, and all costs associated with a renewable mandate shall be recoverable in rates. Solar rebates shall be included in the 1% rate cap.

SECTION 640.017 - ENVIRONMENTAL PERMIT COORDINATION

When multiple permits are required from the Department of Natural Resources for a particular project, this act allows a permit applicant to request coordination with the department to develop a unified permit schedule for obtaining the permits. The act lists criteria the department and permit applicant shall use in developing the schedule.

The department may contact potential permit applicants in a class of similar activities for the purpose of informing the applicants of the department's intent to use a unified permit schedule.

The department shall make the determination regarding the permits to be required for a proposed activity based on the information provided by the permit applicant. If additional information is subsequently provided, the department's permit determination may be subject to change. A unified permit schedule shall be proposed to any permit applicant under this act. At any time, a permit applicant may decline to follow the schedule.

Upon the development of a unified permit schedule, the director of the department shall notify the applicant in writing of the schedule. The only aspect of the schedule the department may change is the date of the public hearing, which also requires consent by the permit applicant. The department shall post unified permit schedules on its website.

In developing a unified permit schedule, the department shall try to consolidate any required public meetings for the permits into one meeting at a location near the site of the proposed activity for which the permits are being sought. Additionally, the director of the department may waive any procedural requirements related to timing and the issuance of permits that may be required under other applicable environmental laws provided that the required public comment periods are not shortened and the ability of the department or applicant to comply with substantive legal requirements is not impaired by the unified permit schedule.

This section is identical to SB 1248 (2008).

SECTIONS 640.153 - 640.216 - DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources shall certify qualified home energy auditors. The Department's Energy Center shall serve as a central coordinator for energy sustainability activities in the state and shall carry out the duties described in the act.

The act creates a professorship in energy conservation and creates the Studies in Energy Conservation Fund, which shall be administered by the Department of Higher Education, in conjunction with the Department of Natural Resources, to pay for the cost of the professorship. Any unused monies in the Fund may be used to fund similar professorship positions at any public university in the state.

These sections are similar to SB 1117 (2008).

SECTIONS 701.500-701.515 - PRODUCT ENERGY EFFICIENCY STANDARDS

The act creates minimum energy efficiency standards for certain new products sold or installed within the state. Exceptions are provided for certain products that are intended to be sold outside the state, installed in manufactured homes, or designed expressly for use in recreational vehicles. The Department of Natural Resources shall promulgate the energy efficiency standards for such products, which shall not be more stringent than the federal Energy Star standards or any federal minimum energy efficiency requirements. The Appliance Energy Efficiency Advisory Group, created in the act, shall advise the Department on the development of the standards. The composition of the advisory group is listed.

In consultation with the advisory group, the Department shall update the minimum energy efficiency standards for the products at least once every 3 years to keep current with technological advancements.

Manufacturers of the products for which the energy efficiency standards apply shall certify to the Department that their products meet the standards. Manufacturers are also required to mark their products as meeting the energy efficiency standards.

The Department is given authority to enforce the provisions of the energy efficiency standards for the products. The Department may test and inspect the products and may charge a manufacturer for the cost of such testing if a product is found not to be in compliance with the standards. Violations of the energy efficiency standards may be referred to the Attorney General for prosecution.

SECTION 1 - Any electric company that achieves an amount of eligible renewable energy technology nameplate capacity equal to or greater than 15% of the company's total owned fossil-fired generating capacity by January 20, 2009, shall be exempt from a

requirement to pay an incentive to any customer who installs a solar energy system and shall also be exempt from meeting mandated solar renewable energy requirements.

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