

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 16

Special Session No. 1 of  
2007-2008

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INTRODUCED BY KING, DeWEESE, McCALL, CONKLIN, HARKINS,  
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MURT, READSHAW, GEIST, RUBLEY, FABRIZIO, JOSEPHS AND THOMAS,  
SEPTEMBER 24, 2007

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AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND  
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED,  
DECEMBER 12, 2007

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## AN ACT

1 Establishing a State Energy Office and providing for its powers  
2 and duties; and making related repeals.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the State Energy  
7 Office Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Council." An advisory council established under this act.

13 "Office." The State Energy Office established under this  
14 act.

15 Section 3. Establishment.

1 The State Energy Office is established in the Governor's  
2 Office to promote the goals of energy development and energy  
3 conservation.

4 Section 4. Composition of office.

5 (a) Chairperson.--The Governor shall be the chairperson of  
6 the office.

7 (b) Executive director and staff.--The Governor shall  
8 designate an executive director and hire the staff of the office  
9 in accordance with procedures of the Governor's Office of  
10 Administration and Office of the Budget.

11 Section 5. Advisory council.

12 An advisory council shall be appointed by the Governor to be  
13 composed of members of the General Assembly, the business and  
14 transportation communities of this Commonwealth, public  
15 officials and the general public. The purpose of the council is  
16 to provide advice and assistance to the office on matters  
17 affecting the State's energy situation. Advisory council members  
18 shall be reimbursed for the expense of participating in advisory  
19 council functions.

20 Section 6. Powers and duties of office.

21 The powers and duties of the office are as follows:

22 (1) To promote the development of this Commonwealth's  
23 indigenous and renewable energy resources through programs  
24 involving information and technical and financial assistance.

25 (2) To promote the efficient use of energy by the State  
26 government and all sectors of this Commonwealth. Working with  
27 the Governor's Green Government Council, the office shall  
28 encourage energy efficiency and conservation through programs  
29 providing information and technical and financial assistance.

30 The office shall also work with the Pennsylvania Public

1 Utility Commission to develop specific programs to promote  
2 energy efficiency for commercial, industrial and residential  
3 consumers of deregulated utilities, such as natural gas and  
4 electricity.

5 (3) To be the point of contact for private and  
6 government energy matters and the lead Commonwealth agency  
7 for energy policy development. The office shall regularly  
8 update the Commonwealth's energy policy to determine new  
9 opportunities for energy development and energy conservation.

10 (4) To be the primary manager and coordinator of Federal  
11 energy grants, petroleum overcharge funds and private energy  
12 grants.

13 (5) To assist in the review of energy-related plans,  
14 programs, policies and regulations of other Commonwealth  
15 agencies and to provide recommendations to further promote  
16 energy development and energy conservation. The office is  
17 authorized to intervene in energy-related proceedings of the  
18 Pennsylvania Public Utility Commission and other Federal or  
19 State regulatory agencies.

20 (6) To monitor prices of petroleum and supplies of  
21 petroleum products available for use in this Commonwealth to  
22 determine whether there exists or is likely to exist a  
23 shortage under section 2802-C(d) of the act of April 9, 1929  
24 (P.L.177, No.175), known as The Administrative Code of 1929,  
25 and to conduct emergency allocation measures during a period  
26 of declared emergency petroleum product shortage under  
27 section 2802-C of The Administrative Code of 1929. The office  
28 shall also monitor the price and supply of energy to provide  
29 information to the Governor on the changing impact of energy  
30 prices on this Commonwealth's economy.

(7) To assume the responsibilities assigned to the Department of Environmental Protection under the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, which had been assigned to the Pennsylvania Energy Office under prior statutes, ~~regulations~~ and executive orders AND REGULATIONS ADOPTED AND PROMULGATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT INSOFAR AS THEY RELATE TO THE ADMINISTRATION, MANAGEMENT AND SUPERVISION OF THE OFFICE, including the administration of the funds transferred to the department under section 507 of the Conservation and Natural Resources Act.

(8) To promote the establishment of a regional strategic heating oil and diesel fuel reserve in the Middle Atlantic States and other programs that ensure that energy shortages or price surges do not harm this Commonwealth's economy.

#### SECTION 7. TRANSFER PROVISIONS.

(A) TRANSFER ENUMERATED.--THE FOLLOWING ARE TRANSFERRED TO THE OFFICE:

(1) ALL BUREAUS, ORGANIZATIONS AND DIVISIONS IN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION ASSIGNED THE RESPONSIBILITIES UNDER SECTION 6(7).

(2) ALL PERSONNEL, ALLOCATIONS, APPROPRIATIONS, EQUIPMENT, FILES, RECORDS, CONTRACTS, AGREEMENTS, OBLIGATIONS AND OTHER MATERIALS WHICH ARE USED, EMPLOYED OR EXPENDED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IN CONNECTION WITH ITS RESPONSIBILITIES UNDER SECTION 6(7) WITH THE SAME FORCE AND EFFECT AS IF THE APPROPRIATIONS HAD BEEN MADE TO AND SAID ITEMS HAD BEEN THE PROPERTY OF THE OFFICE IN THE FIRST INSTANCE AND AS IF SUCH CONTRACTS, AGREEMENTS AND OBLIGATIONS HAD BEEN INCURRED OR ENTERED INTO BY THE OFFICE.

1 (B) APPORTIONMENT.--THE PERSONNEL, APPROPRIATIONS, EQUIPMENT  
2 AND OTHER ITEMS AND MATERIAL TRANSFERRED BY THIS SECTION SHALL  
3 INCLUDE AN APPROPRIATE PORTION OF THE GENERAL ADMINISTRATIVE,  
4 OVERHEAD AND SUPPORTING PERSONNEL, APPROPRIATIONS, EQUIPMENT AND  
5 OTHER MATERIAL OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND  
6 SHALL ALSO INCLUDE, WHERE APPLICABLE, FEDERAL GRANTS AND FUNDS  
7 AND OTHER BENEFITS FROM ANY FEDERAL PROGRAM.

8 (C) STATUS OF EMPLOYEES.--ALL PERSONNEL TRANSFERRED PURSUANT  
9 TO THIS ACT SHALL RETAIN ANY CIVIL SERVICE EMPLOYMENT STATUS  
10 ASSIGNED TO THE PERSONNEL.

11 Section 7 8. Repeals.

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12 Repeals are as follows:

13 (1) The General Assembly declares that the repeal under  
14 paragraph (2) is necessary to effectuate the provisions of  
15 this act.

16 (2) Sections 504, 507 and 508 of the act of June 28,  
17 1995 (P.L.89, No.18), known as the Conservation and Natural  
18 Resources Act, are repealed.

19 Section 8 9. Effective date.

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20 This act shall take effect in 60 days OR JULY 1, 2008,  
21 WHICHEVER IS LATER.

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