

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 786 Session of 2009

INTRODUCED BY GEORGE, BELFANTI, BRENNAN, BROWN, CONKLIN, FRANKEL, FREEMAN, GOODMAN, GRUCELA, HARHAI, HORNAMAN, JOSEPHS, KORTZ, MAHONEY, McILVAINE SMITH, MELIO, MILNE, MYERS, PETRARCA, PHILLIPS, READSHAW, SIPTROTH, WALKO, YOUNGBLOOD, YUDICHAK AND K. SMITH, MARCH 6, 2009

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 15, 2009

AN ACT

1 Establishing the State Energy Office and an advisory council; ←  
2 and imposing duties on the State Energy Office.

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 "Commission." The Pennsylvania Public Utility Commission.

13 "Department." The Department of Environmental Protection of  
14 the Commonwealth.

15 "Office." The State Energy Office established under section  
16 3.

1 "Secretary." The Secretary of Environmental Protection of  
2 the Commonwealth.

3 Section 3. The State Energy Office.

4 The State Energy Office is established in the Department of  
5 Environmental Protection to promote the goals of energy  
6 development and energy conservation.

7 Section 4. Composition of office.

8 The secretary shall designate an executive director and hire  
9 the staff of the office in accordance with procedures of the  
10 department.

11 ~~Section 5. Advisory council.~~ ←

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

20 Section 6 5. 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 assist the Department of General Services in  
26 promoting the efficient use of energy by the State government  
27 and all sectors of this Commonwealth. Working with the  
28 Governor's Green Government Council, the office will  
29 encourage energy efficiency and conservation through programs  
30 providing information and technical and financial assistance.

1 The office will also work with the commission to develop  
2 specific programs to promote energy efficiency for  
3 commercial, industrial and residential consumers of  
4 deregulated utilities, such as natural gas and 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 will 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 the Department of General Services in the  
14 review of energy-related plans, programs, policies and  
15 regulations of Commonwealth agencies and to provide  
16 recommendations to further promote energy development and  
17 energy conservation. The office is authorized to intervene in  
18 energy-related proceedings of the commission and other  
19 Federal or 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 an  
23 emergency shortage under section 2802-C(d) of the act of  
24 April 9, 1929 (P.L.177, No.175), known as The Administrative  
25 Code of 1929, and to conduct emergency allocation measures  
26 during a period of declared emergency petroleum product  
27 shortage under section 2802-C of The Administrative Code of  
28 1929. The office will also monitor the price and supply of  
29 energy to provide information to the Governor on the changing  
30 impact of energy prices on the Commonwealth's economy.

1 (7) To assume the responsibilities assigned to the  
2 Department of Environmental Protection under the act of June  
3 28, 1995 (P.L.89, No.18), known as the Conservation and  
4 Natural Resources Act, which had been assigned to the office  
5 under prior statutes, regulations and executive orders,  
6 including the administration of the funds transferred to the  
7 department under section 507 of the Conservation and Natural  
8 Resources Act.

9 ~~(8) To promote the establishment of a regional strategic~~ ←  
10 ~~heating oil and diesel fuel reserve in the mid-Atlantic~~  
11 ~~states and other programs that ensure that energy shortages~~  
12 ~~or price surges do not harm the Commonwealth's economy.~~

13 (8) TO PROMOTE THE ESTABLISHMENT OF A COMMONWEALTH ←  
14 LIQUID FUELS RESERVE AND PROGRAMS FOR THE COMMONWEALTH TO  
15 ENSURE CONTINUITY OF GOVERNMENT OPERATIONS IN THE EVENT OF AN  
16 EMERGENCY.

17 (9) TO PROVIDE FINANCIAL ASSISTANCE INCLUDING, BUT NOT  
18 LIMITED TO, LOANS, LOAN GUARANTEES, BOND GUARANTEES, GRANTS  
19 AND REBATES FOR PROJECTS FULFILLING THE PURPOSES OF THIS ACT.

20 (10) TO RECEIVE APPROPRIATIONS AND APPLY FOR AND ACCEPT  
21 GRANTS, GIFTS, DONATIONS, BEQUESTS AND SETTLEMENTS FROM ANY  
22 PUBLIC OR PRIVATE SOURCE.

23 (11) TO MAKE CONTRACTS OF EVERY NAME AND NATURE AND  
24 EXECUTE ALL INSTRUMENTS NECESSARY OR CONVENIENT TO EFFECTUATE  
25 THE PURPOSES OF THIS ACT.

26 (12) TO DO ANY ACT NECESSARY OR CONVENIENT TO EXERCISE  
27 THE POWERS ENUMERATED IN THIS SECTION OR REASONABLY IMPLIED  
28 FROM THOSE POWERS.

29 Section 7 6. Effective date. ←

30 This act shall take effect in 60 days.