

MAINE STATE LEGISLATURE

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L.D. 1221

Date: 6-15-15

(Filing No. H-419)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 839,
L.D. 1221, Bill, "An Act To Enhance Energy Cost Reduction and Facilitate Heating
Alternatives in furtherance of the Omnibus Energy Act"

Amend the amendment in the first paragraph after the title (page 1, line 12 in
amendment) by striking out the following: "sections 2 and 4." and inserting the following:
'section 2 and inserting the following:'

Amend the amendment by inserting after the first paragraph the following:

Sec. 2. 35-A MRSA §10103, sub-§3, as enacted by PL 2009, c. 372, Pt. B, §3, is
amended to read:

3. Administration of trust; director. The board shall annually appoint, using or
reappoint a qualified full-time director of the trust. When making an initial appointment
of an individual to the position of director of the trust, the board shall use a full and
competitive search process, a qualified full-time director of the trust and a director's
initial appointment as director is subject to review by the joint standing committee of the
Legislature having jurisdiction over energy matters and to confirmation by the Senate.
The Director of the Efficiency Maine Trust serves at the pleasure of the board. The
director must have demonstrated experience in the planning, design or delivery of energy
efficiency programs or the management of organizations that plan, design or deliver those
programs. The board shall establish the rate and amount of compensation of the director
and all other employees of the trust. The director:

A. Serves as the president of the trust and as the liaison between the board and any
committee of the Legislature having jurisdiction over energy matters;

B. Is responsible for:

(1) Establishing an office for the trust;

(2) Hiring and organizing staff for the trust and determining their qualifications
and duties; and

(3) Managing the trust's programs, services and staff and performing other duties
as the board considers appropriate; and

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C. May delegate to employees of the trust any powers and duties that the director considers proper.

Amend the bill by striking out all of section 4.'

Amend the amendment by striking out all of subsection 2 (page 1, lines 15 to 31 in amendment) and inserting the following:

'2. Efficiency Maine Trust funds. An amount equal to \$300,000 must be transferred annually to the office from the Efficiency Maine Trust, established in section 10103, unless federal funds are adequate to meet the funding needs of the office. Funds transferred from the Efficiency Maine Trust may be used only for that portion of the office's activities that support or reasonably relate to programs or activities of the Efficiency Maine Trust. The commissioner shall keep an accounting of the office's resources devoted to its various duties and activities, including that portion of its resources devoted to activities in support of or reasonably related to programs or activities of the Efficiency Maine Trust. The commissioner shall provide the accounting to the joint standing committee of the Legislature having jurisdiction over energy matters as part of its annual report under section 10205, subsection 3. The joint standing committee of the Legislature having jurisdiction over energy matters shall make recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs with regard to any proposed allocation of Efficiency Maine Trust funds to support the office. In accordance with any legislative allocation or deallocation of Efficiency Maine Trust funds to support the office, the commissioner shall request from the Efficiency Maine Trust and the trust shall provide the allocated resources to the office.'

Amend the amendment by striking out all of section 8 and inserting the following:

'Sec. 8. Application of change to appointment process. Notwithstanding the Maine Revised Statutes, Title 35-A, section 10103, subsection 3, the person holding the position of director of the Efficiency Maine Trust on the effective date of this Act remains the director of the trust under the procedure for appointment that was in law prior to the effective date of this Act.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Governor's Energy Office Z122

Initiative: Provides allocations to establish a new Deputy Commissioner position and related costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$87,983	\$89,840
All Other	\$2,500	\$2,500

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 839, L.D. 1221

1 OTHER SPECIAL REVENUE FUNDS TOTAL \$90,483 \$92,340

2 Governor's Energy Office Z122

3 Initiative: Provides allocations for activities relating to energy resources, planning and
4 development.

5 OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
6 All Other	\$209,517	\$207,660
7		
8 OTHER SPECIAL REVENUE FUNDS TOTAL	\$209,517	\$207,660

9 EXECUTIVE DEPARTMENT		
10 DEPARTMENT TOTALS	2015-16	2016-17
11		
12 OTHER SPECIAL REVENUE FUNDS	\$300,000	\$300,000
13		
14 DEPARTMENT TOTAL - ALL FUNDS	\$300,000	\$300,000
15		

16 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
17 or section number to read consecutively.

18 SUMMARY

19 This amendment changes the appointment process for the Director of the Efficiency
20 Maine Trust. Under this amendment, the Efficiency Maine Trust Board will annually
21 appoint or reappoint the director of the trust, and a director's initial appointment is subject
22 to review by the joint standing committee of the Legislature having jurisdiction over
23 energy matters and to confirmation by the Senate. This amendment specifies that the
24 change in the law governing the appointment process does not affect the appointment of
25 the current director of the Efficiency Maine Trust.

26 This amendment also clarifies the language in Committee Amendment "A" regarding
27 the funding transferred to the Maine Energy Office from the Efficiency Maine Trust.
28 Under this amendment, an amount equal to \$300,000 must be transferred annually to the
29 office unless federal funds are adequate to meet the funding needs of the office. This
30 amendment retains the language from Committee Amendment "A" restricting the use of

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1 funds from the trust for that portion of the office's activities that support or reasonably
2 relate to programs or activities of the trust. This amendment replaces the appropriations
3 and allocations section.

4 FISCAL NOTE REQUIRED

5 (See attached)

6 SPONSORED BY: Larry C. Dunphy

7 (Representative DUNPHY L)

8 TOWN: Embden



Approved: 06/11/15 *MRC*

127th MAINE LEGISLATURE

LD 1221

LR 207(06)

An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act

Fiscal Note for House Amendment *A* to Committee Amendment "A"

Sponsor: Rep. Dunphy of Embden

Fiscal Note Required: Yes

Fiscal Note

Transfer from Efficiency Maine Trust to Maine Energy Office

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	(\$90,483)	(\$92,340)	(\$96,934)	(\$99,671)
Appropriations/Allocations				
General Fund	(\$90,483)	(\$92,340)	(\$96,934)	(\$99,671)
Other Special Revenue Funds	\$300,000	\$300,000	\$300,000	\$300,000

Fiscal Detail and Notes

The committee amendment allowed the Maine Energy Office (MEO) to receive up to \$300,000 in total from the Efficiency Maine Trust (EMT) for MEO activities supporting the EMT. This amendment requires \$300,000 to be transferred annually from the EMT to the MEO, unless federal funds are adequate to meet the funding needs of the office. The amendment contains Other Special Revenue Funds allocations to the MEO of \$209,517 and \$207,660 in fiscal years 2015-16 and 2016-17, respectively, to fund certain activities relating to energy resources, planning and development. The amendment also contains Other Special Revenue Funds allocations of \$90,483 and \$92,340 in fiscal years 2015-16 and 2016-17, respectively, to establish a Deputy Commissioner position within the MEO. The amendment eliminates the General Fund appropriations of \$90,483 and \$92,340 in fiscal years 2015-16 and 2016-17, respectively, for the establishment of the Deputy Commissioner position.