

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

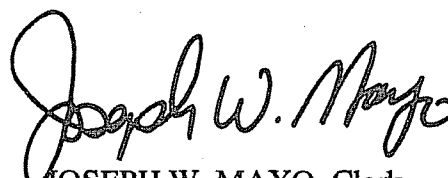
No. 356

H.P. 278

House of Representatives, February 8, 1993

An Act to Establish the Advisory Council on Energy and the Environment.

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative GRAY of Sedgwick.
Cosponsored by Representatives: ADAMS of Portland, BOWERS of Washington, HEESCHEN of Wilton, HOLT of Bath, KONTOS of Windham, WENTWORTH of Arundel, Senators: GOULD of Waldo, LUTHER of Oxford, PARADIS of Aroostook.

Be it enacted by the People of the State of Maine as follows:

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4 Sec. 1. 5 MRSA §12004-I, sub-§24-E is enacted to read:

6 24-E. Advisory None 5 MRSA
7 Environ- Council on §5201
8 ment: Energy and
9 Energy the Environ-
 ment

10 Sec. 2. 5 MRSA Pt. 13-A is enacted to read:

12 PART 13-A

14 ENERGY AND THE ENVIRONMENT

16 CHAPTER 339

18 ADVISORY COUNCIL ON ENERGY AND
20 THE ENVIRONMENT

22 §5201. Advisory council established; compensation

24 There is established the Advisory Council on Energy and the
26 Environment, referred to in this Part as the "council," which
28 consists of 13 members appointed as provided in this chapter.
 The members of the council receive compensation as provided in
 Title 5, section 12004-I, subsection 24-E.

30 §5202. Appointment and qualifications

32 1. Members. The 13 members of the council are as follows:

34 A. The Commissioner of Environmental Protection or the
 commissioner's designee;

36 B. The chair of the Public Utilities Commission or the
38 chair's designee;

40 C. The Director of the State Planning Office or the
 director's designee;

42 D. Three Senators, one of whom is from the minority party,
44 appointed by the President of the Senate;

46 E. Three members of the House of Representatives, one of
48 whom is from the minority party, appointed by the Speaker of
 the House of Representatives; and

2 F. Four members of the public, appointed jointly by the
3 President of the Senate and the Speaker of the House of
4 Representatives.

6 **§5203. Duties**

8 The duties of the council are as follows:

10 1. Identify policies. To identify state environmental and
11 energy policies and to assess factors affecting those policies.
12 The council shall review all types of energy use across all
13 energy use sectors so that well-balanced, broad-based strategies
14 can be developed;

16 2. Assess laws. To assess the effectiveness of state and
17 federal environmental laws and rules that implement state and
18 federal environmental policies;

20 3. Identify options. To identify options for reconciling
21 any discrepancies between identified environmental policies and
22 existing laws, including, but not limited to:

24 A. Evaluation of and proposals for strategies to measure
25 and include externalities in state energy-regulatory
26 decision making. For purposes of this paragraph, the term
27 "externalities" means those impacts, including environmental
28 impacts, resulting from the extraction, production,
29 transmission, consumption or utilization of energy or energy
30 resources that are not accounted for or quantified in the
31 context of state energy-regulatory decision making;

32 B. Proposals for changes in the State's environmental laws;
33 and

34 C. Proposals for establishing emission taxes or emission
35 caps; and

38 4. Report. To report to the Legislature by September 1st
39 of each year on the council's observations, evaluations and
40 recommendations. The council may provide its report to any
41 agency of State Government potentially affected by the council's
42 recommendations.

44 **§5204. Assistance**

46 The Commissioner of Environmental Protection shall provide
47 assistance to the council in the conduct of its business. Within
48 available funds, the State Planning Office and the Public
49 Utilities Commission shall provide technical assistance.

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STATEMENT OF FACT

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6 This bill establishes the Advisory Council on Energy and the
8 Environment. The council consists of 13 members including heads
10 of 3 relevant agencies, 3 Senators, 3 members of the House of
12 Representatives and 4 public members. The council is established
14 for the purposes of evaluating and making recommendations
concerning the State's environmental and energy policies. Members of the council receive no compensation. The council receives assistance from the Department of Environmental Protection, the State Planning Office and the Public Utilities Commission.