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SENATE BILL 792

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

PHIL A. GRIEGO

AN ACT

RELATING TO PUBLIC BUILDING ENERGY EFFICIENCY; BROADENING THE
GOVERNMENTAL UNIT DEFINITION IN THE PUBLIC BUILDING ENERGY
EFFICIENCY ACT; PROVIDING FOR FUNDING OF ENERGY SAVINGS
CONTRACTS, RELATED LEASE-PURCHASE AGREEMENTS AND INSTALLMENT
PAYMENT CONTRACTS; MAKING AN APPROPRIATION;

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 6-23-2 NMSA 1978 (being Laws 1993,
Chapter 231, Section 2) is amended to read:

"6-23-2. DEFINITIONS. --As used in the Public Building
Energy Efficiency Act:

A. "energy conservation measure" means a training
program or facility alteration designed to reduce energy
consumption or operating costs and may include:

(1) insulation of the building structure or

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1 systems within the building;

2 (2) storm windows or doors, caulking or
3 weatherstripping, multiglazed windows or doors, heat absorbing
4 or heat reflective glazed and coated window or door systems,
5 additional glazing, reductions in glass area or other window and
6 door system modifications that reduce energy consumption;

7 (3) automated or computerized energy control
8 systems;

9 (4) heating, ventilating or air conditioning
10 system modifications or replacements;

11 (5) replacement or modification of lighting
12 fixtures to increase the energy efficiency of the lighting
13 system without increasing the overall illumination of a
14 facility, unless an increase in illumination is necessary to
15 conform to the applicable state or local building code for the
16 lighting system after the proposed modifications are made;

17 (6) energy recovery systems;

18 (7) solar heating and cooling systems or other
19 renewable energy systems;

20 (8) cogeneration systems that produce steam or
21 forms of energy such as heat, as well as electricity, for use
22 primarily within a building or complex of buildings; or

23 (9) energy conservation measures that provide
24 long-term operating cost reductions;

25 B. "governmental unit" means an agency, institution

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1 or instrumentality of the state; a two- or four-year institution
2 of higher education; a municipality; a county; or a school
3 district;

4 C. "guaranteed energy savings contract" means a
5 contract for the evaluation and recommendation of energy
6 conservation measures and for the implementation of one or more
7 of those measures, and which contract provides that all
8 payments, except obligations on termination of the contract
9 before its expiration, are to be made over time and the savings
10 are guaranteed to the extent necessary to make the payments for
11 the energy conservation measures; and

12 D. "qualified provider" means a person or business
13 experienced in the design, implementation and installation of
14 energy conservation measures and who meets the experience
15 qualifications developed by the energy, minerals and natural
16 resources department. "

17 Section 2. Section 6-23-10 NMSA 1978 (being Laws 1993,
18 Chapter 231, Section 10) is amended to read:

19 "6-23-10. STATE INSTITUTIONS AND BUILDINGS--USE OF CERTAIN
20 REVENUES AUTHORIZED.--Income from lands granted for the use of
21 certain institutions and public buildings and deposited in
22 income funds for such institutions and buildings pursuant to
23 Section 19-1-17 NMSA 1978 may be appropriated and pledged for
24 payments pursuant to any guaranteed energy savings contract or
25 related lease-purchase agreement or installment payment contract

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1 pursuant to the Public Building Energy Efficiency Act. Any
2 money so appropriated shall be deposited in a special fund or
3 account of the institution or fund and that revenue and no other
4 revenue shall be used to make such payments to the Public
5 Building Energy Efficiency Act. Utility and maintenance
6 appropriations to governmental units shall not be reduced over
7 the term of the guaranteed energy savings contract, the related
8 lease-purchase agreement or the installment payment contract."

9 - 4 -

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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5 February 26, 1997
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7 Mr. President:
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9 Your CONSERVATION COMMITTEE, to whom has been referred
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11 SENATE BILL 792
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13 has had it under consideration and reports same with
14 recommendation that it DO PASS, and thence referred to the
15 FINANCE COMMITTEE.
16

17 Respectfully submitted,
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22 Michael S. Sanchez, Chairman
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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

The roll call vote was 6 For 4 Against

Yes: 6

No: Davis, Kysar, Lyons, Payne

Excused: None

Absent: None

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1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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5 March 4, 1997
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7 Mr. President:
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9 Your FINANCE COMMITTEE, to whom has been referred
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11 SENATE BILL 792
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13 has had it under consideration and reports same WITHOUT
14 RECOMMENDATION.
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16 Respectfully submitted,
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18 _____
19 Ben D. Altamirano, Chairman
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25 Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

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Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Altamirano, Ingle, Lyons, Romero

Absent: None

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