

1 programs for natural gas, electricity, and heating oil to maximize the aggregate benefits of
2 conservation and efficiency of investments;

3 (4) Monitor and report technological developments that may result in new and /or
4 improved sources of energy supply, increased energy efficiency, and reduced environmental
5 impacts from energy supply, transmission and distribution;

6 (5) Administer the programs, duties, and responsibilities heretofore exercised by the state
7 energy office, except as these may be assigned by executive order to other departments and
8 agencies of state government;

9 (6) Develop, recommend and, as appropriate, implement integrated and/or comprehensive
10 strategies, including at regional and federal levels, to secure Rhode Island's interest in energy
11 resources, their supply and efficient use, and as necessary to interact with persons, private sector,
12 non-profit, regional, federal entities and departments and agencies of other states to effectuate this
13 purpose;

14 (7) Cooperate with agencies, departments, corporations, and entities of the state and of
15 political subdivisions of the state in achieving its purposes;

16 (8) Cooperate with and assist the state planning council and the division of state planning
17 in developing, maintaining, and implementing state guide plan elements pertaining to energy and
18 renewable energy;

19 (9) Administer, as appropriate, state and federally funded or authorized energy programs,
20 which may include, but not be limited to:

21 (1) the federal low-income home energy assistance program which provides heating
22 assistance to eligible low-income persons and any state funded or privately funded heating
23 assistance program of a similar nature assigned to it for administration;

24 (2) the weatherization assistance program which offers home weatherization grants and
25 heating system upgrades to eligible persons of low-income;

26 (3) the emergency fuel program which provides oil deliveries to families experiencing a
27 heating emergency;

28 (4) the energy conservation program, which offers service and programs to all sectors;
29 and

30 (5) the renewable energy program established under Rhode Island general laws chapter
31 39-2;

32 (10) Develop, recommend, and evaluate energy programs for state facilities and
33 operations in order to achieve and demonstrate the benefits of energy-efficiency, diversification
34 of energy supplies, energy conservation, and demand management; and

1 (11) Advise the governor and the general assembly with regard to energy resources and
2 all matters relevant to achieving the purposes of the office.

3 **42-140-4. Commissioner.** -- (a) There shall be a commissioner of energy resources, who
4 shall be appointed by the governor with the advice and consent of the senate. The commissioner
5 shall be the director of the office of energy resources and shall have all such powers, consistent
6 with law, as are necessary and/or convenient to effectuate the purposes of the office and
7 administer its functions. The commissioner shall have authority to exercise all of the powers and
8 duties heretofore exercised by the head of the state energy office. In the performance of the duties
9 set forth in this paragraph, the commissioner shall consult with the energy resources council,
10 established in section 42-140-5.

11 (b) The commissioner shall have authority to apply for, receive, and administer grants
12 and funds from the federal government and all other public and private entities to accomplish the
13 purposes of the office.

14 (c) The commissioner shall have authority to serve as executive secretary of the
15 governor's technical assistance committee, established by section 42-60-4, and shall provide such
16 staff and technical support to the technical assistance committee as the technical assistance
17 committee may require, and shall have authority to carry out any duties assigned to the office by
18 the governor in the event of a declaration of a state energy crisis as authorized under chapter 42-
19 60 relating to energy crisis management.

20 **42-140-5. Energy resources council.** – (a) There is hereby authorized and established an
21 energy resources council, which shall consist of seven (7) members to be appointed by the
22 governor, with advice and consent of the senate, as follows: one member shall be a representative
23 of large commercial and industrial energy users, one member shall be a representative of smaller
24 commercial and industrial users; two (2) members shall be representatives of residential users, at
25 least one of whom shall be a representative of low-income residential users; one member shall be
26 a representative of an environmental or energy policy advocacy group knowledgeable in energy
27 conservation programs; one member shall be knowledgeable in renewable energy development;
28 and one member shall be an architect or professional engineer or other person knowledgeable in
29 building codes and high performance buildings. Of the initial appointments, two (2) members
30 shall be appointed for a one year term, two (2) members shall be appointed for a two (2) year
31 term, and three (3) members shall be appointed for a three (3) year term. Subsequent terms shall
32 be for three (3) years. Each duly appointed member shall continue to serve until the member's
33 successor is duly qualified and appointed. Any member may be reappointed; provided, however,
34 no member shall be appointed to more than three (3) consecutive terms. In addition to the voting

1 members, each of the following entities shall be entitled to designate a representative to the
2 council who shall be an ex-officio nonvoting member: each electric distribution company
3 providing standard offer service, each gas distribution company, an association representing oil
4 heat dealers, and an association representing propane dealers. The members of the council shall
5 serve without compensation but may be paid for expenses incurred in the performance of their
6 duties.

7 (b) The energy resources council shall meet not less than quarterly; a majority of voting
8 members of the council shall constitute a quorum. The council shall elect from its voting
9 members a chairperson and a vice-chairperson. The commissioner shall serve as secretary of the
10 council and shall provide such staff support to the council as may be needed.

11 (c) The energy resources council shall advise the commissioner on the development and
12 the implementation of plans, strategies and programs to:

- 13 (1) implement cost-effective energy conservation and energy efficiency programs;
- 14 (2) promote the development of eligible renewable energy resources for Rhode Island;
- 15 (3) foster distributed generation of electricity and demand response;
- 16 (4) assist low-income households in meeting energy needs;
- 17 (5) coordinate the use of funds, resources, and programs from diverse resources to
18 achieve the purposes of the office, and
- 19 (6) such other matters as the council may deem appropriate.

20 (d) The energy resources council shall adopt bylaws and, may establish, with the
21 concurrence of the commissioner, such committees, as it may deem appropriate.

22 (e) The energy resources council shall have authority to select and retain independent
23 experts and consultants, from resources from or available through the office, to perform analyses
24 and conduct studies as necessary and desirable in the performance of the responsibilities of the
25 council.

26 **42-140-6. Authority to enter into agreements. --** The commissioner shall have authority
27 to enter into agreements with the trustees of the renewable energy development fund to achieve
28 integrated and effective use of the renewable energy proper resources, subsections 39-2-1.2(b)
29 and (c), and renewable energy standard resources, section 39-26-7. By mutual agreement with the
30 trustees, the commissioner may serve as program manager for the renewable energy programs.

31 **42-140-7. Information and education programs. --** The commissioner, in consultation
32 with the council, shall develop, implement and maintain, a statewide public information and
33 education program with regard to energy supply, energy cost, energy efficiency and conservation,
34 and energy programs, including programs to help consumers select energy efficient products, to

1 evaluate retail and commercial energy resource choices, and to access available energy assistance
2 programs including tax credit and rebate programs.

3 **42-140-8. Conduct of activities.** -- To the extent reasonable and practical, the conduct of
4 activities under the provisions of this chapter shall be open and inclusive; the commissioner and
5 the council shall seek in addressing the purposes of the office to involve the research and analytic
6 capacities of institutions of higher education within the state, industry, advocacy groups, and
7 regional entities, and shall seek input from stakeholders including, but not limited to, residential
8 and commercial energy users.

9 **42-140-9. Annual report.** -- The commissioner shall report annually, on or before March
10 1st of each year, to the governor, the president of the senate, and the speaker of the house with
11 regard to the status of energy supplies, markets, and conditions, the effectiveness of energy
12 programs, the activities of the office, and such other matters related to energy as the
13 commissioner or the council may deem appropriate.

14 **42-140-10. Adoption of rules.** -- The commissioner shall have the authority to adopt,
15 amend, and implement such rules as may be necessary to desirable to effectuate the purposes of
16 this chapter. In any rule making by the commissioner, the commissioner shall consider as a matter
17 of record the advise of the energy resources council.

18 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT

- 1 This act would create an office of energy resources in the executive department of state
- 2 government and would be known as the Rhode Island Energy Resources Act.
- 3 This act would take effect upon passage.

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