

SENATE BILL NO. 152—SENATORS HORSFORD, SCHNEIDER,  
CARLTON, BREEDEN, WIENER; COPENING AND  
WOODHOUSE

FEBRUARY 19, 2009

JOINT SPONSORS: ASSEMBLYMEN BUCKLEY, OCEGUERA,  
CONKLIN, KIRKPATRICK, BOBZIEN; AND LESLIE

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Enacts the Green Jobs Initiative. (BDR 58-172)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to energy; providing for the training of persons to perform jobs which promote energy efficiency; requiring governmental entities to perform certain functions to promote energy efficiency; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 This bill provides for the use of the incentives contained in the recently signed  
2 federal “American Recovery and Reinvestment Act of 2009” to provide job  
3 training, the promotion of energy efficiency and the promotion of the use of  
4 renewable energy in Nevada. **Sections 9 and 10** of this bill seek to take advantage  
5 of those incentives by providing specific training to persons in this State,  
6 establishing projects that will require the skills for which those persons are trained  
7 and providing for the employment of those persons. **Section 9** requires the  
8 Department of Employment, Training and Rehabilitation and the Housing Division  
9 of the Department of Business and Industry to establish contractual relationships  
10 with nonprofit collaboratives to provide training in the fields of energy efficiency  
11 and renewable energy including training in the areas of weatherization, energy  
12 retrofit applications and performing energy audits. Within the limits of available  
13 money, the collaboratives will carry out programs for job training and provide  
14 apprenticeship programs in specific energy-related fields. Within the limits of  
15 money available, the Housing Division is required to contract with the nonprofit  
16 collaboratives to identify neighborhoods that will qualify for funding for  
17 weatherization projects and award contracts for projects to promote energy  
18 efficiency through weatherization. Such contracts awarded must provide for



19 employing the persons trained by the nonprofit collaborative for this purpose,  
20 paying those employees prevailing wage and providing the employees and their  
21 dependents with health care insurance.

22 **Section 10** of this bill requires the State Public Works Board, the board of  
23 trustees of each school district and the Board of Regents of the University of  
24 Nevada, within 90 days after the effective date of this bill, to each establish projects  
25 to weatherize and retrofit public buildings, facilities and structures in this State,  
26 including without limitation, traffic-control systems, and to otherwise use sources  
27 of renewable energy to serve those buildings, facilities and structures. **Section 10**  
28 further sets forth criteria for prioritizing those projects. Those entities are further  
29 required to enter into contracts for the projects as soon as practicable. Such  
30 contracts are required to provide that employees of the contractors and  
31 subcontractors on the project be paid prevailing wages, that the contractor or  
32 subcontractor employ a certain number of employees trained by a nonprofit  
33 cooperative and pay them prevailing wages and that the contractor provide  
34 employees on the project and their dependents with health care insurance.

35 **Section 11** of this bill provides that within the limits of money available, the  
36 State Public Works Board and the Division of State Parks of the State Department  
37 of Conservation and Natural Resources shall conduct studies to determine the  
38 feasibility of carrying out certain projects for providing alternative sources of  
39 energy in this State.

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1 WHEREAS, The unemployment rate in the State of Nevada is  
2 currently 9.1 percent and is expected to reach 11.4 percent sometime  
3 during 2009; and

4 WHEREAS, Many of Nevada's 128,000 unemployed residents  
5 have lost jobs in the construction and service sectors as the  
6 construction industry has faltered as a result of the mortgage  
7 foreclosure crisis and as the service industry, including gaming and  
8 tourism, has faltered as a result of the curtailment of discretionary  
9 spending on a national level; and

10 WHEREAS, One of the most effective methods of returning  
11 unemployed Nevadans to work is to create "green jobs" by  
12 developing new industries in this State in a manner that takes  
13 advantage of incentives offered by the Federal Government for job  
14 training, the promotion of energy efficiency and the promotion of  
15 the use of renewable energy; and

16 WHEREAS, An immediate step which may be taken to put  
17 Nevadans back to work is to coordinate job training with programs  
18 for weatherization and energy efficiency that are part of the recently  
19 enacted federal economic stimulus package; and

20 WHEREAS, In such a manner, unemployed Nevadans may learn  
21 new skills in fields such as energy auditing and the installation of  
22 energy efficient equipment and improvements, and then go to work  
23 performing such tasks as weatherizing homes, retrofitting public  
24 buildings, helping lower-income Nevadans to save on their utility  
25 bills, and reducing energy costs for schools, government buildings  
26 and other public facilities; and



\* S B 1 5 2 \*

1 WHEREAS, The Green Jobs Initiative can be accomplished  
2 through a public-private partnership that combines the resources of  
3 state agencies, local housing authorities, institutions of higher  
4 education, joint labor-management partnerships, apprenticeship  
5 programs and private contractors under the “umbrella” of a  
6 nonprofit collaborative; and

7 WHEREAS, The Green Jobs Initiative would function to establish  
8 programs to provide job training and outreach for the weatherization  
9 and retrofitting of buildings and facilities in northern Nevada,  
10 southern Nevada and rural Nevada; now, therefore,

11  
12 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
13 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
14

15 **Section 1.** Chapter 701B of NRS is hereby amended by adding  
16 thereto the provisions set forth as sections 2 to 10, inclusive, of this  
17 act.

18 **Sec. 2.** *Sections 2 to 10, inclusive, of this act may be cited as*  
19 *the Green Jobs Initiative.*

20 **Sec. 3.** *As used in sections 2 to 10, inclusive, of this act,*  
21 *unless the context otherwise requires, the words and terms defined*  
22 *in sections 4 to 8, inclusive, of this act have the meanings ascribed*  
23 *to them in those sections.*

24 **Sec. 4.** *“Department” means the Department of*  
25 *Employment, Training and Rehabilitation.*

26 **Sec. 5.** *“Division” means the Housing Division of the*  
27 *Department of Business and Industry.*

28 **Sec. 6. 1.** *“Renewable energy” means a source of energy*  
29 *that occurs naturally or is regenerated naturally, including,*  
30 *without limitation:*

- 31 (a) *Biomass;*  
32 (b) *Fuel cells;*  
33 (c) *Geothermal energy;*  
34 (d) *Solar energy;*  
35 (e) *Waterpower; and*  
36 (f) *Wind.*

37 **2.** *The term does not include coal, natural gas, oil, propane*  
38 *or any other fossil fuel, or nuclear energy.*

39 **Sec. 7.** *“Retrofitting” means the alteration, improvement,*  
40 *modification, remodeling or renovation of a building, facility,*  
41 *residence or structure to make that building, facility, residence or*  
42 *structure more energy efficient.*

43 **Sec. 8.** *“Weatherization” means materials or measures, and*  
44 *their installation, that are used to improve the thermal efficiency*  
45 *of a building, facility, residence or structure.*



1 **Sec. 9. 1. The Department of Employment, Training and**  
2 **Rehabilitation and the Housing Division of the Department of**  
3 **Business and Industry shall establish contractual relationships**  
4 **with one or more nonprofit collaboratives to carry out the State's**  
5 **mission of creating new jobs in the fields of energy efficiency and**  
6 **renewable energy by combining job training with weatherization,**  
7 **energy retrofit applications and the development of renewable**  
8 **energy plants.**

9 **2. To qualify as a nonprofit collaborative for the purposes of**  
10 **this section:**

11 **(a) A nonprofit entity must have a board of directors or**  
12 **trustees which includes one or more representatives of:**

13 **(1) A joint labor-management or other affiliated**  
14 **apprenticeship program;**

15 **(2) A community college or another institution of higher**  
16 **education; and**

17 **(3) A trade association; and**

18 **(b) The nonprofit entity must conduct or have the ability to**  
19 **conduct training programs in at least one of the three geographic**  
20 **regions of this State, including Southern Nevada, Northern**  
21 **Nevada and Rural Nevada.**

22 **3. Within the limits of money available to the Department for**  
23 **this purpose, the Department shall contract with one or more**  
24 **qualified nonprofit collaboratives to:**

25 **(a) Carry out programs for job training in fields relating to**  
26 **energy efficiency and the use of renewable energy.**

27 **(b) In concert with joint labor-management or other affiliated**  
28 **apprenticeship programs, develop apprenticeship programs to**  
29 **train laborers in skills related to:**

30 **(1) The promotion of energy efficiency.**

31 **(2) The use of renewable energy.**

32 **(3) Performing audits of the energy efficiency of buildings,**  
33 **facilities, residences and structures.**

34 **(4) The weatherization of buildings, facilities, residences**  
35 **and structures.**

36 **(5) The retrofitting of buildings, facilities, residences and**  
37 **structures.**

38 **(6) The construction and operation of centralized**  
39 **renewable energy plants.**

40 **4. The job training described in subsection 3 must be**  
41 **sufficiently detailed to allow workers, as applicable, to perform:**

42 **(a) The services set forth in NRS 702.270.**

43 **(b) The services set forth in NRS 618.910 to 618.936, inclusive.**

44 **(c) Such other vocational or professional services, or both, as**  
45 **the Department deems appropriate.**



1       5. *Funding provided for the job training described in*  
2 *subsection 3:*

3       (a) *Must include the cost of tuition and supplies.*

4       (b) *May include a cost-of-living stipend which may or may not*  
5 *be in addition to any available unemployment compensation.*

6       6. *Within the limits of money available to the Division for the*  
7 *purpose, the Division shall contract with one or more qualified*  
8 *nonprofit collaboratives to:*

9       (a) *Identify, in different regions of the State, neighborhoods*  
10 *that will qualify for funding for weatherization projects pursuant*  
11 *to federal programs focusing on weatherization; and*

12       (b) *Issue requests for proposals for contractors and award*  
13 *contracts for projects to promote energy efficiency through*  
14 *weatherization. Any such requests for proposals and contracts*  
15 *must include, without limitation:*

16       (1) *Provisions stipulating that all employees of the outside*  
17 *contractors who work on the project must be paid prevailing*  
18 *wages;*

19       (2) *Provisions requiring that each outside contractor*  
20 *employ on each such project a number of persons trained as*  
21 *described in paragraph (b) of subsection 3 that is equal to or*  
22 *greater than 50 percent of the total workforce the contractor*  
23 *employs on the project;*

24       (3) *A component pursuant to which persons trained as*  
25 *described in paragraph (b) of subsection 3 must be classified and*  
26 *paid prevailing wages depending upon the classification of the*  
27 *skill in which they are trained; and*

28       (4) *A component that requires each contractor to provide to*  
29 *employees working on the project, and to their dependents, health*  
30 *care in the same manner as a policy of insurance pursuant to*  
31 *chapters 689A and 689B of NRS.*

32       7. *The Department and the Division shall each report to the*  
33 *Interim Finance Committee at each meeting held by the Interim*  
34 *Finance Committee with respect to the activities in which they*  
35 *have engaged pursuant to this section.*

36       **Sec. 10. 1.** *The State Public Works Board shall, within 90*  
37 *days after the effective date of this act, determine the specific*  
38 *projects to weatherize and retrofit public buildings, facilities and*  
39 *structures, including, without limitation, traffic-control systems,*  
40 *and to otherwise use sources of renewable energy to serve those*  
41 *buildings, facilities and structures pursuant to the provisions of*  
42 *this section and section 9 of this act. The projects must be*  
43 *prioritized and selected on the basis of the following criteria:*

44       (a) *The length of time necessary to commence the project.*



1 (b) *The number of workers estimated to be employed on the*  
2 *project.*

3 (c) *The effectiveness of the project in reducing energy*  
4 *consumption.*

5 (d) *The estimated cost of the project.*

6 (e) *Whether the project is able to be powered by or to otherwise*  
7 *use sources of renewable energy.*

8 (f) *Whether the project has qualified for participation in one*  
9 *or more of the following programs:*

10 (1) *The Solar Energy Systems Incentive Program created*  
11 *by NRS 701B.240;*

12 (2) *The Renewable Energy School Pilot Program created*  
13 *by NRS 701B.350;*

14 (3) *The Wind Energy Systems Demonstration Program*  
15 *created by NRS 701B.580; or*

16 (4) *The Waterpower Energy Systems Demonstration*  
17 *Program created by NRS 701B.820.*

18 2. *The board of trustees of each school district shall, within*  
19 *90 days after the effective date of this act, determine the specific*  
20 *projects to weatherize and retrofit public buildings, facilities and*  
21 *structures, including, without limitation, traffic-control systems,*  
22 *and to otherwise use sources of renewable energy to serve those*  
23 *buildings, facilities and structures pursuant to the provisions of*  
24 *this section and section 9 of this act. The projects must be*  
25 *prioritized and selected on the basis of the following criteria:*

26 (a) *The length of time necessary to commence the project.*

27 (b) *The number of workers estimated to be employed on the*  
28 *project.*

29 (c) *The effectiveness of the project in reducing energy*  
30 *consumption.*

31 (d) *The estimated cost of the project.*

32 (e) *Whether the project is able to be powered by or to otherwise*  
33 *use sources of renewable energy.*

34 (f) *Whether the project has qualified for participation in one*  
35 *or more of the following programs:*

36 (1) *The Solar Energy Systems Incentive Program created*  
37 *by NRS 701B.240;*

38 (2) *The Renewable Energy School Pilot Program created*  
39 *by NRS 701B.350;*

40 (3) *The Wind Energy Systems Demonstration Program*  
41 *created by NRS 701B.580; or*

42 (4) *The Waterpower Energy Systems Demonstration*  
43 *Program created by NRS 701B.820.*

44 3. *The Board of Regents of the University of Nevada shall,*  
45 *within 90 days after the effective date of this act, determine the*



1 *specific projects to weatherize and retrofit public buildings,*  
2 *facilities and structures, including, without limitation, traffic-*  
3 *control systems, and to otherwise use sources of renewable energy*  
4 *to serve those buildings, facilities and structures pursuant to the*  
5 *provisions of this section and section 9 of this act. The projects*  
6 *must be prioritized and selected on the basis of the following*  
7 *criteria:*

8 (a) *The length of time necessary to commence the project.*

9 (b) *The number of workers estimated to be employed on the*  
10 *project.*

11 (c) *The effectiveness of the project in reducing energy*  
12 *consumption.*

13 (d) *The estimated cost of the project.*

14 (e) *Whether the project is able to be powered by or to otherwise*  
15 *use sources of renewable energy.*

16 (f) *Whether the project has qualified for participation in one*  
17 *or more of the following programs:*

18 (1) *The Solar Energy Systems Incentive Program created*  
19 *by NRS 701B.240;*

20 (2) *The Renewable Energy School Pilot Program created*  
21 *by NRS 701B.350;*

22 (3) *The Wind Energy Systems Demonstration Program*  
23 *created by NRS 701B.580; or*

24 (4) *The Waterpower Energy Systems Demonstration*  
25 *Program created by NRS 701B.820.*

26 4. *As soon as practicable after an entity described in*  
27 *subsections 1, 2 and 3 selects a project, the entity shall proceed to*  
28 *enter into a contract with one or more contractors to perform the*  
29 *work on the project. The request for proposals and all contracts*  
30 *for each project must include, without limitation:*

31 (a) *Provisions stipulating that all employees of the contractors*  
32 *and subcontractors who work on the project must be paid*  
33 *prevailing wages pursuant to the requirements of chapter 338 of*  
34 *NRS;*

35 (b) *Provisions requiring that each contractor and*  
36 *subcontractor employed on each such project employ a number*  
37 *of persons trained as described in paragraph (b) of subsection 3 of*  
38 *section 9 of this act that is equal to or greater than 50 percent of*  
39 *the total workforce the contractor or subcontractor employs on the*  
40 *project;*

41 (c) *A component pursuant to which persons trained as*  
42 *described in paragraph (b) of subsection 3 of section 9 of this act*  
43 *must be classified and paid prevailing wages depending upon the*  
44 *classification of the skill in which they are trained; and*



1        *(d) A component that requires each contractor or*  
2 *subcontractor to provide to employees working on the project, and*  
3 *to their dependents, health care in the same manner as a policy of*  
4 *insurance pursuant to chapters 689A and 689B of NRS.*

5        *5. The State Public Works Board, each of the school districts*  
6 *and the Board of Regents of the University of Nevada shall each*  
7 *provide a report to the Interim Finance Committee which*  
8 *describes the projects selected pursuant to this section and a report*  
9 *of the dates on which those projects are scheduled to be completed.*

10        **Sec. 11.** Within limits of money available for the purpose:

11        1. The State Public Works Board shall conduct a study to  
12 determine the feasibility of using geothermal resources to provide  
13 heating to all or a portion of the Lovelock Correctional Center.

14        2. The Division of State Parks of the State Department of  
15 Conservation and Natural Resources shall conduct a study to  
16 determine the feasibility of:

17        (a) Constructing a hydroelectric generation unit at the existing  
18 dam on the South Fork Reservoir near Elko, Nevada.

19        (b) Constructing wind turbines in the vicinity of the location  
20 described in subsection 1.

21        **Sec. 12.** This act becomes effective upon passage and  
22 approval.

