

PROGRESS REPORT

ENERGY, ENVIRONMENT AND TECHNOLOGY INTERIM COMMITTEE (HCR 25)

COMMITTEE MEMBERS

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| Senator Curt McKenzie, Co-chair | Representative George Eskridge, Co-chair |
| Senator Patti Anne Lodge | Representative Maxine Bell |
| Senator Tom Gannon | Representative Bert Stevenson |
| Senator Mike Jorgenson | Representative Bob Nonini |
| Senator Russell Fulcher | Representative Ken Andrus |
| Senator Elliot Werk | Representative Eric Anderson |
| Senator Kate Kelly | Representative Elaine Smith |
| | Representative Wendy Jaquet (Ad Hoc) |
| | Representative Mark Snodgrass (Ad Hoc) |

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Interim Committee on Energy, Environment and Technology
Progress Report
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Charge

The Interim Committee on Energy, Environment and Technology was created by the adoption of House Concurrent Resolution No. 25. The resolution authorized the Legislative Council to appoint an interim committee to monitor the Integrated State Energy Plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho, and the products produced in this state and make any recommendations for necessary changes in both state law and the plan regarding energy in the state and to monitor other energy, environment and technology related issues. The interim committee was also tasked to receive input from the Treasure Valley Air Quality Council and the Treasure Valley Air Quality Plan. The interim committee was directed to make a progress report to the Second Regular Session of the Fifty-ninth Idaho Legislature and shall to make a report detailing its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixtieth Idaho Legislature.

Meetings

The Interim Committee held two meetings on August 21 and October 25, 2007, in Boise.

Scope of Study

At the August 21 meeting, the Interim Committee heard extensive testimony regarding proposed legislation regarding energy efficiency measures for new State Buildings. The Committee also heard from representatives of the Idaho National Laboratory, the Idaho Energy Division, Idaho State University and Boise State University on this subject.

Don Gillespie the CEO and Chairman of Alternate Energy Holdings spoke to the Committee about his company's proposed merchant nuclear power plant near Bruneau and their timelines for construction and operation.

Also at the August 21 meeting, the Committee heard from a Michael Schilmoeller of the Northwest Power and Conservation Council about energy happenings in the Pacific Northwest during the preceding year.

The Committee also heard from Paul Kjellander then of the Public Utilities Commission and John Williams of the Bonneville Power Administration about the phase out of the residential exchange credit which had benefitted electric customers primarily in the Utah Power and Light service area.

Peter O'Neil of the Treasure Valley Air Quality Council spoke to the Committee about the Treasure Valley Air Quality Plan and Charles Johnson testified in opposition to that plan.

At its October 25 meeting which was held in conjunction with the Association of Idaho Cities energy conference, the Committee heard from Ron Williams representing the Idaho Consumer Owned Utilities Association who discussed draft legislation dealing with existing electric overhead line right-of-way. The reason for the legislation is that electric utilities have recently found themselves in court litigating prescriptive easements for power lines that have existed for decades for rights-of-way that the utilities thought were valid. He said the legislation is patterned after Section 42-1102, Idaho Code, and addresses electricity transfer over existing overhead power lines the same way the Idaho Code addresses water transfer with existing ditches. The Committee recommended the proposed legislation be introduced in the appropriate standing committee of the Legislature.

The Committee heard from a representative of the Department of Environmental Quality about the Governor Executive Order regarding climate change and Idaho state government's attempt to address it.

During the lunch program, in conjunction with the Association of Idaho

Cities, the Committee heard a presentation titled "2007 Idaho Energy and Green Building Conference Utility Programs and Incentives. The presenters represented the Northwest Efficiency Alliance, AVISTA Utilities, Bonneville Power Administration, Idaho Power, Idaho Falls Power, Kootenai Electric and Rocky Mountain Power.

The Committee further discussed energy efficiency standards for state buildings that was discussed in concept at the August 21 meeting. Senator Kelly said that the legislation would require all major state buildings and building renovations to be designed, constructed and certified to a standard that achieves energy savings of at least thirty percent greater than the current state legislated energy code. She said that the legislation does not specify the use of any particular green building standard nor does it require a particular type or source of building materials and it does not apply to buildings constructed by local governments, school districts or charter schools. The Committee recommended that proposed legislation be introduced in the appropriate standing committee of the Legislature.

Paul Kjellander who had been appointed as the administrator of the Office of Energy Resources which has been moved from the Department of Water Resources to the Office of the Governor spoke to the committee regarding how he envisions that office working and some of its goals and plans.

The Committee also heard from Senator Werk about proposed legislation that would provide school districts with a process for designing and building more energy efficient buildings at no additional cost and to ensure that every public school is built to design specifications and that the mechanical systems are properly installed, balanced and operated.

Finally the Committee heard from Ken Baker of the Association of Idaho Cities who discussed current building codes and standards regarding energy efficiency.

Recommendations

The Committee recommended two pieces of legislation be introduced: the Idaho Consumer Owned Utilities Sponsored piece regarding electric overhead line rights-of-way and energy efficiency standards for new or renovated state buildings.