

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1478

H.P. 1029

House of Representatives, May 7, 2009

**Resolve, Regarding Legislative Approval of the Public Utilities
Commission's Plan for the Use of American Recovery and
Reinvestment Act of 2009 Funds**

(EMERGENCY)

Reported by Representative MARTIN of Eagle Lake for the Joint Select Committee on
Maine's Energy Future pursuant to Joint Order, H.P. 63.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** Resolve 2009, chapter 1 requires legislative review and action upon
4 proposed plans for the use of federal American Recovery and Reinvestment Act of 2009
5 funds that are subject to state legislative allocation; and

6 **Whereas,** the State is eligible to apply to the Federal Government for a federal
7 American Recovery and Reinvestment Act of 2009 State Energy Program formula grant
8 in the amount of \$27,305,000, with an application deadline of May 12, 2009; and

9 **Whereas,** the State is eligible to apply for a federal American Recovery and
10 Reinvestment Act of 2009 block grant under the federal Energy Efficiency and
11 Conservation Block Grant Program in the amount of \$9,593,500, of which no more than
12 \$3,837,400 may be deployed by the State Energy Program and the remainder of which
13 must be regranted directly to municipalities in the State, with an application deadline of
14 May 26, 2009; and

15 **Whereas,** the Public Utilities Commission submitted to the Legislature for review
16 the commission's initial plan on March 19, 2009 and an updated plan on April 27, 2009;
17 and

18 **Whereas,** immediate enactment of this resolve is necessary to record the
19 Legislature's position on the proposed plan and to create the allotments necessary to carry
20 out the plan; and

21 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
22 the meaning of the Constitution of Maine and require the following legislation as
23 immediately necessary for the preservation of the public peace, health and safety; now,
24 therefore, be it

25 **Sec. 1. Approval. Resolved:** That the Legislature approves the plan for the use
26 of the federal American Recovery and Reinvestment Act of 2009 funds submitted by the
27 Public Utilities Commission on March 19, 2009 and updated in a memorandum to the
28 Joint Select Committee on Maine's Energy Future, the Joint Standing Committee on
29 Appropriations and Financial Affairs and the Joint Standing Committee on Utilities and
30 Energy dated April 27, 2009; and be it further

31 **Sec. 2. Reporting. Resolved:** That the state-designated administrator of the
32 State Energy Program shall report to the Joint Standing Committee on Utilities and
33 Energy by September 1, 2009 on the use of the federal American Recovery and
34 Reinvestment Act of 2009 funds as set forth in the approved plan; and be it further

35 **Sec. 3. Appropriations and allocations. Resolved:** That the following
36 appropriations and allocations are made.

37 **PUBLIC UTILITIES COMMISSION**

38 **Conservation Administration Fund 0966**

1 Initiative: Provides funding to support projects for energy efficiency and conservation
 2 and the reduction of fossil fuel emissions.

	2008-09	2009-10	2010-11
3 FEDERAL EXPENDITURES FUND			
4 ARRA			
5 All Other	\$10,000	\$22,289,622	\$4,124,047
6			
7 FEDERAL EXPENDITURES FUND ARRA	\$10,000	\$22,289,622	\$4,124,047
8 TOTAL			

	2008-09	2009-10	2010-11
9 FEDERAL BLOCK GRANT FUND ARRA			
10 All Other	\$0	\$8,902,801	\$417,604
11			
12 FEDERAL BLOCK GRANT FUND ARRA	\$0	\$8,902,801	\$417,604
13 TOTAL			

14 **Conservation Administration Fund 0966**

15 Initiative: Establishes one limited-period Staff Accountant position, one limited-period
 16 Senior Staff Accountant position, 2 limited-period Development Program Manager
 17 positions and 2 limited-period Public Service Coordinator III - Utility Analyst positions.
 18 These positions will provide financial and program support to the Public Utilities
 19 Commission, energy programs Division for the purposes authorized in the federal
 20 American Recovery and Reinvestment Act of 2009. These positions will end on June 11,
 21 2011.

	2008-09	2009-10	2010-11
22 FEDERAL EXPENDITURES FUND			
23 ARRA			
24 POSITIONS - LEGISLATIVE COUNT	0.000	4.500	4.500
25 Personal Services	\$0	\$398,438	\$421,302
26 All Other	\$0	\$30,440	\$31,151
27			
28 FEDERAL EXPENDITURES FUND ARRA	\$0	\$428,878	\$452,453
29 TOTAL			

	2008-09	2009-10	2010-11
30 FEDERAL BLOCK GRANT FUND ARRA			
31 POSITIONS - LEGISLATIVE COUNT	0.000	1.500	1.500
32 Personal Services	\$0	\$124,880	\$132,393
33 All Other	\$0	\$8,094	\$7,728
34			
35 FEDERAL BLOCK GRANT FUND ARRA	\$0	\$132,974	\$140,121
36 TOTAL			

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PUBLIC UTILITIES COMMISSION DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA	\$0	\$22,718,500	\$4,576,500
FEDERAL BLOCK GRANT FUND ARRA	\$0	\$9,035,775	\$557,725
DEPARTMENT TOTAL - ALL FUNDS	\$10,000	\$31,754,275	\$5,134,225

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This resolve, which is reported by the Joint Select Committee on Maine's Energy Future pursuant to Joint Order 2009, H.P. 63, approves the plan for the use of the federal American Recovery and Reinvestment Act of 2009 funds as submitted by the Public Utilities Commission on March 19, 2009 and updated on April 27, 2009.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1478

LR 1988(01)

Resolve, Regarding Legislative Approval of the Public Utilities Commission's Plan for the Use of American Recovery and Reinvestment Act of 2009 Funds

Fiscal Note for Original Bill

Committee: Joint Select Committee on Maine's Energy Future

Fiscal Note Required: Yes

Fiscal Note

	2008-09	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Appropriations/Allocations					
Federal Expenditures Fund ARRA	\$10,000	\$22,718,500	\$4,576,500	\$0	\$0
Federal Block Grant Fund ARRA	\$0	\$9,035,775	\$557,725	\$0	\$0
Revenue					
Federal Expenditures Fund ARRA	\$10,000	\$22,718,500	\$4,576,500	\$0	\$0
Federal Block Grant Fund ARRA	\$0	\$9,035,775	\$557,725	\$0	\$0

Fiscal Detail and Notes

This resolve includes an allocation for Maine's Energy Future's plan for the use of American Recovery and Reinvestment Act of 2009 (ARRA) funds. It establishes one limited-period Staff Accountant, one limited-period Senior Staff Accountant, 2 limited-period Development Program Managers and 2 limited-period Public Service Coordinator III – Utility Analyst positions. These positions will provide financial and program support to the Public Utilities Commission Energy Programs Division for the purposes authorized in the ARRA. The Formula Grant includes 4.5 positions for a total cost of \$428,878 in FY 2009-10 and \$452,453 in FY 2010-11. The Block Grant includes 1.5 positions for a total cost of \$132,974 in FY 2009-10 and \$140,121 in FY 2010-11. This resolve includes an allocation of \$8,902,801 in FY 2009-10 and \$417,604 in FY 2010-11 for other costs to carry out the program for the Block Grant. It also includes an allocation of \$10,000 in FY 2008-09, \$22,289,622 in FY 2009-10 and \$4,124,047 in FY 2010-11 for other costs to carry out the program for the Formula Grant.