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Resolve
124th Legislature
First Regular Session

Chapter 19
H.P. 271 - L.D. 335

**Resolve, Regarding Legislative Review of Chapter 2:
Administration of Trust, Budgeting, Project Selection Criteria
and Procedures, Monitoring and Evaluation Requirements, a
Major Substantive Rule of the Energy and Carbon Savings Trust**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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 Adoption. Resolved: That final adoption of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a provisionally adopted major substantive rule of the Energy and Carbon Savings Trust that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if that portion of the rule pertaining to funding criteria is amended to provide that the trust may calculate reductions in greenhouse gas emissions and reductions in consumption of electricity on a basis other than simply reductions from current levels when the trust determines it is appropriate to calculate reductions from the level of greenhouse gas emissions or consumption of electricity that would exist if alternative, less energy efficient technologies were used for the program or project instead of the technologies proposed by the applicant.

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