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## **Resolve, Regarding Legislative Approval of the Public Utilities Commission's Plan for the Use of American Recovery and Reinvestment Act of 2009 Funds**

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Resolve 2009, chapter 1 requires legislative review and action upon proposed plans for the use of federal American Recovery and Reinvestment Act of 2009 funds that are subject to state legislative allocation; and

**Whereas,** the State is eligible to apply to the Federal Government for a federal American Recovery and Reinvestment Act of 2009 State Energy Program formula grant in the amount of \$27,305,000, with an application deadline of May 12, 2009; and

**Whereas,** the State is eligible to apply for a federal American Recovery and Reinvestment Act of 2009 block grant under the federal Energy Efficiency and Conservation Block Grant Program in the amount of \$9,593,500, of which no more than \$3,837,400 may be deployed by the State Energy Program and the remainder of which must be regranted directly to municipalities in the State, with an application deadline of May 26, 2009; and

**Whereas,** the Public Utilities Commission submitted to the Legislature for review the commission's initial plan on March 19, 2009 and an updated plan on April 27, 2009; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on the proposed plan and to create the allotments necessary to carry out the plan; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1 Approval. Resolved:** That the Legislature approves the plan for the use of the federal American Recovery and Reinvestment Act of 2009 funds submitted by the Public Utilities Commission on March 19, 2009 and updated in a memorandum to the Joint Select Committee on Maine's Energy Future, the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Utilities and Energy dated April 27, 2009; and be it further

**Sec. 2 Reporting. Resolved:** That the state-designated administrator of the State Energy Program shall report to the Joint Standing Committee on Utilities and Energy by September 1, 2009 on the use of the federal American Recovery and Reinvestment Act of 2009 funds as set forth in the approved plan; and be it further

**Sec. 3 Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**PUBLIC UTILITIES COMMISSION**

**Conservation Administration Fund 0966**

Initiative: Provides funding to support projects for energy efficiency and conservation and the reduction of fossil fuel emissions.

<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	\$10,000	\$22,289,622	\$4,124,047
<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$10,000</b>	<b>\$22,289,622</b>	<b>\$4,124,047</b>

<b>FEDERAL BLOCK GRANT FUND ARRA</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	\$0	\$8,902,801	\$417,604
<b>FEDERAL BLOCK GRANT FUND ARRA TOTAL</b>	<b>\$0</b>	<b>\$8,902,801</b>	<b>\$417,604</b>

**Conservation Administration Fund 0966**

Initiative: Establishes one limited-period Staff Accountant position, one limited-period Senior Staff Accountant position, 2 limited-period Development Program Manager positions and 2 limited-period Public Service Coordinator III - Utility Analyst positions. These positions will provide financial and program support to the Public Utilities Commission, energy programs division for the purposes authorized in the federal American Recovery and Reinvestment Act of 2009. These positions will end on June 11, 2011.

<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
POSITIONS - LEGISLATIVE COUNT	0.000	4.500	4.500
Personal Services	\$0	\$398,438	\$421,302
All Other	\$0	\$30,440	\$31,151
<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$0</b>	<b>\$428,878</b>	<b>\$452,453</b>

<b>FEDERAL BLOCK GRANT FUND ARRA</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.500	1.500
Personal Services	\$0	\$124,880	\$132,393
All Other	\$0	\$8,094	\$7,728
<b>FEDERAL BLOCK GRANT FUND ARRA TOTAL</b>	<b>\$0</b>	<b>\$132,974</b>	<b>\$140,121</b>

HP1029, LD 1478, item 1, 124th Maine State Legislature  
Resolve, Regarding Legislative Approval of the Public Utilities Commission's  
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<b>PUBLIC UTILITIES COMMISSION</b>			
<b>DEPARTMENT TOTALS</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>\$10,000</b>	<b>\$22,718,500</b>	<b>\$4,576,500</b>
<b>FEDERAL BLOCK GRANT FUND ARRA</b>	<b>\$0</b>	<b>\$9,035,775</b>	<b>\$557,725</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$10,000</b>	<b>\$31,754,275</b>	<b>\$5,134,225</b>

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

### **SUMMARY**

This resolve, which is reported by the Joint Select Committee on Maine's Energy Future pursuant to Joint Order 2009, H.P. 63, approves the plan for the use of the federal American Recovery and Reinvestment Act of 2009 funds as submitted by the Public Utilities Commission on March 19, 2009 and updated on April 27, 2009.

### **FISCAL NOTE REQUIRED**

**(See attached)**