

Representative Roger E. Barrus proposes the following substitute bill:

ENERGY POLICY AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Roger E. Barrus

Senate Sponsor: Gregory S. Bell

Cosponsors:
Sheryl L. Allen

Ralph Becker

David Ure

LONG TITLE

General Description:

This bill establishes the position of state energy officer and an energy policy.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the position of state energy officer;
- ▶ outlines the state energy officer's powers and duties;
- ▶ requires coordination between the state energy officer and state agencies;
- ▶ requires the state energy officer to submit certain reports;
- ▶ declares the state's energy policy; and
- ▶ requires legislative committees to review and propose updates to the energy policy

annually.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None



26 **Utah Code Sections Affected:**

27 ENACTS:

28 **63-53b-101**, Utah Code Annotated 1953

29 **63-53b-102**, Utah Code Annotated 1953

30 **63-53b-201**, Utah Code Annotated 1953

31 **63-53b-202**, Utah Code Annotated 1953

32 **63-53b-203**, Utah Code Annotated 1953

33 **63-53b-301**, Utah Code Annotated 1953

34 **63-53b-302**, Utah Code Annotated 1953



36 *Be it enacted by the Legislature of the state of Utah:*

37 Section 1. Section **63-53b-101** is enacted to read:

38 **CHAPTER 53b. UTAH ENERGY ACT**

39 **Part 1. General Provisions**

40 **63-53b-101. Title.**

41 This chapter is known as the "Utah Energy Act."

42 Section 2. Section **63-53b-102** is enacted to read:

43 **63-53b-102. Definitions.**

44 As used in this chapter:

45 (1) "Advanced vehicle fuels and technology" includes:

46 (a) alternative fuels such as:

47 (i) natural gas;

48 (ii) propane;

49 (iii) ethanol; and

50 (iv) electricity; and

51 (b) technology such as:

52 (i) hybrid gasoline and electrical motors; and

53 (ii) fuel cells.

54 (2) "State agency" means an executive branch:

55 (a) department;

56 (b) agency;

- 57 (c) board;
 58 (d) commission;
 59 (e) division; or
 60 (f) state educational institution.

61 Section 3. Section **63-53b-201** is enacted to read:

62 **Part 2. State Energy Officer**

63 **63-53b-201. State energy officer -- Duties.**

64 (1) (a) The governor shall appoint a state energy officer.

65 (b) The state energy officer serves at the pleasure of the governor.

66 (2) The state energy officer shall:

67 (a) advise the governor on energy-related matters;

68 (b) annually review and propose updates to the state's energy policy, as contained in

69 Section 63-53b-301:

70 (c) promote as prudent:

71 (i) the development of cost-effective energy resources both renewable and
 72 nonrenewable;

73 (ii) advanced vehicle fuels and technology;

74a **H→ (iii) the study of nuclear power generation;**

75 ~~(iii)~~ (iv) ←H automobile trip-reduction initiatives, including public transportation and ride
 76 sharing programs; and

77 H→ ~~(iv)~~ (v) ←H educational programs, including programs supporting energy
 78 efficiency measures;

79 (d) propose quantitative goals for state and local government energy efficiency
 80 programs;

81 (e) assist:

82 (i) the Division of Facilities Construction and Management in improving energy
 83 efficiency in state buildings;

84 (ii) state agencies and members of the public in obtaining federal assistance for
 85 energy-related projects;

86 (iii) the governor in carrying out the governor's energy emergency powers under Title
 87 63, Chapter 53a, Energy Emergency Powers of Governor; and

88 (iv) the Division of Emergency Services and Homeland Security in H→ :

89a (A) ←H the maintenance of

90 **H→ an energy emergency plan and ←H a current list of contact persons required by an energy**
 91 emergency plan developed under Section

88 53-2-110; ~~H~~→ and
88a (B) conducting ongoing activities designed to test an energy emergency plan to ensure
88b coordination and information sharing among state agencies and political subdivisions in this
88c state, public utilities and other energy suppliers, and other relevant private sector persons as
88d required by Section 53-2-110, 63-53a-3, 63-53a-7, and 63-53a-8; ←H

89 (f) participate in the annual review of the energy emergency plan required by Section
90 53-2-110;

91 (g) identify and propose measures necessary to facilitate low-income consumers' access
92 to energy services;

93 (h) coordinate regulatory processes within the state;

94 (i) compile, and make available to the public, information about federal, state, and
95 local approval requirements for energy-related projects; and

96 (j) study:

97 (i) the creation of a centralized state repository for energy-related information;

98 (ii) the elimination of any existing barriers to cogeneration projects, including pricing
99 discrepancies;

100 (iii) the creation of an energy efficiency committee within state government to develop
101 specific energy efficiency recommendations;

102 (iv) expanding the state's role as an advocate before federal and local authorities for
103 energy-related infrastructure projects;

104 (v) funding options for local governments' provision of transportation infrastructure for
105 energy-related projects;

106 (vi) methods for eliminating barriers to rail transportation for energy products;

107 (vii) methods for streamlining state review and approval processes for energy-related
108 projects; and

109 (viii) the development of multistate energy transmission infrastructure.

110 Section 4. Section **63-53b-202** is enacted to read:

111 **63-53b-202. Coordination with state agencies.**

112 (1) The state energy officer shall coordinate the state energy officer's actions with
113 related actions by state agencies.

114 (2) The state energy officer shall monitor, and assist with, state agencies' compliance
115 with the state energy policy described in Section 63-53b-301.

116 (3) A state agency shall provide the state energy officer with any energy-related
117 information requested by the state energy officer if the state energy officer's request is
118 consistent with other law.

119 Section 5. Section **63-53b-203** is enacted to read:

120 **63-53b-203. Reports.**

121 (1) The state energy officer shall report annually to:

122 (a) the governor;

123 (b) the Natural Resources, Agriculture, and Environment Interim Committee;

123a **H→ [and] ←H**

124 (c) the Public Utilities and Technology Interim Committee H→ [;] ; and

124a **(d) the Workforce Services and Community and Economic Development Interim**

124b **Committee. ←H**

125 (2) The report required in Subsection (1) shall:

126 (a) summarize the status of the state's energy resources;

127 (b) address the state energy officer's activities under this part; and

128 (c) recommend any energy-related executive or legislative action the state energy

129 officer considers beneficial to the state, including updates to the state energy policy under

130 Section 63-53b-301.

131 Section 6. Section **63-53b-301** is enacted to read:

132 **Part 3. State Energy Policy**

133 **63-53b-301. State energy policy.**

134 (1) It is the policy of the state that:

135 (a) Utah have adequate, reliable, affordable, sustainable, and clean energy resources;

136 (b) Utah will promote the prudent development and use of energy resources and

137 infrastructure sufficient to meet the state's growing demand, while contributing to the regional

138 and national energy supply, thus reducing dependence on international energy sources;

139 (c) Utah will allow market forces to drive prudent use of energy resources, although

140 incentives and other methods may be used to ensure the state's optimal development and use of

141 energy resources in the short- and long-term;

142 (d) Utah will pursue energy conservation, energy efficiency, and environmental quality;

143 (e) (i) state regulatory processes should be streamlined to balance economic costs with

144 the level of review necessary to ensure protection of the state's various interests; and

145 (ii) where federal action is required, Utah will encourage expedited federal action and

146 will collaborate with federal agencies to expedite review; and

147 (f) Utah will maintain an environment that provides for stable consumer prices that are

148 as low as possible while providing producers and suppliers a fair return on investment,

149 recognizing that:

150 (i) economic prosperity is linked to the availability, reliability, and affordability of
151 consumer energy supplies; and

152 (ii) investment will occur only when adequate financial returns can be realized.

153 (2) A state agency shall, to the extent permitted by other law, conduct its activities
154 consistent with Subsection (1).

155 Section 7. Section **63-53b-302** is enacted to read:

156 **63-53b-302. Legislative committee review.**

157 The Natural Resources, Agriculture, and Environment Interim Committee and the
158 Public Utilities and Technology Interim Committee shall review the state energy policy
159 annually and propose any changes to the Legislature.

Fiscal Note

Energy Policy Amendments

25-Jan-06

Bill Number HB0046S0110:21 AM

State Impact

Provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst