

ARKANSAS SENATE

88th General Assembly - Regular Session, 2011

Amendment Form

Subtitle of Senate Bill No. 516

TO GRANT THE AUTHORITY FOR THE ESTABLISHMENT OF ENERGY IMPROVEMENT
DISTRICTS THAT WILL FUND LOANS FOR ENERGY EFFICIENCY IMPROVEMENTS
AND CLEAN RENEWABLE ENERGY PROJECTS.

Amendment No. 1 to Senate Bill No. 516

Amend Senate Bill No. 516 as originally introduced:

Add Senators Elliott, Madison as cosponsors of the bill

AND

Add Representatives Leding, Webb, Lindsey, J. Edwards as cosponsors of the
bill

AND

Page 2, delete line 7, and substitute the following:

"the PACE program;

(3) "Governmental entity" means a municipality, county,
combination of counties, or statewide district;"

AND

Page 2, line 8, delete "(3)" and substitute "(4)"

AND

Page 2, line 10, delete "(4)" and substitute "(5)"

AND

Page 2, line 13, delete "(5)" and substitute "(6)"

AND

Page 3, delete lines 22 through 36, and substitute the following:



"(a) A governmental entity legally authorized to issue general revenue bonds may create a district by adoption of an ordinance.

(b) A combination of contiguous governmental entities may create a district by each governmental entity:

(1) Adopting an ordinance that provides for the governmental entity's participation in the district; and

(2) Entering into a joint agreement with the other participating governmental entity or governmental entities.

(c) This section shall not limit additional contiguous governmental entities from becoming a member of the district as provided under § 8-15-106.

8-15-106. Membership in an existing district.

(a) To become a member of an existing district, a governing body of a contiguous governmental entity to the district shall:

(1) Adopt an ordinance that provides for the participation of the governmental entity in the district; and"

AND

Page 6, line 33, delete "county" and substitute "governmental entity"

AND

Page 7, delete lines 3 through 5, and substitute the following:

"(ii) Priority shall be given to those requests from property owners that meet the eligibility requirements on a first come, first served basis.

(iii) If funding is limited, then priority shall go first to residential property owners;"

AND

Page 8, delete lines 15 through 17, and substitute the following:

"(1) The guidelines of the PACE program, including without limitation that:

(A) The base energy performance evaluation shall be completed by a certified and qualified energy evaluation professional to determine existing energy use and determine options for improved energy efficiency;

(B) The approved improvements create a positive cash flow;

(C) Work shall be performed by qualified and certified contractors in the field of energy efficiency and methods or clean renewable energy installation;

(D) Performance testing and verification shall be performed by a qualified professional after the work is completed;

(E) Adequate consumer protections are in place; and

(F) The applicable underwriting standards for the participants in the program are established;"

AND

Page 9, delete line 30 and substitute the following:

"person.

8-15-118. Advisory panel.

(a) An independent advisory panel is established to review the program requirements and guidelines for all proposed districts using PACE.

(b) The Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate shall each appoint three (3) members to the advisory panel, one (1) from three (3) of the following areas:

(1) Department of Finance and Administration or other expert in bond financing;

(2) Arkansas Energy Office;

(3) Expert in energy efficiency methods or industry;

(4) Municipal or county government;

(5) Clean renewable energy industry; and

(6) Workforce development."

AND

Page 9, delete line 30 and substitute the following:

"person.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there exists a severe economic instability in this state; that the instability has caused serious economic distress among the citizens of our state; that utility rates continue to rise; that energy efficiency improvements and clean renewable energy projects would help fight the continued rise in utility costs and benefit the environment; that there is an abundance of business and economic development potential for making energy efficiency improvements and clean renewable energy projects; that Arkansans need help in making these improvements due to the current economic climate; and that these projects would create jobs and stimulate the state's economy. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator D. Johnson

MMC/MMC - 03/21/11 09:05

MMC300

Secretary