

SENATE

HOUSE

MICHAEL D. THIBODEAU, District 23, Chair
CHRISTOPHER W. RECTOR, District 22
PHILIP L. BARTLETT II, District 6

O.F.P.R.



2011 FEB -3 PM 1:01

JEAN GUZZETTI, Legislative Analyst
JON CLARK, Legislative Analyst
KRISTEN GOTTLIEB, Committee Clerk

STACEY A. FITTS, Pittsfield, Chair
JAMES M. HAMPER, Oxford
DEAN A. CRAY, Palmyra
LARRY C. DUNPHY, Embden
AARON F. LIBBY, Waterboro
JON HINCK, Portland
ALEXANDER CORNELL DU HOUX, Brunswick
ROBERTA B. BEAVERS, South Berwick
MARK N. DION, Portland
LOUIS J. LUCHINI, Ellsworth

State of Maine
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

TO: Senator Richard W. Rosen, Senate Chair
Representative Patrick S. A. Flood, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Michael Thibodeau, Senate Chair
Representative Stacey Fitts, House Chair
Joint Standing Committee on Energy, Utilities and Technology

DATE: February 1, 2011

RE: Recommendations on Supplemental Budget for FY 11

Pursuant to Joint Rule 314, our committee has reviewed the portions of the Supplemental Budget relating to the committee's subject matter jurisdiction and has voted unanimously (1 member absent and unable to vote: Rep. Cornell du Houx) to support the proposals.

Attached is the Budget Document for our committee with the votes indicated.

There is one additional piece that we are unanimously recommending be included in the Supplemental Budget relating to the Efficiency Maine Trust: an allocation of the PUC assessments that are transferred to the Trust by the PUC. The current allotment (by financial order 06140F11) of these funds to the EMT appears to include an amount representing a full year's assessment on transmission and distribution utilities for the solar and wind rebate program. That program and the associated assessment existed under 35-A MRSA §10112 through the end of 2010; however, it was repealed by law at the end of 2010. The financial order should only have included an amount representing a *½ year's assessment* (July 1, 2010 – December 31, 2010). The allocation we are proposing (attached) does not substantively change anything the Supplemental Budget; it merely provides an allocation of EMT's Z100 account to accurately reflect the funds going into that account. While EMT obviously cannot spend funds it doesn't have, we believe the authorization to spend should correctly reflect the amount it actually receives. The attached allocation was developed by OFPR.

Thank you for this opportunity to comment. If you have any questions, please let us know.

Attach.

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs
Members, Joint Standing Committee on Energy, Utilities and Technology

G:\COMMITTEES\UTE\BUDGET\125th 1st\committee to AFA -- budget recommendation.doc(1/31/2011 4:13:00 PM)

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$14,135,334)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$14,135,334)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year 2010-11.

Energy and Carbon Savings Trust Fund Z101

Initiative: Reduces funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

Ref. #: 201

Committee Vote: 12-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$30,000,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$30,000,000)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year 2010-11.

Energy Conservation Small Business Revolving Loan Fund Z102

Initiative: Reduces funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

Ref. #: 203

Committee Vote: 12-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$410,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$410,000)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year 2010-11.

Heating Fuels Efficiency and Weatherization Fund Z103

Initiative: Reduces funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

Ref. #: 205

Committee Vote: 12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$500)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year 2010-11.

Natural Gas Conservation Fund Z104

Initiative: Reduces funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

Ref. #: 207

Committee Vote: 12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$891,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$891,000)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year 2010-11.

Renewable Resource Fund Z107

Initiative: Reduces funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

Ref. #: 213

Committee Vote: 12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$75,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$75,000)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year

2010-11.

Solar Rebate Program Fund Z105

Initiative: Reduces funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

Ref. #: 209

Committee Vote: 12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2010-11	2011-12	2012-13
All Other	(\$750,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$750,000)	\$0	\$0

Ref. #: 210

Committee Vote: 12-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND ARRA

	2010-11	2011-12	2012-13
All Other	(\$500,000)	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	(\$500,000)	\$0	\$0

Justification:

This initiative corrects all allocations and transfers associated with Efficiency Maine Trust. It reduces several accounts' funding by moving financial activity into 014-95A-Z100-01, Efficiency Maine Trust account. Financial Order 006140F1 was processed to provide sufficient allotment in 014-95A-Z100-01, Efficiency Maine Trust account for fiscal year 2010-11.

EFFICIENCY MAINE TRUST

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
FEDERAL EXPENDITURES FUND	(\$432,774)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$47,461,834)	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA	(\$5,076,500)	\$0	\$0
FEDERAL BLOCK GRANT FUND ARRA	(\$557,725)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$53,528,833)	\$0	\$0

Sec. A-47. Appropriations and allocations.

The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Reduces funding for administrative support costs associated with the energy programs division.

Ref. #: 483

Committee Vote: 12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	(\$100,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$100,000)	\$0	\$0

Justification:

Public Law 2009, Chapter 372 created the Efficiency Maine Trust, which replaced the Public Utilities Commission's Energy Program division on July 1, 2010. As a result, the transfer to cover the cost of administrative support to the Energy Programs division will not occur in fiscal year 2010-2011, requiring a reduction in allocation in the PUC Regulatory Fund.

PUBLIC UTILITIES COMMISSION

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	(\$100,000)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$100,000)	\$0	\$0

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Public Advocate 0410

Initiative: RECLASSIFICATIONS

Ref. #: 236

Committee Vote: 12-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
Personal Services	\$4,532	\$0	\$0
All Other	(\$4,532)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

EXECUTIVE DEPARTMENT

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

EUT proposed allocation section

Sec. A-18. Appropriations and allocations. The following appropriations and allocations are made.

EFFICIENCY MAINE TRUST

Efficiency Maine Trust Z100

Initiative: Adjusts allocations to reflect the consolidation of payments to the Efficiency Maine Trust through one program, to provide Personal Services allocation for 4 employees of the Efficiency Maine Trust electing to remain state employees that must be paid through the State's accounting system and to reflect the adjustment of funding related to the Solar and Wind Energy Rebate Program Fund, the assessments for which were repealed on December 31, 2010.

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
Personal Services	\$320,691	\$0	\$0
All Other	\$14,574,748	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,895,439	\$0	\$0

EFFICIENCY MAINE TRUST

DEPARTMENT TOTALS

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$14,895,439	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$14,895,439	\$0	\$0