

1 A MEMORIAL

2 ENCOURAGING STATE AGENCIES TO SUPPORT UPDATING THE NEW MEXICO
3 ENERGY CONSERVATION CODE.

4
5 WHEREAS, the federal Energy Conservation and Production
6 Act requires that states review new building codes for
7 possible adoption after the United States department of
8 energy has certified the energy savings benefits; and

9 WHEREAS, New Mexico's current energy conservation code,
10 enacted in 2009, does not meet the current national standard
11 and is not in compliance with this requirement, since the
12 United States department of energy certified that the 2012
13 edition of the international energy conservation code
14 achieved greater energy savings when it published a notice of
15 determination on May 17, 2012; and

16 WHEREAS, the energy conservation and management division
17 of the energy, minerals and natural resources department
18 provides technical assistance and training under the United
19 States department of energy state energy conservation program
20 to the construction industries division of the regulation and
21 licensing department for inspectors, builders, architects,
22 engineers and new homeowners on compliance with new building
23 codes; and

24 WHEREAS, the United States department of energy no
25 longer supports the 2009 energy conservation code with

1 compliance software tools like REScheck and COMcheck and no
2 longer provides training; and

3 WHEREAS, Governor Michelle Lujan Grisham's Executive
4 Order 2019-003, addressing climate change and energy waste
5 prevention, directs the evaluation of regulatory strategies,
6 including the adoption of building codes to achieve reduction
7 in greenhouse gas pollution; and

8 WHEREAS, new energy codes incorporate modern
9 technologies and construction techniques to create safer,
10 healthier and more sustainable building structures; and

11 WHEREAS, Pacific Northwest national laboratory conducted
12 a study that demonstrated that New Mexico homebuyers would
13 realize significant utility cost savings benefits with the
14 implementation of the 2015 international energy conservation
15 code; and

16 WHEREAS, in 2018, the New Mexico regulation and
17 licensing department adopted the 2015 uniform plumbing and
18 uniform mechanical codes without updating the state energy
19 conservation code; and

20 WHEREAS, the energy, minerals and natural resources
21 department, in February 2019, was not selected to receive a
22 grant from the United States department of energy to measure
23 the effectiveness of energy conservation building practices,
24 in part due to the state having outdated energy conservation
25 codes for residential and commercial buildings; and

1 WHEREAS, New Mexico energy roadmap meetings conducted by
2 the energy, minerals and natural resources department, which
3 included more than fifty diverse New Mexico energy
4 stakeholders, concluded that it is important to upgrade all
5 New Mexico building codes to at least meet national standards
6 and to develop a process for maintaining current codes;

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
8 STATE OF NEW MEXICO that the energy, minerals and natural
9 resources department be requested to partner with the
10 regulation and licensing department and the construction
11 industries commission in the development of an updated
12 New Mexico energy conservation code; and

13 BE IT FURTHER RESOLVED that the energy, minerals and
14 natural resources department provide information and
15 assistance to the regulation and licensing department in the
16 development of the updated New Mexico energy conservation
17 code; and

18 BE IT FURTHER RESOLVED that all affected stakeholders be
19 invited to participate in the review and adopting process;
20 and

21 BE IT FURTHER RESOLVED that the regulation and licensing
22 department and the energy, minerals and natural resources
23 department be requested to develop a way for all building
24 codes to be updated in a timely manner in the future; and

25 BE IT FURTHER RESOLVED that the energy, minerals and

1 natural resources department and stakeholders present to the
2 appropriate interim legislative committee by November 1, 2019
3 an update on the development and progress of the updated
4 energy conservation code; and

5 BE IT FURTHER RESOLVED that copies of this memorial be
6 transmitted to the superintendent of regulation and licensing,
7 the director of the construction industries division of the
8 regulation and licensing department, the chair of the
9 construction industries commission, the secretary of energy,
10 minerals and natural resources, the director of the energy
11 conservation and management division of the energy, minerals
12 and natural resources department and the governor. _____

13
14
15
16
17
18
19
20
21
22
23
24
25