

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER 2005-8]

Governor's Renewable Agricultural Energy Council

September 20, 2005

Whereas, In 1950, the United States was 100% self-sufficient on its own oil reserves, but, in less than fifty years, the nation shifted its dependency on oil imports to meet two-thirds of our daily requirements; and

Whereas, America's dependence on non-renewable energy sources from foreign nations poses a risk to the Commonwealth's and Country's energy, economic, and environmental security; and

Whereas, Pennsylvania spends more than \$30 billion annually on energy fuel imports; and

Whereas, agriculture and agriculture-related industries are the number one industry in the Commonwealth of Pennsylvania, contributing more than \$44 billion to the state economy; and

Whereas, renewable agricultural energy has the potential to support and grow the agriculture industry in Pennsylvania by providing up to 64,000 additional jobs, diversifying agricultural activities, and stimulating the growth of crops that strengthen the agriculture industry; and

Whereas, agricultural energy sources could save the average household \$1,200 annually on energy bills; and provide an additional source of income, increase the tax base, and thereby, benefit county and local services including schools, health care facilities, and roads; and

Whereas, a two-tiered Portfolio Standard has been enacted in Pennsylvania to ensure that in fifteen years, 18% of all energy generated in Pennsylvania comes from clean, efficient sources. The Portfolio Standard also requires 8% of all electricity sold at retail to come from traditional renewable sources such as solar photo-voltaic energy, wind power, low-impact hydropower, municipal solid waste, biomass energy, biologically derived methane gas, and other sources; and

Whereas, the Portfolio Standard will give farmers a more level playing field for power generation from agricultural methane or wind turbines; and

Whereas, imported ethanol fuels from out-of-state costs an additional 15 cents per gallon as compared to ethanol fuels produced with in-state products; and

Whereas, Pennsylvania has an abundance of resources, such as mixed waste, straw, forest thinning, and forest residues, needed to produce cellulosic ethanol; and

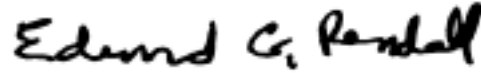
Whereas, manure digesters produce methane gas which can increase the profitability of farms in Pennsylvania; and

Whereas, the agriculture industry can be a critical partner in fostering alternative energy sources that will reduce our dependence on foreign energy; and

Whereas, interagency coordination for the development and promotion of biofuels and agricultural renewable energy sources is essential in order to create a comprehensive agricultural renewable energy strategy for the Commonwealth.

Now Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth,

do hereby create the Governor's Renewable Agricultural Energy Council (hereafter referred to as "Council") as the Commonwealth's entity to coordinate the development and expansion of agricultural energy industries in the state of Pennsylvania.



Governor

Fiscal Note: GOV 05-12. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter P. GOVERNOR'S RENEWABLE AGRICULTURAL ENERGY COUNCIL

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§ 6.231. Functions.

The functions of the Governor's Renewable Agricultural Energy Council are to:

(1) Make recommendations to the Governor on policies, procedures, regulations and legislation that would aid in the development of renewable energy.

(2) Serve as the Governor's liaison to the agricultural community on policies, procedures, regulations and legislation that affect the production of renewable energy to ensure that State government is accessible, accountable and responsive to the constituency developing renewable energy.

(3) Serve as a resource to all departments, commissions and agencies under the Governor's jurisdiction to ensure that these government entities are cognizant of the issues surrounding the development of renewable energy.

(4) Provide guidance and assistance to help industry establish and develop the infrastructure necessary to deliver renewable energy sources to consumers within this Commonwealth.

§ 6.232. Composition.

The Governor's Renewable Agricultural Energy Council is composed of the following individuals appointed by the Governor:

(1) The Secretary of Agriculture or a designee and the Secretary of Environmental Protection or a designee.

(2) Two representatives from the Department of Environmental Protection.

(3) Two representatives from the Department of Agriculture.

(4) One representative from the State Conservation Commission.

(5) One representative from the Governor's Policy Office.

(6) One representative from the Department of Community and Economic Development.

(7) One representative from the Legislature.

- (8) One representative from the United States Department of Agriculture.
- (9) One representative from a local government entity.
- (10) Five active farmers who implement, use or produce agricultural energy inputs.
- (11) Four individuals with knowledge and expertise in agricultural energy and environmental law, regulation and research, including ethanol, biodiesel, wind energy, methane and gasification.
- (12) Four individuals from colleges/universities specializing in various sectors of agricultural energy development and one individual specializing in agricultural crop based energy.

§ 6.233. Chairpersons.

The Secretaries of Agriculture and Environmental Protection serve as co-chairpersons of the Governor's Renewable Agricultural Energy Council on a rotating basis. Each term as chairperson lasts 1 year. The Secretary of Agriculture shall serve the initial term.

§ 6.234. Compensation and expenses.

The members of the Governor's Renewable Agricultural Energy Council (Council) do not receive a salary or per diem allowance for serving as members of the Council but will be reimbursed for actual and necessary expenses incurred in the performance of their duties in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.235. Terms.

- (a) The terms of the Secretaries of Agriculture and Environmental Protection are concurrent with their holding public office.
- (b) The remaining members of the Governor's Renewable Agricultural Energy Council serve at the pleasure of the Governor and may be removed at the will of the Governor.

§ 6.236. Relationship with other agencies.

Agencies under the jurisdiction of the Governor shall cooperate with and provide any necessary assistance to the Governor's Renewable Agricultural Energy Council (Council) in performing its functions. The Council will receive administrative support from the Department of Agriculture (Department) and will coordinate its functions and activities through the Department's Policy Office.

§ 6.237. Reports and studies.

The Governor's Renewable Agricultural Energy Council may conduct studies and issue reports deemed necessary on issues affecting the use of renewable energy in this Commonwealth.

§ 6.238. Procedure.

The Governor's Renewable Agricultural Energy Council is authorized to establish subcommittees, rules and procedures for the effective implementation of its functions consistent with this subchapter.

§ 6.239. Effective date.

This subchapter takes effect immediately.

§ 6.240. Termination date.

This subchapter remains in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 05-1936. Filed for public inspection October 21, 2005, 9:00 a.m.]