

1 SB252
2 115282-2
3 By Senators Mitchell, Bedford, Means, Mitchem and Penn
4 RFD: Energy and Natural Resources
5 First Read: 14-JAN-10

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8 SYNOPSIS:

9 This bill would create the Permanent Joint
10 Legislative Committee on Energy Policy as currently
11 constituted pursuant to Act 2007-150, HJR 152, 2007
12 Regular Session.

13 The bill would provide for the hiring of a
14 staff and the creation of the Legislative Energy
15 Policy Office to supervise and administer the
16 duties of the committee pursuant to this bill.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 Relating to the development of an integrated and
23 comprehensive state policy on energy for Alabama; to create
24 the Permanent Joint Legislative Committee on Energy Policy for
25 the purpose of developing an ongoing state energy study and
26 energy plan; to provide for the membership of the committee
27 and the initial committee membership as organized pursuant to

1 Act 2007-150, HJR 152, 2007 Regular Session; to provide
2 specific duties of the committee relating to the formulation
3 of the ongoing state energy plan; to provide for the hiring of
4 a staff and the creation of the Legislative Energy Policy
5 Office to supervise and administer the duties of the
6 committee; to provide for the formation, duties, and reporting
7 of advisory subcommittees; to provide for legislative
8 assistance for the committee and reimbursement of committee
9 and subcommittee meeting expenses; and to provide for specific
10 goals and objectives of the committee and for the reporting of
11 recommendations.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The Legislature makes the following
14 findings and statements:

15 (1) The reduction of the dependence on foreign oil
16 is necessary to preserve and protect our national security.

17 (2) Reliable, plentiful, and affordable energy and
18 the effective distribution of energy are vital to the support
19 and growth of all sectors of Alabama's economy.

20 (3) The future energy needs of the state also
21 present unique opportunities to diversify the state's energy
22 supply and provide new opportunities for agriculturally based
23 products and Alabama based clean energy technologies.

24 (4) Energy derived from agriculturally and forest
25 based products offers the potential to expand rural and
26 economic development in Alabama.

1 (5) Increasing the efficiency of existing technology
2 combined with the development of new technologies, including
3 coal gasification, coal liquification, advanced coal-based
4 generation, and nuclear power, should be encouraged as ways of
5 producing more energy with reduced emissions.

6 (6) An integrated and comprehensive state policy on
7 energy is absolutely necessary to identify, address, and
8 provide for the future energy needs of the state.

9 Section 2. The Permanent Joint Legislative Committee
10 on Energy Policy is created for the purpose of developing the
11 Alabama Energy Plan to recommend to the Governor and the
12 Legislature courses of action to address the state's long-term
13 and short-term energy challenges. The plan shall include,
14 without limitation, recommendations relating to oil and gas
15 production and future oil and gas development that are found
16 both onshore and offshore in Alabama, as well as renewable and
17 alternative energy sources.

18 Section 3. (a) The committee shall be composed of
19 the following members:

20 (1) The Chair of the House Committee on Agriculture
21 and Forestry.

22 (2) The Chair of the House Commerce Committee.

23 (3) The Chair of the Senate Committee on
24 Agriculture, Conservation, and Forestry.

25 (4) The Chair of the House Government Appropriations
26 Committee.

1 (5) The Chair of the Senate Committee on Finance and
2 Taxation General Fund.

3 (6) The Chair of the Senate Committee on Commerce,
4 Transportation, and Utilities.

5 (7) The Chair of the Senate Committee on Energy and
6 Natural Resources.

7 (8) Five members of the Houses of Representatives
8 appointed by the Speaker of the House of Representatives, all
9 of whom shall be appointees from the House of Representatives
10 to the Energy Council.

11 (9) Two members of the Senate appointed by the
12 Lieutenant Governor, both of whom shall be appointees from the
13 Senate to the Energy Council.

14 (10) Two members of the Senate appointed by the
15 President Pro Tempore of the Senate, both of whom shall be
16 appointees from the Senate to the Energy Council.

17 (b) To the extent possible, members of the committee
18 shall reflect the racial, ethnic, gender, geographic,
19 urban/rural, and economic diversity of the state.

20 (c) The committee shall meet at the call of the
21 chair or a majority of the members thereof, provided that the
22 committee shall meet at least once each four months.

23 (d) The committee may meet, act, and conduct its
24 business at any place within this state during the sessions of
25 the Legislature, or any recess thereof, and in the interim
26 period between sessions.

1 (e) Terms of service on the committee shall coincide
2 with the elected terms of the serving members. The initial
3 members appointed pursuant to Act 2007-150, HJR 152, 2007
4 Regular Session, shall continue to serve as appointed pursuant
5 to the act provided the member is qualified under subsection
6 (a).

7 (f) Beginning in January 2011, to serve in 2011 and
8 2012 and each 2 years thereafter, the committee shall elect
9 from among its members a chair and a vice chair.

10 Section 4. (a) With the assistance of the director
11 and staff of the Legislative Energy Policy Office, the
12 committee shall make a continuous study of the energy supply
13 for the state and make recommendations for legislation and
14 initiatives that will create the necessary institutional and
15 regulatory changes to accomplish the overall goals and
16 objectives of the Alabama Energy Plan in a manner that
17 benefits the economy and protects the environment.

18 (b) The Alabama Energy Plan shall be designed to
19 achieve the following goals and objectives:

20 (1) The expansion of diverse sources of fuels to be
21 used to meet Alabama's current and future energy needs through
22 each of the following methods:

23 a. Encouraging a diverse fuel mix among electric
24 supply generation that promotes reliability and minimizes
25 negative impacts that would result from electric power
26 shortages.

1 b. Promoting the production and use of bioenergy and
2 clean alternative energy, including coal gasification and
3 liquification, advanced coal-based generation, and nuclear
4 power.

5 c. Promoting the production and use of bioenergy
6 from agriculturally and forest based products.

7 d. Broadening the diversity and decreasing the
8 negative environmental impact of fuels that meet Alabama's
9 transportation needs.

10 e. Expanding electric generation infrastructure
11 utilizing clean distributed energy resources, including, but
12 not limited to, natural gas, propane, fuel cells,
13 micro-turbines, combined heat and power and wind energy to the
14 extent that these technologies provide cost effective and
15 reliable energy sources.

16 (2) The development of conservation programs through
17 each of the following methods:

18 a. Identifying and promoting proven fuel and oil
19 conservation technologies that improve fuel efficiencies in
20 private fleets and state fleets.

21 b. Identifying and promoting business and
22 residential energy use reduction opportunities.

23 c. Increasing the usage of energy efficient products
24 and clean energy sources through the state procurement
25 process.

26 (3) Incorporating energy efficiency and conservation
27 into the design and operation of state buildings.

1 (4) Encouraging producers of clean energy
2 technologies and producers of energy efficient products to
3 locate their business operations in Alabama, through each of
4 the following methods:

5 a. Expanding the market for renewable and
6 alternative energy technologies in Alabama.

7 b. Increasing the number of producers and developers
8 of clean energy technologies located in Alabama.

9 c. Adopting incentives for new and existing
10 facilities in Alabama that produce energy from alternative and
11 renewable resources.

12 (c) The Alabama Energy Plan shall include the
13 following for each goal and objective:

14 (1) An identification of actions already in process.

15 (2) A prioritized list of recommended
16 non-legislative action items.

17 (3) Recommended legislative proposals.

18 (4) An identification of areas on which further
19 evaluation or research is recommended.

20 (d) The committee shall submit its recommendations
21 by the fifth legislative day of the 2010 Regular Session and
22 each regular session thereafter. The committee may make
23 additional recommendations and submit studies and reports to
24 the Legislature at any time.

25 (e) The committee is authorized to receive federal
26 and private grants, gifts, appropriations, and other public
27 and private funds related to energy policies and initiatives.

1 (f) The committee may employ a director and provide
2 for a Legislative Energy Policy Office. The director shall
3 serve at the pleasure of the committee and shall be
4 responsible directly to the committee for the general
5 supervision and execution of the work of the committee. The
6 committee shall fix the compensation of the director and
7 staff. Compensation for the director and staff shall be paid
8 from funds appropriated to the committee for that purpose. The
9 committee shall further designate the duties of the director
10 and staff. The director and staff of the office shall reflect
11 the racial, ethnic, gender, geographic, urban/rural, and
12 economic diversity of the state.

13 (g) The committee may maintain an office facility in
14 a location in Montgomery, Alabama, for the use of the director
15 and staff of the Legislative Energy Policy Office and may
16 acquire furniture, equipment, and supplies needed for the
17 operation of the office.

18 (h) The committee may employ personnel to staff the
19 Legislative Energy Policy Office and may enter contracts for
20 services needed by the committee. Personnel and contracted
21 service providers and consultants may include, but not be
22 limited to, technical advisors on such issues as alternative
23 energy technology, renewable energy technology, engineering,
24 environmental technology, and energy conservation, as well as
25 administrative, supervisory, and professional personnel as
26 necessary to carry out the goals, objectives, and duties of
27 the committee and the office.

1 Section 5. (a) The chair and vice chair of the
2 committee shall jointly create and appoint members to advisory
3 subcommittees, as provided in subsection (b), which shall
4 include members of the committee, representatives from
5 governmental agencies, and members of the public with interest
6 and expertise in the objectives of the committee. The
7 Commissioner of the Alabama Department of Agriculture and
8 Industries, or his or her designee, shall be a member of each
9 advisory subcommittee created. Each advisory subcommittee
10 shall be cochaired by one legislative member of the advisory
11 committee and one private sector member or governmental entity
12 member having significant knowledge, experience, and expertise
13 in the subject or subjects the subcommittee is responsible for
14 studying. Private sector cochairs of the advisory committees
15 shall reflect the racial, ethnic, gender, geographic,
16 urban/rural, and economic diversity of the state. The Alabama
17 Department of Economic and Community Affairs may make
18 recommendations to the chair and vice chair of the committee
19 for the appointment of members to each advisory subcommittee.

20 (b) The advisory subcommittees of the committee
21 shall be as follows:

- 22 (1) Biofuels and Alternative Fuels Subcommittee.
- 23 (2) Efficiency and Conservation Subcommittee.
- 24 (3) Environmental Issues Subcommittee.
- 25 (4) Infrastructure and Expansion Subcommittee.
- 26 (5) Renewable Power and Electric Generation
27 Subcommittee.

1 (6) Research and Development Subcommittee.

2 (7) Technology and Communications Subcommittee.

3 (8) The Incentives Subcommittee.

4 Section 6. The Secretary of the Senate, the Clerk of
5 the House of Representatives, and the advisory subcommittees
6 created herein shall provide any assistance as may be
7 necessary at the committee's request. Each legislative member
8 of the committee and each legislative member of a subcommittee
9 shall be entitled to his or her regular legislative
10 compensation, his or her per diem, and travel expenses for
11 each day he or she attends a meeting of the committee or a
12 subcommittee which shall be paid out of any funds appropriated
13 for the use of the Legislature upon warrants drawn by the
14 state Comptroller, upon requisitions signed by the committee's
15 chair, provided, however, that legislative members shall not
16 receive additional legislative compensation or per diem when
17 the Legislature is in session or if a member is being paid any
18 other payments on the same dates for attendance on other state
19 business. Each non-legislative member of the committee and
20 subcommittees may be reimbursed for expenses of attending
21 meetings of the committee and subcommittees in accordance with
22 the policies of the respective group or organization the
23 member represents.

24 Section 7. Annual expenses and compensation of the
25 committee from state funds shall not exceed ten thousand
26 dollars (\$10,000) per fiscal year.

1 Section 8. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.