

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1373

H.P. 1008

House of Representatives, March 18, 2003

**Resolve, To Establish the Commission on Comprehensive Energy
Planning**

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ADAMS of Portland.
Cosponsored by Representatives: BLISS of South Portland, DUPLESSIE of Westbrook, EDER
of Portland, Senator: HALL of Lincoln.

2 **Sec. 1. Commission established. Resolved:** That the Commission
on Comprehensive Energy Planning, referred to in this resolve as
"the commission," is established; and be it further

4
6 **Sec. 2. Commission membership. Resolved:** That the commission
consists of members appointed as follows:

8 1. Two members of the Senate, appointed by the President of
the Senate;

10
12 2. Two members of the House of Representatives, appointed
by the Speaker of the House; and

14 3. The Director of the State Planning Office, or the
director's designee; the chair of the Public Utilities
16 Commission, or the chair's designee; the Public Advocate, or the
Public Advocate's designee; the Commissioner of Transportation,
18 or the commissioner's designee; the Commissioner of Conservation,
or the commissioner's designee; and the Commissioner of
20 Environmental Protection, or the commissioner's designee.

22 At least one of the 4 legislative members must be a member
of the political party holding the 2nd largest number of seats in
24 the Legislature; and be it further

26 **Sec. 3. Chairs. Resolved:** That the first-named Senate member
is the Senate chair and the first-named House of Representatives
28 member is the House chair; and be it further

30 **Sec. 4. Appointments; convening of commission. Resolved:** That
all appointments must be made no later than 30 days following the
32 effective date of this resolve. The appointing authorities shall
notify the Executive Director of the Legislative Council once all
34 appointments have been completed. Within 15 days after
appointment of all members, the chair shall call and convene the
36 first meeting of the commission; and be it further

38 **Sec. 5. Duties. Resolved:** That the commission, with assistance
from the Energy Resources Council, shall develop a comprehensive
40 energy plan for the State. The plan must include:

42 1. An assessment of the future demand for energy in the
State under a variety of scenarios regarding energy prices and
44 anticipated conservation and cogeneration measures;

46 2. A study of the various options available to the State to
meet growing needs for energy and energy transmission, including,
48 but not limited to, least-cost energy planning, conservation,
energy efficiency, cogeneration, small power production,

2 purchases from Canada and utility-sponsored generation. This
study should examine predicted cost, reliability, environmental
4 impact within the State and environmental costs, otherwise known
as externalities, for each option;

6 3. An analysis of the State's energy situation in the
context of regional power arrangements and agreements;

8
10 4. Recommendations to the Governor and to the Legislature
based on the findings of the commission, including a
12 recommendation for instituting a process whereby the State may
update and evaluate in an ongoing manner its comprehensive energy
14 planning;

16 5. An analysis of deregulation of the State's large
utilities and the closing of Maine Yankee atomic energy plant;

18 6. An analysis of the divestiture by the State's utilities
and the division and sale of the generating and delivery systems
20 formerly held as one unit by a utility;

22 7. An analysis of the growth and spread of various
nontraditional power generating sources; and

24
26 8. An analysis of the introduction of expanded traditional
energy sources, such as the natural gas lines from the Maritimes;
and be it further

28
30 **Sec. 6. Process. Resolved:** That, in conducting the study, the
commission may:

32 1. Hold several public hearings, at least 3 of which must
be held outside the State House complex in locations
34 geographically distributed throughout the State;

36 2. Create subcommittees or advisory groups as the
commission considers appropriate;

38
40 3. Request assistance from any individual, agency,
organization or other entity as the commission considers
appropriate; and

42
44 4. Adopt, by majority vote of all members, procedures for
conducting the commission's business; and be it further

46 **Sec. 7. Staff assistance. Resolved:** That the Energy Resources
Council and the Executive Department shall staff the commission.
48 The commission may request additional staff assistance from state
agencies as the commission considers appropriate. The commission

2 shall request assistance with the preparation of any recommended
3 legislation from the Legislative Council; and be it further

4 **Sec. 8. Compensation. Resolved:** That the legislative members
5 of the commission are entitled to reimbursement for travel and
6 other necessary expenses related to their attendance at meetings
7 of the commission. Other members of the commission who are not
8 otherwise compensated by their employers or other entities that
9 they represent are entitled to receive reimbursement of necessary
10 expenses upon a demonstration of financial hardship for their
11 attendance at authorized meetings of the commission; and be it
12 further

14 **Sec. 9. Report. Resolved:** That no later than January 31,
15 2004, the commission shall submit a report that includes its
16 findings and recommendations, including suggested legislation,
17 for presentation to the Joint Standing Committee on Utilities and
18 Energy and the Legislative Council. The commission is authorized
19 to introduce legislation related to its report to the Second
20 Regular Session of the 121st Legislature at the time of
21 submission of its report; and be it further

22 **Sec. 10. Extension. Resolved:** That, if the commission requires
23 a limited extension of time to complete its study and make its
24 report, it may apply to the Legislative Council, which may grant
25 an extension; and be it further

28 **Sec. 11. Commission budget. Resolved:** That the chairs of the
29 commission, with assistance from the commission staff, shall
30 administer the commission's budget. Within 10 days after its
31 first meeting, the commission shall present a work plan and
32 proposed budget to the Legislative Council for its approval. The
33 commission may not incur expenses that would result in the
34 commission's exceeding its approved budget.

36 Upon request from the commission, the Executive Director of
37 the Legislative Council or the executive director's designee
38 shall promptly provide the commission chairs and staff with a
39 status report on the study budget, expenditures incurred and paid
40 and available funds.

42
43 **SUMMARY**

44 This resolve establishes the Commission on Comprehensive
45 Energy Planning.
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