

Legal Assistance Resource Center

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H.B. 5027 -- Low-Income Energy Advisory Board (Sec. 46)

Government Administration and Elections Committee public hearing -- March 2, 2012

Testimony of Raphael L. Podolsky

Recommended Committee action

**DELETE PROPOSED CHANGES TO SUBSECTION (d) OF
SECTION 46**

Section 46 of H.B. 5027 modifies the membership of the Low-Income Energy Advisory Board (LIEAB). In particular, it changes the role of the Secretary of OPM (or his designee) by making him an ex officio non-voting member, rather than the chairperson of the Board. In addition, subsection (d) of Section 46 eliminates the requirement that OPM "provide notice of meetings..., provide space for such meetings, maintain minutes and publish reports of the board." Stated differently, it eliminates the routine, minimal staff support for the Board that makes it possible for a purely voluntary board to function.

For this reason, we urge you to delete the changes proposed in subsection (d) of Section 46. Whether the Secretary of OPM serves as chair of the Board or not, it is critical to the operation of the Board that OPM continue to provide its staffing.

The LIEAB's primary duty is "to ensure affordable access to residential energy services to low-income state residents." This role is essential to assuring that various state agencies that deal with energy issues -- OPM, DEEP, and DSS -- and the legislature itself are aware of the needs of low-income residents and are offered ways in which those needs can be addressed. The LIEAB has been involved in matters concerning the state energy assistance plan, weatherization, fuel assistance, utility conservation programs, low-income utility rates, and many other matters concerning the energy needs of low-income households. Its membership brings together state agencies, electric and gas utility companies, community agencies, low-income advocates, and other interested parties (see l. 1494 to 1513 for the LIEAB membership). This has promoted a consensus-building process through which the diverse energy-related community can find common ground and creative solutions.

It is very difficult for voluntary advisory boards to function effectively without some state staffing support in regard to meeting sites, notices, and reports. It is important that OPM's duty to provide such assistance be retained.