

2013 -- H 5812

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO HEALTH AND SAFETY - IMPLEMENTATION OF THE REGIONAL  
GREENHOUSE GAS INITIATIVE ACT

Introduced By: Representative Arthur Handy

Date Introduced: February 28, 2013

Referred To: House Finance

(Administration)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-82-6 of the General Laws in Chapter 23-82 entitled  
2 "Implementation of the Regional Greenhouse Gas Initiative Act" is hereby amended to read as  
3 follows:

4 **23-82-6. Use of auction or sale proceeds.** -- (a) The proceeds from the auction or sale of  
5 the allowances shall be used for the benefit of energy consumers through investment in the most  
6 cost-effective available projects that can reduce long-term consumer energy demands and costs.  
7 Such proceeds may be used only for the following purposes, in a proportion to be determined  
8 annually by the office in consultation with the council and the board:

9 (1) Promotion of cost-effective energy efficiency and conservation in order to achieve  
10 the purposes of section 39-1-27.7;

11 (2) Promotion of cost-effective renewable non-carbon emitting energy technologies in  
12 Rhode Island as defined in section 39-26-5 and to achieve the purposes of chapter 39-26 entitled  
13 "Renewable Energy Standard";

14 (3) Cost-effective direct rate relief for consumers;

15 (4) Direct rate relief for low-income consumers;

16 (5) Reasonable compensation to an entity selected to administer the auction or sale; and

17 (6) Reasonable costs of the department of environmental management and office of  
18 energy resources in administering this program, as well as other climate change, energy

1 [efficiency, and renewable program efforts of the department of environmental management and](#)  
2 [office of energy resources](#), which shall not in any year exceed three hundred thousand dollars  
3 (\$300,000) or five percent (5%) of the proceeds from sale or auction of the allowances,  
4 whichever is less. Administrative funds not expended in any fiscal year shall remain in the  
5 administrative account to be used as needed in subsequent years. The office of energy resources  
6 shall have the ability to apply administrative funds not used in a fiscal year to achieve the purpose  
7 of this section. The funds deposited into the administrative funds account shall be exempt from  
8 the indirect cost recovery provisions of section 35-4-27.

9 (b) Any interest earned on the funds so generated must be credited to the fund. Funds not  
10 spent in any fiscal year shall remain in the fund to be used for future energy efficiency and carbon  
11 reduction programs.

12 (c) Annually, the office, in consultation with council and board, shall prepare a draft  
13 proposal on how the proceeds from the allowances shall be allocated. The draft proposal shall be  
14 designed to augment and coordinate with existing energy efficiency and renewable energy  
15 programs, and shall not propose use of auction proceeds for projects already funded under other  
16 programs. The proposal for allocation of proceeds in subsections 23-82-6(1), (2) and (3) shall be  
17 one that best achieves the purposes of the law, namely, lowering carbon emissions and  
18 minimizing costs to consumers over the long term. The office shall hold a public hearing and  
19 accept public comment on the draft proposal in accordance with chapter 42-35 (the  
20 "Administrative Procedure Act"). Once the proposal is final, the office shall authorize the  
21 disbursement of funds in accordance with the final plan.

22 (d) The office shall prepare, in consultation with council and board, a report by April  
23 15th of each year describing the implementation and operation of RGGI, the revenues collected  
24 and the expenditures, including funds that were allocated to the energy efficiency and renewable  
25 energy programs, and the individuals, businesses and vendors that received funding, made under  
26 this section, the statewide energy efficiency and carbon reduction programs, and any  
27 recommendations for changes to law relating to the state's energy conservation or carbon  
28 reduction efforts. The report shall be made public and be posted electronically on the website of  
29 the office of energy resources and shall also be submitted to the general assembly.

30 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 HEALTH AND SAFETY - IMPLEMENTATION OF THE REGIONAL  
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1           This act would provide for the payment of costs incurred by the department of  
2 environmental management and office of energy resources up to three hundred thousand dollars  
3 (\$300,000) or five percent (5%) of the proceeds of any sale or auction of allowances.

4           This act would take effect upon passage.

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