

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 506, L.D. 646, Bill, "An Act to Establish the Maine Energy Advisory Council"

Amend the bill by striking out the title and substituting the following:

'An Act to Establish the Energy Resources Council'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 5 MRSA c. 313-A is enacted to read:

CHAPTER 313-A

ENERGY RESOURCES COUNCIL

§3327. Energy Resources Council

1. Council established; membership. In order to facilitate more effective interagency coordination of the State's activities regarding energy issues, the Energy Resources Council, referred to in this chapter as the "council," is established. The chair of the council is the Director of the State Planning Office who is responsible for ensuring that the council carries out its responsibilities under this chapter. The membership of the council is as follows:

A. The Director of the State Planning Office;

B. The chair of the Public Utilities Commission;

- 2 C. The Commissioner of Environmental Protection;
- 4 D. The Public Advocate;
- 6 E. The Commissioner of Transportation;
- 8 F. The Commissioner of Administrative and Financial
Services;
- 10 G. The Commissioner of Economic and Community Development;
and
- 12 H. The Director of the Maine State Housing Authority.

14 2. Duties; responsibilities. The council shall advise the
16 Governor, the Legislature and state agencies in the formulation
18 of energy policy, including policy relating to energy use and
conservation, development of energy resources and facility siting.

20 In fulfilling its duties, the council may interact and cooperate
22 with any state, federal, regional or local agency or private
organization. The council shall establish and regularly consult
24 with one or more advisory groups composed of individuals with
relevant expertise and experience to assist the council in
carrying out its responsibilities under this chapter.

26 The council shall:

- 28 A. Recommend coordinated state policy regarding major
30 programs or proposals that affect energy use in the State
and that involve the activities of more than one state
32 agency;
- 34 B. Support the full implementation of an integrated program
to provide a substantially improved energy resources
36 information base for planning purposes;
- 38 C. Provide direction to the State's energy planning and
regulatory programs and encourage coordination of these
40 efforts through review and comment on agency program plans,
specific projects and legislative proposals that involve or
42 affect more than one agency;
- 44 D. Periodically evaluate, in consultation with affected
interests, the State's regulatory systems as they affect the
46 generation, transmission, delivery or use of energy, and
recommend appropriate action, as needed, to improve energy
48 planning and coordination;

2 E. Study specific energy issues and problems of state-level
significance in order to develop sound, coordinated
4 policies; and

6 F. Seek cooperation from federal agencies with jurisdiction
over energy matters to ensure that their programs and
8 projects serve the best interests of the State.

10 3. Quarterly meetings; staff. The council shall meet at
least quarterly. The council shall prepare a work program for
12 each year establishing priorities among its efforts. The State
Planning Office, within the Executive Department, shall provide
14 staff support. Each member of the council shall enter into an
agreement with the State Planning Office to share in the cost of
16 providing the staff support.

18 4. Report; legislative oversight. By January 15th of each
year, the chair of the council shall prepare and submit to the
20 Governor and to the joint standing committee of the Legislature
having jurisdiction over utilities and energy matters an annual
22 report describing the council's activities during the previous
calendar year and an outline of anticipated activities for the
24 current calendar year. The report must also include an
evaluation of the council's effectiveness in meeting the
26 requirements of this chapter and the adequacy of available
staffing resources. The report may include recommendations for
28 changes to law. After receiving a report under this subsection,
the joint standing committee of the Legislature having
30 jurisdiction over utilities and energy matters may report out
legislation relating to energy policy.

32 5. Examination of state energy use. The council shall
monitor and evaluate energy use by State Government. The council
34 shall examine and provide guidance and advice to relevant
agencies on how the State may use energy more efficiently,
36 consume less energy and purchase energy, including electricity,
more economically. The council shall coordinate its activities
38 with the Clean Government Initiative established under Title 38,
section 343-H. The council shall evaluate the progress of the
40 State in meeting the energy reduction goal established under
section 1770, subsection 1 and advise the Department of
42 Administrative and Financial Services on means of achieving that
goal. In its annual report submitted pursuant to subsection 4,
44 the council shall describe its activities pursuant to this
subsection.

46 6. Energy planning assistance for small businesses. The
48 council shall develop information resources and coordinate the
activities of member agencies to help small businesses use energy
50 more efficiently, consume less energy and purchase energy,
including electricity, more economically. The council shall form

2 an advisory group of persons with relevant expertise and
3 experience to advise the council in undertaking its
4 responsibilities under this subsection. In its annual report
5 submitted pursuant to subsection 4, the council shall describe
6 its activities pursuant to this subsection.'

7 Further amend the bill by inserting at the end before the
8 summary the following:

10
11 **FISCAL NOTE**

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13 The bill requires that the State Planning Office, within the
14 Executive Department, will provide staffing for the Energy
15 Resources Council and further requires that the member agencies
16 represented on the council will enter into an agreement to share
17 in the costs of providing the necessary staff support. The State
18 Planning Office estimates that it will need to use one existing
19 Policy Development Specialist position, which is currently funded
20 through dedicated revenues. The costs attributable to the use of
21 the position for staffing the council will be divided between the
22 agency members. Additional General Fund appropriations may be
23 required for the Department of Administrative and Financial
24 Services, the Department of Environmental Protection, the
25 Department of Economic and Community Development and the State
26 Planning Office. Additional Highway Fund allocations may be
27 required for the Department of Transportation. Additional Other
28 Special Revenue funds allocations may be required for the Office
29 of the Public Advocate, the Public Utilities Commission and the
30 Maine State Housing Authority. The amounts can not be determined
31 at this time.

32
33 The additional costs associated with serving as members of
34 the Energy Resources Council can be absorbed by the Public
35 Utilities Commission, the Office of the Public Advocate, the
36 Department of Environmental Protection, the Department of
37 Transportation, the State Planning Office, the Department of
38 Administrative and Financial Services, the Department of Economic
39 and Community Development and the Maine State Housing Authority
40 utilizing existing budgeted resources.'

41
42 **SUMMARY**

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44 This amendment replaces the bill. This amendment creates
45 the Energy Advisory Council to facilitate more effective
46 interagency coordination of the State's activities regarding
47 energy issues.

COMMITTEE AMENDMENT "A" to H.P. 506, L.D. 646

2 This amendment changes the title and adds a fiscal note to
the bill.

COMMITTEE AMENDMENT