

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1128**

Citations Affected: IC 8-1-8.8-10.

Synopsis: Renewable energy resources. Proposed conference committee report for EHB 1128. Resolves a conflict between ESB 251 (as reprinted April 20, 2011) and ESB 66 (as reprinted April 14, 2011) to specify that the following qualify as a renewable energy resource for purposes of the statute that provides financial incentives for clean energy projects: (1) Certain clean energy resources that are set forth in the provisions of ESB 251 concerning a voluntary clean energy portfolio standard program (and which include coal bed methane). (2) Low temperature, oxygen starved gasification of municipal solid waste. (3) Methane recovered from landfills for the production of electricity. **(This conference committee report does the following: (1) Deletes provisions from ESB 251 contained in EHB 1128 concerning the following: (A) Compliance costs for federally mandated requirements for energy utilities. (B) Financial incentives for a nuclear energy production or generating facility undergoing a comprehensive life cycle management project. (C) A voluntary clean energy portfolio standard program for electricity suppliers. (D) The state utility forecasting group's annual study of renewable energy resources. (2) Resolves the conflict between ESB 251 and ESB 66 concerning those resources that qualify as a renewable energy resource for purposes of the statute that provides financial incentives for clean energy projects.)**

Effective: July 1, 2011.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1128 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 8-1-8.8-10, AS AMENDED BY SEA 66-2011,
- 3 SECTION 1, AND AS AMENDED BY SEA 251-2011, SECTION 10,
- 4 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2011]: Sec. 10. (a) As used in this chapter
- 6 "renewable energy resources" means **the following:** *alternative*
- 7 *sources of renewable energy, including the following:*
- 8 (1) *Energy from wind.*
- 9 (2) *Solar energy.*
- 10 (3) *Photovoltaic cells and panels.*
- 11 (4) *Dedicated crops grown for energy production.*
- 12 (5) *Organic waste biomass, including any of the following*
- 13 *organic matter that is available on a renewable basis:*
- 14 (A) *Agricultural crops.*
- 15 (B) *Agricultural wastes and residues.*
- 16 (C) *Wood and wood wastes, including the following:*
- 17 (i) *Wood residues.*
- 18 (ii) *Forest thinnings.*
- 19 (iii) *Mill residue wood.*
- 20 (D) *Animal wastes.*
- 21 (E) *Animal byproducts.*
- 22 (F) *Aquatic plants.*

- 1 ~~(6) Algae.~~
 2 ~~(6) Hydropower from existing dams.~~
 3 ~~(7) Fuel cells.~~
 4 ~~(8) Energy from waste to energy facilities.~~
 5 ~~(9) (1) Energy storage systems. A clean energy resource listed in~~
 6 ~~IC 8-1-37-4(a)(1) through IC 8-1-37-4(a)(16).~~
 7 ~~(10) (2) Low temperature, oxygen starved gasification of~~
 8 ~~municipal solid waste.~~
 9 ~~(11) (3) Methane recovered from landfills for the production of~~
 10 ~~electricity.~~
 11 ~~(12) Coal bed methane derived from a naturally occurring~~
 12 ~~biogenic process.~~
 13 (b) Except for energy *described in described in subsections (a)(8);*
 14 *and (a)(10) subsection (a)(2) and IC 8-1-37-4(a)(9), from waste to*
 15 *energy facilities,* the term does not include energy from the
 16 incinerations, burning, or heating of any of the following:
 17 (1) Tires.
 18 (2) General household, institutional, commercial, industrial
 19 lunchroom, office, or landscape waste.
 20 (c) The term excludes treated or painted lumber.
 (Reference is to EHB 1128 as reprinted April 21, 2011.)

Conference Committee Report
on
Engrossed House Bill 1128

Signed by:

Representative Koch
Chairperson

Senator Gard

Representative Battles

Senator Randolph

House Conferees

Senate Conferees