

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE USE OF RENEWABLE ENERGY RESOURCES TO SUPPLY THE ENERGY NEEDS OF STATE GOVERNMENT, AND, IN CONNECTION THEREWITH, COMMISSIONING THE CREATION OF A STATEWIDE MAP OF AVAILABLE RENEWABLE ENERGY GENERATION AREAS ON STATE LANDS AND ESTABLISHING THE "RE-ENERGIZE COLORADO" PROGRAM IN THE DIVISION OF PARKS AND OUTDOOR RECREATION IN THE DEPARTMENT OF NATURAL RESOURCES.

Prime Sponsors: Reps. Fischer and Pace
Sens. Schwartz and Tapia

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Date Prepared: April 13, 2010

Summary of Amendments Made to the Bill After the 03/9/10 Legislative Council Staff Fiscal Note Was Prepared (Amended by the Transportation and Energy Committee 4/6/10)

The Transportation and Energy Committee Report made various technical and non-technical changes to the bill. The non-technical changes include: (1) restricted the Governor's Energy Office to identifying renewable energy resource generation development areas only on land controlled by the Division of Parks and Outdoor Recreation within the Department of Natural Resources; (2) specified that moneys remaining in the Renewable Resource Generation Development Areas Fund on June 30, 2011, shall revert to the General Fund; (3) struck language from the bill allowing a qualifying retail utility to, on a case-by-case or project-by-project basis, allow aggregation of multiple site meters into a single, bidirectional revenue meter for net metering and single production meter to account for renewable energy credits; (4) inserted Section 24-33-115 (2) (4), C.R.S., stating that no state agency shall make retail sales of electric energy or transmit or distribute electric energy between or among state agencies or properties; and (5) inserted a repeal date of July 1, 2020 to Section 24-33-115, C.R.S.

The Transportation and Energy Committee Report dated April 6, 2010 did not change the fiscal impact of the bill. Legislative Council Staff concurs with this JBC staff assessment.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs

Does Not Concur

Updated Analysis

Reason for the Update

The Legislative Council Staff Fiscal note from March 9, 2010, states that it is assumed that the Governor's Energy Office (GEO) will utilize federal American Recovery and Reinvestment Act (ARRA) funds received through the Department of Energy's State Energy Program (SEP), which will be held in the Renewable Resource Generation Development Areas Fund (Fund). JBC staff notes

that the Transportation and Energy Committee amended the bill so that moneys remaining in the Fund on June 30, 2011, revert to the General Fund. JBC staff believes that it would be problematic if there are federal dollars in the Fund on June 30, 2011. For this reason, JBC staff believes that there should be an informational appropriation to the GEO directly from federal funds.

Amendments/Appropriation Status

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$50,000 federal funds to the Governor's Energy Office for FY 2010-11. The appropriations clause notes that the GEO will receive \$50,000 federal funds in FY 2010-11 from the U.S. Department of Energy's State Energy Program (SEP) received through the American Recovery and Reinvestment Act of 2009. Although these funds are not appropriated in this act, they are included for informational purposes.

Bill Sponsor Amendments

Sponsor amendment **L.010** (attached) provides a technical correction to the bill by allowing federal moneys to be counted toward the combined total of moneys, Renewable Resource Generation Development Areas Fund together with any federal moneys, sufficient to pay the GEO expenses in order to implement the GIS mapping requirement specified in the bill.

Both **L.010** and **J.001** may be adopted.

Points to Consider

None.