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Date: (Filing No. H- )

**INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 507, L.D. 818, “An Act to Establish an Emergency Fuel Reserve”

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

**'An Act to Establish an Emergency Heating Oil Reserve'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 2 MRSA §9, sub-§8** is enacted to read:

**8. Establishment of emergency heating oil reserve.** The office shall contract with one or more companies dealing in petroleum products to purchase and guarantee the availability of an emergency reserve of #2 heating oil used for heating residential, industrial or commercial space or water. The amount of heating oil purchased by the State for the reserve must be large enough to provide heating oil to heat the homes of residents of the State for a period of 30 days. Contracts entered into by the office under this subsection:

- A. May allow the State to pay for the heating oil in annual increments;
- B. Must ensure that the full 30-day capacity is purchased by January 1, 2029; and
- C. Must require the company dealing in petroleum products to provide for the distribution of heating oil to residents of the State who need it when the office notifies the company that it is approved to distribute heating oil within the emergency heating oil reserve, but may allow the company dealing in petroleum products to charge a fee for the delivery.

Whenever heating oil is removed from the reserve pursuant to subsection 9, the office shall establish, within 30 days of removal, a timeline and estimated cost for replacing the heating oil that has been removed and include that estimated cost in the budget estimate it submits to the State Budget Officer under Title 5, section 1665.

**COMMITTEE AMENDMENT**

The office shall adopt rules necessary to implement this subsection, including, but not limited to, rules that establish a process for identifying residents who need assistance acquiring #2 heating oil during an energy emergency. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 2 MRSA §9, sub-§9** is enacted to read:

**9. Access to emergency heating oil reserve.** The office may not approve or notify a company dealing in petroleum products that it is approved to provide access to the emergency heating oil reserve established in subsection 8 unless the Governor:

A. Declares an energy emergency pursuant to Title 37-B, section 742, subsection 2;

B. Submits a resolve to the Legislature authorizing access to the emergency heating oil reserve, notwithstanding Title 37-B, section 742, subsection 2, paragraph B, subparagraph (8); and

C. Receives legislative approval to access the emergency heating oil reserve.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**EXECUTIVE DEPARTMENT**

**Governor's Energy Office Z122**

Initiative: Provides funding for the incremental purchase of #2 heating oil to establish an emergency heating oil reserve of 30 days.

|                           |                     |                     |
|---------------------------|---------------------|---------------------|
| <b>GENERAL FUND</b>       | <b>2023-24</b>      | <b>2024-25</b>      |
| All Other                 | \$18,247,600        | \$18,247,600        |
| <b>GENERAL FUND TOTAL</b> | <u>\$18,247,600</u> | <u>\$18,247,600</u> |

**Governor's Energy Office Z122**

Initiative: Provides funding to contract with one or more companies dealing in petroleum products to manage an emergency heating oil reserve.

|                           |                  |                  |
|---------------------------|------------------|------------------|
| <b>GENERAL FUND</b>       | <b>2023-24</b>   | <b>2024-25</b>   |
| All Other                 | \$500,000        | \$500,000        |
| <b>GENERAL FUND TOTAL</b> | <u>\$500,000</u> | <u>\$500,000</u> |

**EXECUTIVE DEPARTMENT**

**DEPARTMENT TOTALS**

|                                     |                     |                     |
|-------------------------------------|---------------------|---------------------|
| <b>GENERAL FUND</b>                 | <b>2023-24</b>      | <b>2024-25</b>      |
|                                     | \$18,747,600        | \$18,747,600        |
| <b>DEPARTMENT TOTAL - ALL FUNDS</b> | <u>\$18,747,600</u> | <u>\$18,747,600</u> |

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

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**SUMMARY**

This amendment strikes and replaces the bill, which is a concept draft, and requires the Governor's Energy Office to contract with one or more companies dealing in petroleum products to establish an emergency heating oil reserve by January 1, 2029. The reserve must be large enough to provide #2 heating oil to residents of the State for a period of 30 days and will not be accessible unless the Governor has declared an energy emergency, the Governor submits a resolve to the Legislature and the Legislature has approved access to the emergency heating oil reserve.

**FISCAL NOTE REQUIRED**

**(See attached)**