

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

MEMORANDUM

TO: ENERGY, ENVIRONMENT AND AGRICULTURE TASK FORCE MEMBERS
FROM: TODD WYNN, TASK FORCE DIRECTOR
DATE: April 6, 2011
RE: 35-DAY MAILING—SPRING TASK FORCE SUMMIT

The American Legislative Exchange Council will host its **Spring Task Force Summit (STFS) on May 10-11 in Charlotte, NC** at the **Westin Charlotte**. If you have not yet registered for this meeting, please click [here](#) for registration information or go to www.alec.org.

The following meetings are of interest to members of the Energy, Environment and Agriculture Task Force:

Thursday, May 10

- Registration (1:00pm – 5:30pm)
- Board Dinner (TBD, by invitation only)
- Opening night reception (8:00pm -11:00pm)

Friday, May 11

- Registration (7:30 am-3:00pm)
- ALEC Joint Board of Directors Meeting (8:00am-12:15pm, by invitation only)
- Task Force Energy and Agriculture Joint Subcommittee meeting (7:10am-9:15am)
- Energy, Environment and Agriculture Task Force Lunch Meeting (1:00pm-2:00pm)
Presentation: Energy Cost Impacts on American Families
Eugene M. Trisko
- Energy, Environment and Agriculture Task Force meeting (2:00pm – 5:20pm)
- Reception (5:30pm-7:00pm)

The following materials are attached:

- Agenda for the Energy, Environment and Agriculture Task Force Meeting (1 page)
- Agenda for the Joint Subcommittee Meeting (1 page)
- States and the Nation Policy Summit Task Force Meeting Minutes (1 page)
- Spring Task Force Summit Agenda-at-a-Glance (2 pages)
- Scholarship Policy by Meeting, ALEC Task Force Operating Procedures and ALEC Mission Statement (14 pages)
- Attendee Registration Housing Form and Spouse/Guest Registration Housing Form (2 pages)
- Model Legislation
- Energy, Environment and Agriculture Task Force Roster (not included but available upon request)

Hotel information: The Westin Charlotte is located at 601 South College Street, Charlotte, NC 28226.
Telephone: 1 866 837 4148. Website: www.westin.com/charlotte

If you have any questions or concerns regarding the meeting, please contact me at (202) 742-8542 or by e-mail twynn@alec.org.

Sincerely,
Todd Wynn

2012 ALEC SPRING TASK FORCE SUMMIT

May 11, 2012

The Westin Charlotte Hotel
601 South College Street • Charlotte, NC 28202



charlotte, north carolina
may 11, 2012

ATTENDEE REGISTRATION / HOUSING FORM

Early registration deadline: April 5, 2012

Housing cut-off date: April 5, 2012

spring task force summit

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions
Registration 202.742.8538 (Mon-Fri, 9am-5:00 pm Eastern)
Housing 1.866.837.4148

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Primary Address ☐ Business ☐ Home _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____
Emergency Contact Name _____ Day Phone _____ Evening Phone _____
Dietary Restrictions _____
☐ This is my first time attending an ALEC event. *Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form

REGISTRATION INFORMATION

Registration Fees

Note: Member fees are subject to verification

	Early Until April 5	Onsite Beginning April 6
<input type="checkbox"/> ALEC Legislative Task Force Member	\$ 150	\$ 150
<input type="checkbox"/> ALEC Private Sector Task Force Voting Member	\$ 250	\$ 250
<input type="checkbox"/> ALEC Non-Profit Task Force Voting Member	\$ 250	\$ 250
<input type="checkbox"/> ALEC Legislative Member/ Non-Task Force Member	\$ 300	\$ 400
<input type="checkbox"/> Private Sector Member/ Non-Task Force Member	\$ 550	\$ 650
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)/ Non-Task Force Member	\$ 475	\$ 575
<input type="checkbox"/> Legislative/ Non-Member	\$ 400	\$ 500
<input type="checkbox"/> Private Sector/ Non-Member	\$ 675	\$ 825
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 625	\$ 725
<input type="checkbox"/> Legislative Staff/ Government	\$ 400	\$ 500
<input type="checkbox"/> ALEC Alumni	\$ 350	\$ 450
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0

REGISTRATION FEE : \$ _____

Note: Registration forms with enclosed payments must be received by April 5, 2012 to be eligible for early bird registration rates. Forms and/or payments received after April 5, 2012 will be subject to on-site registration rates.

METHOD OF REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) ____/____ Signature _____

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5:00 pm Eastern April 5, 2012 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00 pm Eastern April 5, 2012. Registration fees may be transferred from one registrant to another. All refund requests must be made in writing and sent via email to meetings@alec.org or fax to 202-331-1344.

REGISTRATION CONFIRMATION INFORMATION Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS April 5, 2012

☐ I do not require a reservation at this time.

Arrival Date _____ Departure Date _____

☐ Sharing room with _____

Room type

<input type="checkbox"/> Single	(1 Adult)	\$ 139
<input type="checkbox"/> Double	(2 Adults)	\$ 139
<input type="checkbox"/> Triple	(3 Adults)	\$ 139
<input type="checkbox"/> Quad	(4 Adults)	\$ 139

Suites and upgraded accommodations are available upon request. Please call 1.866.837.4148 for additional information.

Special requests

☐ ADA room required:
____ Audio ____ Visual ____ Mobile

☐ Rollaway / crib: _____

☐ Other: _____

METHOD OF HOUSING PAYMENT

☐ Please use the same method of payment as above.

Credit Card: Credit Cards will be used to guarantee the reservation.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) ____/____ Signature _____

* All rates DO NOT include sales tax 15.25% (subject to change)

Note: Cutoff for reservations at the ALEC rate is April 5, 2012. After April 5, 2012, every effort will be made to accommodate new reservations, based on availability and rate.

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Please obtain a cancellation number when your reservation is cancelled.

2012 ALEC SPRING TASK FORCE SUMMIT

May 11, 2012

The Westin Charlotte Hotel
601 South College Street • Charlotte, NC 28202



charlotte, north carolina
may 11, 2012

spring task force summit

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
Registration: 202.742.8538

ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Last Name _____ First Name _____
Organization _____
Daytime phone _____
Email (*Confirmation will be sent by email*) _____

SPOUSE / GUEST REGISTRATION

SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____
Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____
Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____

SPOUSE / GUEST REGISTRATION FEES

☐ Spouse / Guest *please note name(s) above*

*Number of
Spouse/Guest(s)*

Fee

TOTAL

\$ 50

\$ _____

METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express

Card # _____

☐ Visa

Cardholder (*please print*) _____

☐ MasterCard

Exp Date (*mm/yy*) ____/____ Signature _____

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations are non-refundable after 5pm Eastern April 5, 2012.

Agenda

Thursday, May 10, 2012

Registration

3:00 p.m. – 7:00 p.m.

NC Welcome Reception

8:30 p.m. – 11:00 p.m.

Friday, May 11, 2012

Registration

7:30 a.m. – 2:00 p.m.

Task Force Subcommittee Meetings

8:00 a.m. – 9:45 a.m.

All Task Force members are welcome and encouraged to attend their Task Force's Subcommittee meetings.

Digital Learning Subcommittee

8:15 a.m. – 9:15 a.m.

Energy Subcommittee

8:15 a.m. – 9:15 a.m.

Fiscal Policy Reform Working Group

8:15 a.m. – 9:15 a.m.

Other Subcommittees to be Determined

Workshop:

9:30 – 10:45

All ALEC members are welcome to attend.

Workshop:

11:00 a.m. – 12:15 p.m.

All ALEC members are welcome to attend.

Task Force Lunch Meetings

1:00 p.m. – 2:00 p.m.

Task Forces will each begin serving at 12:45 for luncheon.

Task Force Meetings

2:00 p.m. – 5:15 p.m.

- Civil Justice
- Commerce, Insurance, and Economic Development
- Communications and Technology
- Education
- Energy, Environment and Agriculture
- Health and Human Services
- Public Safety and Elections
- Tax and Fiscal Policy

Spring Task Force Summit Reception

6:30 p.m. – 8:30 p.m.

ALEC ENERGY, ENVIRONMENT AND AGRICULTURE TASK FORCE MEETING

2012 SPRING TASK FORCE SUMMIT

CHARLOTTE, NC

MAY 11, 2012

2:00PM – 5:20PM

TENTATIVE AGENDA

2:00 Call to Order, Welcome, and Introductions

Representative David Wolkins, Indiana

Martin Shultz, Brownstein Hyatt Farber Shreck

2:10 Oil and Gas Prices

John Felmy, American Petroleum Institute

2:30 Model Resolution: Resolution on U.S. Conference of Mayors Climate Protection Agreement Accountability

2:45 Model Legislation: Solar Streamline Permitting Act

3:00 The Importance of Electricity Grid Modernization.

Edison Electric Institute speaker TBD

3:20 Blue Ribbon Commission on America's Nuclear Future Update

Michael McGarey, Nuclear Energy Institute

3:35 Model Resolution: Resolution Urging Quick Congressional Action on the Recommendations Of The Blue Ribbon Commission on America's Nuclear Future

3:45 Model Legislation: Intrastate Coal and Use Act

4:00 Model Legislation: Electricity Freedom Act

4:15 The Dirty Truth Behind Reusable Bags

Dr. Charles Gerba

4:35 Model Legislation: Pipeline Replacement and Infrastructure Modernization and Enhancement Act

4:50 Model Resolution: Resolution Supporting a Reasonable Compliance Timeline and Economy-wide Impact Study of EPA's Mercury and Air Toxics Rule

5:05 Model Resolution: Resolution Urging Passage of the Regulations from the Executive In Need of Scrutiny (REINS) Act

5:20 Adjourn

JOINT ENERGY AND AGRICULTURE SUBCOMMITTEE

2012 SPRING TASK FORCE SUMMIT

CHARLOTTE, NC

FRIDAY, MAY 11, 2012

7:10AM – 9:15AM

TENTATIVE AGENDA

- 7:10 a.m. Welcome and Introductions
Rep. Tom Lockhart, Wyoming
Michael McGarey, Nuclear Energy Institute
- 7:15 a.m. Model Legislation: Intrastate Coal and Use Act
- 7:30 a.m. Unfunded Federal Mandates on States Impacting Agriculture Production
Jeff Case, CropLife America
- 7:45 a.m. Model Legislation: Electricity Freedom Act
- 8:00 a.m. Model Legislation: Pipeline Replacement and Infrastructure Modernization and Enhancement Act
- 8:20 a.m. Model Resolution: Resolution Supporting a Reasonable Compliance Timeline and Economy- wide impact study of EPA's Mercury and Air Toxics Rule
- 8:35 a.m. Model Legislation: Solar Streamline Permitting Act
- 8:55 a.m. Model Resolution: Resolution Urging Quick Congressional Action on the Recommendations Of The Blue Ribbon Commission on America's Nuclear Future
- 9:10 a.m. For the Good of the Order
- 9:15 a.m. Adjournment

As the subcommittee time is limited, two model resolutions will be discussed at the Task Force meeting in detail versus being introduced at the subcommittee level first. The two resolutions are the *Resolution on U.S. Conference of Mayors Climate Protection Agreement Accountability* and the *Resolution Urging Passage of the Regulations from the Executive In Need of Scrutiny (REINS) Act*.



**Energy, Environment, and Agriculture Task Force Meeting
ALEC's 2011 States & the Nation Policy Summit
Scottsdale, Arizona
December 2, 2011
Meeting Minutes**

Meeting began at 2:00 pm.

The meeting was called to order by Task Force Co-Chairmen Rep. David Wolkins of Indiana and Michael McGarey of the Nuclear Energy Institute, who filled in for Martin Shultz of Brownstein Hyatt Farber Schreck.

Todd Myers of the Washington Policy Center presented on his new book, *Eco-Fads: How the Rise of Trendy Environmentalism is Harming the Environment*

The Task Force adopted the resolution introduced by Kyle Rodgers of the American Gas Association, *Resolution on Responsible Resource Development*

Leonard Gianessi presented on the importance of herbicides for sustainable agriculture.

The Task Force adopted *Resolution Requesting that the Federal Government Confer and Consult with the States on Management of Public Lands and Energy Resources*.

The Task Force adopted the *Disposal and Taxation of Public Lands Act*.

Robert Ferguson of the Science and Public Policy Institute spoke on threats to the U.S. power grid and implications for public policy.

The Task Force adopted the *Resolution in Support of Modernizing the Federal Toxic Substances Control Act of 1976*.

The Task Force adopted the *Resolution in Support of the Keystone XL Pipeline*.

Steve Pociask of the American Consumer Institute presented on a new report regarding economic facts and consumer opinions about expanding domestic energy production.

The Task Force adopted the *Disclosure of Hydraulic Fracturing Fluid Composition Act*.

The meeting adjourned at 5:00 pm.

Resolution Urging Quick Congressional Action on the Recommendations of The Blue Ribbon Commission on America's Nuclear Future

Whereas, nuclear utility ratepayers throughout the United States have contributed more than \$30 billion in fees and interest, as required under the Nuclear Waste Policy Act (NWPAct) of 1982, for the sole purpose of removing used nuclear fuel from commercial reactor sites and defense-related high-level radioactive waste from Department of Defense facilities, and

Whereas, the federal government failed to satisfy the statutory requirements of the NWPAct to begin accepting used fuel for disposal starting in 1998 and, indeed, has continued to fail to meet the terms of its contracts with U.S. nuclear plant operators, and

Whereas, the 104 operating U.S. commercial reactors have accumulated some 77,000 metric tons of used nuclear fuel, and

Whereas, the Obama Administration has terminated and Congress has ceased funding of all activities related to the license review or further development of a permanent central disposal repository at the Yucca Mountain site in Nevada, which has been the federal government's only intended destination for used fuel and defense-related waste, and

Whereas, the States of South Carolina and Washington, various communities and other parties remain involved in lawsuits attempting to compel the federal government to meet its obligations under the NWPAct, and

Whereas, the President in January, 2010, appointed a Blue Ribbon Commission on America's Nuclear Future comprised of distinguished American scientists and nuclear policymakers to review various alternative options and make recommendations for future safe management of U.S. commercial used nuclear fuel and defense waste, and

Whereas, The Blue Ribbon Commission has recommended an integrated nuclear fuel management program incorporating: 1) Development of one or more Nuclear Regulatory Commission-licensed private or government-owned centralized interim storage facilities in communities in states that would willingly host such facilities; 2) Continued public and private sector research, development and deployment of used fuel and nuclear waste recycling technologies to close the nuclear fuel cycle in a safe, environmentally responsible, proliferation-resistant and economically viable process; and 3) Assured access by the nuclear waste program to revenues generated by consumers' continued payments and to existing balances in the Nuclear Waste Fund: and

Whereas, These recommendations from the Blue Ribbon Commission align closely with long-standing policy adopted and endorsed by the American Legislative Exchange Council,

Resolved

Now therefore let it be Resolved that the American Legislative Exchange Council encourages State Legislatures to urge the Obama Administration and the U.S. Congress:

1. To adopt legislation enabling the construction of one or more centralized interim fuel storage facilities through directives to the U.S. Department of Energy and through incentives to interested communities funded through access to the accumulated Nuclear Waste Fund.
2. To recognize there are willing host communities and states that are ready to voluntarily accept used fuel and defense waste shipments.
3. To assure access by the Nuclear Waste Management program to the revenues generated by consumers' continuing fee payments and to the significant balance in the Nuclear Waste Fund.
4. To enable one or more NRC-licensed private interim storage facilities to meet this long-ignored public policy need.

Resolution on U.S. Conference of Mayors Climate Protection Agreement Accountability

Whereas, in 2005, the United States Conference of Mayors Climate Protection Agreement was created to encourage cities to reduce carbon emissions.

Whereas, the announcement of the Agreement says “supporting mayors pledge to reduce carbon dioxide emissions by 7 percent below 1990 levels by 2012” the levels included in the Kyoto Protocol.

Whereas, emissions in the United States were 7 percent higher in 2009 than 1990. Whereas, only nine states achieved the carbon reductions called for in the Kyoto Protocol.

Whereas, major cities, including Seattle which initiated the Climate Protection Agreement, have failed to meet the Kyoto targets.

Whereas, more than 1,000 cities across the country signed the agreement.

Whereas, the Agreement calls upon cities to “Inventory global warming emissions in City operations and in the community.”

Whereas, the Agreement says the cities’ ability to meet the targets will indicate that the United States should commit itself to significant carbon emissions reductions.

Be it resolved that the cities within the state of _____ which are signatories to the US Conference of Mayors Climate Protection Agreement:

1. Provide evidence by the end of 2012 whether they have achieved the goals outlined in the Agreement, or if they failed to do so.
2. Report the results to the US Conference of Mayors for compilation in a final assessment of the results of the Agreement.
3. Cities that have failed to achieve the target will remove themselves as signatories to the Climate Protection Agreement.

List of Signatories **US Conference of Mayors Climate Protection Agreement**

Auburn, AL	Beverly Hills, CA	Laguna Beach, CA	Portola Valley, CA
Bessemer, AL	Burbank, CA	Laguna Hills, CA	Rancho Palos Verdes, CA
Huntsville, AL	Burlingame, CA	Laguna Woods, CA	Redlands, CA
Opelika, AL	Calabasas, CA	Lakewood, CA	Redondo Beach, CA
Selma, AL	Calistoga, CA	Lemoore, CA	Redwood City, CA
Troy, AL	Campbell, CA	Long Beach, CA	Rialto, CA
Tuscaloosa, AL	Capitola, CA	Los Altos, CA	Richmond, CA
Anchorage, AK	Chico, CA	Los Altos Hills, CA	Riverside, CA
Juneau, AK	Chino, CA	Los Angeles, CA	Rohnert Park, CA
North Pole, AK	Chula Vista, CA	Los Gatos, CA	Rolling Hills Estates, CA
Shishmaref, AK	Citrus Heights, CA	Malibu, CA	Sacramento, CA
Sitka, AK	Claremont, CA	Mammoth Lakes, CA	Salinas, CA
Apache Junction, AZ	Cloverdale, CA	Manhattan Beach, CA	San Bernardino, CA
Bisbee, AZ	Colma, CA	Marina, CA	San Bruno, CA
Buckeye, AZ	Concord, CA	Menlo Park, CA	San
Bullhead City, AZ	Cotati, CA	Mill Valley, CA	Buenaventura, CA
Flagstaff, AZ	Culver City, CA	Millbrae, CA	San Diego, CA
Gilbert, AZ	Cupertino, CA	Monterey, CA	San Fernando, CA
Goodyear, AZ	Del Mar, CA	Monterey Park, CA	San Francisco, CA
Mesa, AZ	Dublin, CA	Moorpark, CA	San Gabriel, CA
Oro Valley, AZ	El Cajon, CA	Moraga, CA	San Jose, CA
Peoria, AZ	El Cerrito, CA	Morgan Hill, CA	San Leandro, CA
Phoenix, AZ	Elk Grove, CA	Morro Bay, CA	San Luis Obispo, CA
Tucson, AZ	Fairfax, CA	Mountain View, CA	San Mateo, CA
Winslow, AZ	Fairfield, CA	Napa, CA	San Rafael, CA
Eureka Springs, AR	Fremont, CA	Newark, CA	Santa Ana, CA
Fayetteville, AR	Galt, CA	Novato, CA	Santa Barbara, CA
Fort Smith, AR	Gilroy, CA	Oakland, CA	Santa Clara, CA
Little Rock, AR	Glendora, CA	Pacific Grove, CA	Santa Cruz, CA
North Little Rock, AR	Hayward, CA	Pacifica, CA	Santa Monica, CA
Alameda, CA	Healdsburg, CA	Palm Springs, CA	Santa Rosa, CA
Albany, CA	Hemet, CA	Palo Alto, CA	Saratoga, CA
Aliso Viejo, CA	Hermosa Beach, CA	Paradise, CA	Sausalito, CA
Arcata, CA	Hillsborough, CA	Pasadena, CA	Sebastopol, CA
Atascadero, CA	Huntington Beach, CA	Petaluma, CA	
Atherton, CA	Imperial Beach, CA	Pleasanton, CA	
Avalon, CA	Irvine, CA		
Beaverton, CA	La Mesa, CA		
Benicia, CA	Lafayette, CA		
Berkeley, CA			

Sierra Madre, CA
Signal Hill, CA
Solana Beach, CA
Sonoma, CA
South San Francisco, CA
Stockton, CA
Sunnyvale, CA
Thousand Oaks, CA
Torrance, CA
Tulare, CA
Vallejo, CA
Visalia, CA
Vista, CA
West Hollywood, CA
West Sacramento, CA
Whittier, CA
Windsor, CA
Winters, CA
Yountville, CA
Yucaipa, CA
Aspen, CO
Basalt, CO
Boulder, CO
Carbondale, CO
Denver, CO
Dillon, CO
Durango, CO
Frisco, CO
Glenwood Springs, CO
Gunnison, CO
Ignacio, CO
Nederland, CO
New Castle, CO
Pagosa Springs, CO
Telluride, CO
Town of Crested Butte, CO
Westminster, CO
Bloomfield, CT
Bridgeport, CT

Easton, CT
Fairfield, CT
Hamden, CT
Hartford, CT
Ledyard, CT
Mansfield, CT
Meriden, CT
Middletown, CT
Milford, CT
New Haven, CT
New London, CT
Newtown, CT
Norwich, CT
Ridgefield, CT
Stamford, CT
Stratford, CT
West Hartford, CT
Willimantic, CT
Dover, DE
Newark, DE
Wilmington, DE
Washington, DC
Atlantic Beach, FL
Aventura, FL
Bonita Springs, FL
Cape Coral, FL
Clearwater, FL
Coconut Creek, FL
Cooper City, FL
Coral Gables, FL
Coral Springs, FL
Cutler Bay, FL
Dania Beach, FL
Davie, FL
Deerfield Beach, FL
Delray Beach, FL
Doral, FL
Edgewater, FL
Fort Lauderdale, FL
Fort Myers, FL

Fort Pierce, FL
Gainesville, FL
Greenacres, FL
Gulfport, FL
Hallandale Beach, FL
Hialeah, FL
Holly Hill, FL
Hollywood, FL
Hypoluxo, FL
Jacksonville, FL
Key Biscayne, FL
Key West, FL
Lake Worth, FL
Lakeland, FL
Largo, FL
Lauderdale Lakes, FL
Lauderhill, FL
Layton, FL
Leesburg, FL
Margate, FL
Melbourne, FL
Miami, FL
Miami Beach, FL
Miami Gardens, FL
Miami Lakes, FL
Miramar, FL
Naples, FL
New Smyrna Beach, FL
North Miami, FL
North Miami Beach, FL
Oakland Park, FL
Orlando, FL
Palm Bay, FL
Palm Beach, FL
Palm Beach Gardens, FL
Palm Beach Shores, FL
Palmetto Bay, FL
Parkland, FL

Pembroke Park, FL
Pembroke Pines, FL
Pinecrest, FL
Plantation, FL
Pompano Beach, FL
Port St. Lucie, FL
Sarasota, FL
South Bay, FL
South Miami, FL
St. Augustine Beach, FL
Sunny Isles Beach, FL
Sunrise, FL
Sweetwater, FL
Tallahassee, FL
Tamarac, FL
Tampa, FL
Tarpon Springs, FL
Treasure Island, FL
Vero Beach, FL
West Palm Beach, FL
West Park, FL
Wilton Manors, FL
Alpharetta, GA
Athens, GA
Atlanta, GA
Augusta, GA
Decatur, GA
East Point, GA
Macon, GA
Roswell, GA
Savannah, GA
Tybee Island, GA
Hilo, HI
Honolulu, HI
Kauai, HI
Maui, HI
Bellevue, ID

Boise, ID
Hailey, ID
Idaho Falls, ID
Pocatello, ID
Sandpoint, ID
Sun Valley, ID
Algonquin, IL
Alton, IL
Aurora, IL
Belleville, IL
Berwyn, IL
Blue Island, IL
Bolingbrook, IL
Carbondale, IL
Carol Stream, IL
Chicago, IL
Collinsville, IL
Deerfield, IL
Des Plaines, IL
East Peoria, IL
Edwardsville, IL
Elgin, IL
Elmhurst, IL
Evanston, IL
Glen Carbon, IL
Hazel Crest, IL
Highland Park, IL
Hoffman Estates, IL
Homewood, IL
Joliet, IL
Lake Forest, IL
Lake in the Hills, IL
Lombard, IL
Manhattan, IL
Minooka, IL
Moline, IL
Normal, IL
Northbrook, IL
Oak Lawn, IL
Oak Park, IL
Orland Park, IL
Oswego, IL
Palatine, IL
Park Forest, IL

Parkridge, IL
Pecatonica, IL
Peru, IL
Plainfield, IL
Rock Falls, IL
Rock Island, IL
Rolling Meadows, IL
Schaumburg, IL
South Roxana, IL
Spring Valley, IL
Springfield, IL
Urbana, IL
Villa Park, IL
Waukegan, IL
Westmont, IL
Wilmette, IL
Bloomington, IN
Carmel, IN
Columbus, IN
Evansville, IN
Fort Wayne, IN
Garrett, IN
Gary, IN
Greencastle, IN
Indianapolis, IN
Jeffersonville, IN
Michigan City, IN
New Albany, IN
Richmond, IN
South Bend, IN
Valparaiso, IN
Whiting, IN
Altoona, IA
Ames, IA
Audubon, IA
Aurelia, IA
Bellevue, IA
Carlisle, IA
Cedar Falls, IA
Cedar Rapids, IA
Charles City, IA
Clive, IA
coralville, IA
Crystal Lake, IA
Davenport, IA

Decorah, IA
Des Moines, IA
Dubuque, IA
Fairbank, IA
Fairfield, IA
Grafton, IA
Hiawatha, IA
Iowa City, IA
Lawler, IA
Lawton, IA
Neola, IA
Rake, IA
Sageville, IA
Shenandoah, IA
Sioux City, IA
Spirit Lake, IA
Steamboat Rock, IA
Wapello, IA
West Des Moines, IA
Windsor Heights, IA
Woolstock, IA
Fairway, KS
Kansas, KS
Lansing, KS
Lawrence, KS
Merriam, KS
Mission, KS
Prairie Village, KS
Roeland Park, KS
Shawnee, KS
Topeka, KS
Westwood, KS
Westwood Hills, KS
Bowling Green, KY
Frankfort, KY
Lexington, KY
Louisville, KY
Owensboro, KY
Prospect, KY
Villa Hills, KY

Alexandria, LA
Baton Rouge, LA
Grand Coteau, LA
New Orleans, LA
Belfast, ME
Biddeford, ME
Bowdoinham, ME
Cape Elizabeth, ME
Falmouth, ME
Kennebunk, ME
Kennebunkport, ME
Lewiston, ME
Montville, ME
Portland, ME
Saco, ME
South Portland, ME
Town of
Cranberry Isles, ME
Waterville, ME
Yarmouth, ME
Annapolis, MD
Baltimore, MD
Brunswick, MD
Chestertown, MD
Chevy Chase, MD
Edmonston, MD
Gaithersburg, MD
Kensington, MD
Laurel, MD
Rockville, MD
Salisbury, MD
Sykesville, MD
Takoma Park, MD
Acton, MA
Amesbury, MA
Beverly, MA
Boston, MA
Brockton, MA
Cambridge, MA
Chelmsford, MA
Fitchburg, MA
Gloucester, MA

Greenfield, MA
Hopkinton, MA
Hull, MA
Lawrence, MA
Leominster, MA
Lowell, MA
Malden, MA
Marlborough, MA
Medford, MA
Melrose, MA
New Bedford, MA
Newburyport, MA
Newton, MA
Northampton, MA
Pittsfield, MA
Provincetown, MA
Salem, MA
Somerville, MA
Springfield, MA
Sudbury, MA
Truro, MA
Weymouth, MA
Worcester, MA
Ann Arbor, MI
Battle Creek, MI
Berkley, MI
Dearborn Heights, MI
Detroit, MI
East Lansing, MI
Ferndale, MI
Flint, MI
Grand Rapids, MI
Holland, MI
Kalamazoo, MI
Lansing, MI
Marquette, MI
Meridian
Township, MI
Muskegon, MI
Pittsfield Charter Township, MI
Portage, MI
Roseville, MI

Royal Oak, MI
Saline, MI
Southfield, MI
Southgate, MI
Sturgis, MI
Suttons Bay, MI
Taylor, MI
Township of West Bloomfield, MI
Traverse City, MI
Warren, MI
Waterford, MI
Westland, MI
Ypsilanti, MI
Apple Valley, MN
Aurora, MN
Austin, MN
Bemidji, MN
Brooklyn Center, MN
Buhl, MN
Burnsville, MN
Chisholm, MN
Crystal, MN
Duluth, MN
Eagan, MN
Eden Prairie, MN
Edina, MN
Falcon Heights, MN
Golden Valley, MN
Hibbing, MN
Hutchinson, MN
International Falls, MN
Inver Grove Heights, MN
Lake City, MN
Mahtomedi, MN
Mankato, MN
Maplewood, MN
Milan, MN
Minneapolis, MN
Minnetonka, MN
Mount Iron, MN

Nevis, MN
Oak Park Heights, MN
Park Rapids, MN
Red Wing, MN
Rochester, MN
Rosemount, MN
Roseville, MN
Sauk Rapids, MN
St. Cloud, MN
St. Paul, MN
Sunfish Lake, MN
Tower, MN
Turtle River, MN
Virginia, MN
Waseca, MN
White Bear Lake, MN
Winona, MN
Woodbury, MN
Hattiesburg, MS
Jackson, MS
Meridian, MS
Tupelo, MS
Clayton, MO
Columbia, MO
Creve Coeur, MO
Florissant, MO
Gladstone, MO
Houston Lake, MO
Kansas City, MO
Kirkwood, MO
Lake Saint Louis, MO
Liberty, MO
Maplewood, MO
North Kansas, MO
Overland, MO
Parkville, MO
Pleasant Valley, MO
Raytown, MO
Richmond Heights, MO

Riverside, MO
St. Louis, MO
St. Peters, MO
Sunset Hills, MO
University City, MO
Billings, MT
Bozeman, MT
Helena, MT
Missoula, MT
Red Lodge, MT
Bellevue, NE
Lincoln, NE
Omaha, NE
Henderson, NV
Las Vegas, NV
Mesquite, NV
Reno, NV
Sparks, NV
Concord, NH
Dover, NH
Hanover, NH
Keene, NH
Lebanon, NH
Manchester, NH
Nashua, NH
Portsmouth, NH
Rochester, NH
Alexandria
Township, NJ
Asbury Park, NJ
Atlantic City, NJ
Atlantic Highlands, NJ
Bayonne, NJ
Bayville, NJ
Beachwood, NJ
Berkeley Township, NJ
Bloomfield, NJ
Bordentown, NJ
Borough of Bay Head, NJ
Borough of Point Pleasant, NJ

Bradley Beach, NJ
Brick, NJ
Budd Lake, NJ
Buena Vista Township, NJ
Caldwell, NJ
Cape May, NJ
Cherry Hill, NJ
Cliffside Park Borough, NJ
Closter, NJ
Cranbury, NJ
Cranford, NJ
Demarest, NJ
Denville, NJ
East Orange, NJ
Elizabeth, NJ
Englewood, NJ
Ewing Township, NJ
Fair Lawn, NJ
Frelinghuysen Township, NJ
Galloway Township, NJ
Greenwich Township, NJ
Haledon, NJ
Hamburg, NJ
Hamilton, NJ
Hanover, NJ
Haworth, NJ
Highland Park, NJ
Hightstown, NJ
Holmdel, NJ
Hope, NJ
Hopewell, NJ
Hopewell Township, NJ
Irvington, NJ
Island Heights, NJ
Jersey City, NJ
Kearny, NJ
Lake Como, NJ
Lambertville, NJ

Leonia, NJ
Linden, NJ
Linwood, NJ
Long Beach, NJ
Long Branch, NJ
Long Hill Township, NJ
Longport, NJ
Manahawkin, NJ
Manchester, NJ
Mantua, NJ
Maple Shade, NJ
Margate City, NJ
Marlton, NJ
Middletown, NJ
Millburn, NJ
Montclair, NJ
Neptune, NJ
New Egypt, NJ
Newark, NJ
Northvale, NJ
Nutley, NJ
Ocean City, NJ
Ocean Gate, NJ
Ocean Township, NJ
Parsippany-Troy Hills, NJ
Pennington, NJ
Pine Beach, NJ
Pine Hill, NJ
Piscataway, NJ
Pittsgrove, NJ
Plainfield, NJ
Point Pleasant Beach, NJ
Princeton Borough, NJ
Princeton Township, NJ
Red Bank, NJ
Ridgewood, NJ
Ringwood, NJ
Riverside, NJ
Robbinsville, NJ
Rockaway, NJ

Runnemede, NJ
Saddle Brook, NJ
Somerset, NJ
Somerville, NJ
South Brunswick, NJ
Summit, NJ
Teaneck, NJ
Tenaflly, NJ
Township of Elk, NJ
Township of Toms River, NJ
Trenton, NJ
Union, NJ
Vineland, NJ
Washington Township, NJ
West Caldwell, NJ
West Milford, NJ
West Orange, NJ
West Windsor, NJ
Westfield, NJ
Alamogordo, NM
Albuquerque, NM
Capitan, NM
Las Cruces, NM
Peralta, NM
Rio Rancho, NM
Ruidoso, NM
Santa Fe, NM
Silver City, NM
Taos, NM
Albany, NY
Babylon, NY
Binghamton, NY
Brighton, NY
Brookhaven, NY
Buffalo, NY
Canandaigua, NY
Cortland Manor, NY
Croton on Hudson, NY
Dobbs Ferry, NY

Glen Cove, NY
Glens Falls, NY
Greenburgh, NY
Hempstead, NY
Hornell, NY
Hudson, NY
Irondequoit, NY
Irvington, NY
Ithaca, NY
Lake Placid, NY
Montebello, NY
Mount Kisco, NY
Mount Vernon, NY
New Rochelle, NY
New York, NY
Niagara Falls, NY
Nyack, NY
Oneonta, NY
Orangetown, NY
Ossining, NY
Quogue, NY
Rochester, NY
Rockville Centre, NY
Saranac Lake, NY
Saratoga Springs, NY
Schenectady, NY
Southampton Village, NY
Southold, NY
Syracuse, NY
Tarrytown, NY
Upper Nyack, NY
Utica, NY
Warwick, NY
Watervliet, NY
White Plains, NY
Williamsville, NY
Yonkers, NY
Asheville, NC
Beaufort, NC
Bethania, NC

Black Mountain, NC
Boone, NC
Brevard, NC
Burlington, NC
Carrboro, NC
Cary, NC
Chapel Hill, NC
Charlotte, NC
Cherryville, NC
Chimney Rock, NC
Clyde, NC
Concord, NC
Davidson, NC
Dunn, NC
Durham, NC
Flat Rock, NC
Gastonia, NC
Greensboro, NC
Greenville, NC
Highlands, NC
Indian Trail, NC
Kings Mountain, NC
Kinston, NC
Lewisville, NC
Lincolnton, NC
New Bern, NC
Oak City, NC
Pilot Mountain, NC
Pleasant Garden, NC
Raleigh, NC
Rocky Mount, NC
Salisbury, NC
Snow Hill, NC
Surf City, NC
Tryon, NC
Village of Bald Head Island, NC
Wake Forest, NC
Waynesville, NC
Wilmington, NC

Winston-Salem, NC
Fargo, ND
Grand Forks, ND
Saipan, MP
Akron, OH
Alliance, OH
Athens, OH
Brooklyn, OH
Canton, OH
Cincinnati, OH
Cleveland, OH
Cleveland Heights, OH
Columbus, OH
Dayton, OH
East Palestine, OH
Garfield Heights, OH
Kent, OH
Kettering, OH
Lima, OH
Marshallville, OH
Massillon, OH
North Olmsted, OH
Orrville, OH
Parma, OH
Rittman, OH
South Euclid, OH
Stow, OH
Toledo, OH
Walton Hills, OH
Warren, OH
West Salem, OH
Westlake, OH
Willoughby Hills, OH
Youngstown, OH
Zanesville, OH
Norman, OK
Shawnee, OK
Albany, OR
Ashland, OR
Beaverton, OR

Bend, OR
Corvallis, OR
Eugene, OR
Forest Grove, OR
Gladstone, OR
Gresham, OR
Hillsboro, OR
Lake Oswego, OR
Lincoln City, OR
Milwaukie, OR
Oregon City, OR
Portland, OR
Vernonia, OR
Allentown, PA
Bethlehem, PA
Braddock, PA
Dunmore, PA
Easton, PA
Erie, PA
Forest Hills, PA
Harrisburg, PA
Kutztown, PA
Lancaster, PA
Leechburg, PA
Lower Makefield, PA
Marple Township, PA
Millbourne, PA
Narberth, PA
Newtown, PA
Oxford, PA
Philadelphia, PA
Pittsburgh, PA
Reading, PA
Scranton, PA
Towanda, PA
Whitehall Township, PA
Wilkes-Barre, PA
York, PA
Aguadilla, PR
Aibonito, PR
Barranquitas, PR
Caguas, PR
Camuy, PR

Carolina, PR
Cayey, PR
Cidra, PR
Comerio, PR
Guayanilla, PR
Guaynabo, PR
Hormigueros, PR
Humacao, PR
Isabela, PR
Jayuya, PR
Juncos, PR
Las Marías, PR
Moca, PR
San Juan, PR
Utuado, PR
Vega Baja, PR
Yauco, PR
Pawtucket, RI
Portsmouth, RI
Providence, RI
Warwick, RI
Charleston, SC
Clemson, SC
Columbia, SC
Greenville, SC
Greenwood, SC
Lexington, SC
Rock Hill, SC
Sumter, SC
Huron, SD
Spearfish City, SD
Chattanooga, TN
Cookeville, TN
Crossville, TN
Franklin, TN
Manchester, TN
Nashville, TN
Signal Mountain, TN
Addison, TX
Arlington, TX
Austin, TX
Carrollton, TX
College Station, TX

Coppell, TX
Corsicana, TX
Dallas, TX
Denton, TX
Edinburg, TX
El Paso, TX
Euless, TX
Fairview, TX
Fort Worth, TX
Frisco, TX
Garland, TX
Hurst, TX
Hutto, TX
Laguna Vista, TX
Laredo, TX
McKinney, TX
Mount Vernon,
TX
Plano, TX
Port Isabel, TX
Richardson, TX
San Antonio, TX
Shavano Park, TX
South Padre
Island, TX
Sugar Land, TX
Texarkana, TX
Westlake, TX
Moab, UT

Park City, UT
Salt Lake City,
UT
South Salt Lake,
UT
Burlington, VT
Montpelier, VT
Alexandria, VA
Blacksburg, VA
Charlottesville,
VA
Covington, VA
Newport News,
VA
Norfolk, VA
Portsmouth, VA
Richmond, VA
Salem, VA
Virginia Beach,
VA
Williamsburg, VA
Auburn, WA
Bainbridge Island,
WA
Battle Ground,
WA
Bellevue, WA
Bellingham, WA
Bremerton, WA

Burien, WA
Camas, WA
Carnation, WA
Clyde Hill, WA
Coupeville, WA
Edmonds, WA
Everett, WA
Ferndale, WA
Issaquah, WA
Kirkland, WA
Lacey, WA
Lake Forest Park,
WA
Lynnwood, WA
Olympia, WA
Pacific, WA
Redmond, WA
Renton, WA
Sammamish, WA
Seattle, WA
Shoreline, WA
Snoqualmie, WA
Spokane, WA
Tacoma, WA
Tukwila, WA
Tumwater, WA
Vancouver, WA
Washougal, WA

Yarrow Point,
WA
Fayetteville, WV
Morgantown, WV
Oak Hill, WV
Shepherdstown,
WV
Ashland, WI
Bayfield, WI
Evansville, WI
Fitchburg, WI
Greenfield, WI
Kenosha, WI
La Crosse, WI
Madison, WI
Menomonie, WI
Milwaukee, WI
New Berlin, WI
Oshkosh, WI
Racine, WI
River Falls, WI
Stevens Point, WI
Superior, WI
Washburn, WI
Waukesha, WI
Wauwatosa, WI
West Allis, WI
Jackson, WY



Solar Streamline Permitting Act

SECTION 1. The Legislature finds and declares all of the following:

- A) Various reports show that the permitting costs and process associated with solar distributed generation installation varies widely across jurisdictions in the state.
- B) High permitting fees and a lengthy and burdensome permitting process increase the cost of installations and reduce the ability for solar to be deployed across all income spectrums.
- C) A streamlined, consistent process for installations of solar distributed generation technology on residential and commercial property will eliminate unnecessary waste and variability across jurisdictions, increase the deployment of solar distributed generation, provide solar customers greater installation ease and create jobs in this state.
- D) The state can assist local jurisdictions in deploying this technology by developing statewide building standards and recommendations for the installation of basic solar equipment on residential and commercial property to ensure safe, reasonable and consistent enforcement.
- E) The appropriate state commission shall develop a model ordinance and guidelines that can assist local agencies to develop building standards and permitting processes for solar distributed generation technology on residential and commercial property. The commission shall post the model ordinance and guidelines on its internet website.
- F) The state encourages local jurisdictions to develop or amend their building standards and permitting processes to ensure there exists a low cost, streamlined process for deployment and installation of solar distributed generation technology on residential and commercial property.

SECTION 2.

A) *Option 1:* No city, county, or city and county, with a population of over fifty thousand residents (50,000) shall charge solar rooftop permit fees of over five hundred dollars (\$500) for residential solar systems and one thousand dollars (\$1000) for commercial solar systems

Option 2: No city, county, or city and county, may charge permit fees to install a solar system that, in aggregate, exceed the lesser of the city or county's actual costs in issuing the permit or five hundred dollars (\$500) for a residential application or one thousand dollars (\$1000) for a nonresidential application if the device or system produces fewer than two megawatts of direct current electricity or an equivalent-sized solar system for retail electricity generation.

B) Every city, county, or city and county must create an electronic submittal process that is open to the public for permit applications

C) A city, county, or city and county shall submit a report to the state commission, no later than December 1, 2013, with the following information:

1) A finding that they have adopted fees in accordance with Section 2(A) related to the issuance of the solar installation permit.

2) An electronic submittal process for permit applications is available to the public.



COMMON CAUSE
Holding Power Accountable

Intrastate Coal and Use Act

Whereas the Tenth Amendment to the United States Constitution guarantees to the states and their people all powers not granted to the federal government elsewhere in the Constitution and reserves to the people and the Commonwealth/State of **{insert state}** certain powers as they were understood at the time that **{insert state}** was admitted to statehood in **{insert state}**. The guaranty of those powers is a matter of contract between the people and **{insert state}** and the United States as of the time that the compact with the United States was agreed upon and adopted by **{insert state}** and the United States in **{insert state}**.

Whereas the Ninth Amendment to the United States Constitution guarantees to the people rights not granted in the Constitution and reserves to the people of **{insert state}** certain rights as they were understood at the time that **{insert state}** was admitted to statehood in **{insert state}**. The guaranty of those rights is a matter of contract between the people and the Commonwealth/State of **{insert state}** and the United States as of the time that the compact with the United States was agreed upon and adopted by **{insert state}** and the United States in **{insert state}**.

Whereas the regulation of intrastate commerce, including the natural environment as affected by intrastate business, is vested in the states under the Ninth and Tenth Amendments to the United States Constitution and is specifically retained by the state of **{insert state}**.

Section 1. Definitions.

As used in this article, the following definitions apply:

(A) "Borders of **{insert state}** " means the boundaries of the Commonwealth/State of **{insert state}** described in the **{insert state}** Constitution.

(B) The term "coal mine" means those operations removing coal from a coal seam or seams, whether aboveground or underground.

(C) "Chemically altered coal product" means any product derived principally from coal, including, but not limited to, coke or liquid fuels derived from coal by any process.

Section 2. Requirements.

(A) In light of the above findings, environmental regulation in **{insert state}** for all purposes of regulating business activity performed in **{insert state}**, when the products of such business activities are held, maintained, or retained within the borders of **{insert state}**, is the principal responsibility of the **{insert state}** Department of Environmental Protection Energy Development and Independence.

(B) Any **{insert state}** coal mine producing coal which is used commercially or privately in **{insert state}** and which is consumed or otherwise remains within the borders of **{insert state}** and any **{insert state}** facility producing chemically altered coal products used commercially or privately which remain within the borders of **{insert state}** shall be issued a permit to operate by

the **{insert state}** Department of Environmental Protection once the **{insert state}** Department of Environmental Protection has certified that the mine or facility is compliant with all applicable state and federal laws or state and federal regulation.

(C) A sample from each vein of coal in a mine and a sample of coal from each **{insert state}** source used at a facility producing a chemically altered coal product shall be placed on record with the **{insert state}** Department of Environmental Protection to verify the **{insert state}** origin of the coal produced and used.

(D) The **{insert state}** Legislature declares that the United States Environmental Protection Agency, acting under the color of authority of Congress to regulate interstate commerce, lacks the authority to deny permits of operation to such coal mines and facilities as the products of these mines and facilities have not traveled in interstate commerce.

(E) This article applies to coal and to any chemically altered coal product mined or produced in **{insert state}** from basic materials which can be manufactured without the inclusion of any significant components imported from another state.

(F) This article applies only to the issuance of a permit of operation to a coal mine or facility producing chemically altered coal products, the issuance of which permit is required by the Clean Water Act or by another equivalent state or federal statute or regulation. Nothing in this section shall be construed to limit the effect of any other state or federal statute or regulation.

NOTE: The purpose of this bill is to create the Intrastate Coal and Use Act. The bill establishes that the environmental regulation of coal and certain coal products mined and used within the commonwealth are exclusively regulated by the **{insert state}** Department of Environmental Protection. The bill states the legislative authority and defines terms.

Electricity Freedom Act

Summary: The Electricity Freedom Act repeals the State of {insert state}'s requirement that electric distribution utilities and electric services companies provide _____ percent of their electricity supplies from renewable energy sources by ____.

WHEREAS, forcing business, industry, and ratepayers to use renewable energy through a government mandate will increase the cost of doing business and push companies to do business with other states or nations, thereby decreasing American competitiveness;

WHEREAS, wind and solar power currently cost more than traditional electricity generation technologies, and are projected to do so for the foreseeable future;

WHEREAS, the costs of renewable energy will be borne by consumers regardless of income or circumstances;

WHEREAS, the costs of renewable energy that are not directly internalized are financed by taxpayers through numerous state and federal financial incentives;

WHEREAS, forcing renewable energy sources such as wind or solar will impose the additional burden of integrating intermittent and unreliable energy onto the electricity grid and threatening electricity reliability;

WHEREAS, the costs of such expensive transmission projects are also financed by ratepayers;

WHEREAS, no state or nation has enhanced economic opportunities for its citizens or increased Gross Domestic Product through renewable energy mandates;

WHEREAS, due to the renewable energy mandate a tremendous amount of economic growth is sacrificed for a reduction in greenhouse gas emissions that would have no appreciable impact on global concentrations of greenhouse gases;

WHEREAS, government is not equipped with the knowledge or incentives to make effective economic decisions regarding which energy sources utilities should use to produce electricity;

WHEREAS, government mandates to produce renewable energy necessarily involve increasing costs for ratepayers while benefiting politically favored industries;

WHEREAS, primary emissions standards that leave to the marketplace the choice of compliance technologies can address air quality standards more efficiently than "technology forcing" mandates; and

WHEREAS, technological advances continue to reduce the rate of air emissions from all fossil fuel sources where vibrant market economies are allowed to exist;

THEREFORE LET IT BE RESOLVED, that the legislature of the State of _____ understands that a renewable energy mandate is essentially a tax on consumers of electricity that forces the use of renewable energy sources beyond what would be called for by real market forces and under conditions of real competition in generation resources; and

BE IT FURTHER RESOLVED, that the State of {insert state} does not wish to discourage the marketing of “green” power and “green” pricing such that willing buyers and sellers of renewable energy sources are free to negotiate the terms and conditions of such sales, and no technology or class of technologies is given an unfair competitive advantage; and

BE IT THEREFORE ENACTED, that the State of {insert state} repeals the renewable energy mandate and as such, no electric distribution utilities and electric services companies will be forced to procure renewable energy resources as defined by the State of {insert state}'s renewable energy mandate.

Pipeline Replacement and Infrastructure Modernization and Enhancement Act

Section 1. Short Title.

This Act may be called the Pipeline Replacement and Infrastructure Modernization and Enhancement Act (PRIME).

Section 2. Purpose.

The purpose of this Act is to accelerate the replacement of any existing deteriorating natural gas pipe with upgraded pipe by allowing utilities to immediately recover eligible costs of the replacement through a plan filed with and approved by the state public utility commission. The Act is intended to remove any limits in utilities' ability to make needed natural gas pipeline replacements that will improve reliability of the system and reduce repairs, maintenance costs, and service interruptions for ratepayers.

Section 3. Definitions. As used in this Act:

(A) "Commission" means the state public service commission.

(B) "Eligible infrastructure replacement" means natural gas utility facility replacement projects that: (1) enhance safety or reliability by reducing system integrity risks associated with customer outages, corrosion, equipment failures, material failures, or natural forces; (2) do not increase revenues by directly connecting the infrastructure replacement to new customers; (3) are commenced on or after [January 1, 20XX]; and (4) are not included in the natural gas utility's rate base in its most recent rate case using the cost of service methodology, or the natural gas utility's rate base included in rate base schedules filed with a performance-based regulation plan, if the plan did not include the rate base.

(C) "Eligible infrastructure replacement costs" includes the following:

1. Return on the investment. In calculating the return on the investment, the Commission shall use the natural gas utility's regulatory capital structure as calculated utilizing the weighted average cost of capital, including the cost of debt and the cost of equity used in determining the natural gas utility's base rates in effect during the construction period of the eligible infrastructure replacement project. If the natural gas utility's cost of capital underlying the base rates in effect at the time its proposed PRIME plan is filed has not been changed by order of the Commission within the preceding five years, the Commission may require the natural gas utility to file an updated weighted average cost of capital, and the natural gas utility may propose an updated weighted average cost of capital. The natural gas utility may recover the external costs associated with establishing its updated weighted average cost of capital through the PRIME rider. Such external costs shall include legal costs and consultant costs;

2. Revenue Conversion Factor. A revenue conversion factor, including income taxes and an allowance for bad debt expense, shall be applied to the required operating income resulting from the eligible infrastructure replacement costs;

3. Depreciation. In calculating depreciation, the Commission shall use the natural gas utility's current depreciation rates;

4. Property taxes; and

5. Carrying costs on the over- or under-recovery of the eligible infrastructure replacement costs. In calculating the carrying costs, the Commission shall use the natural gas utility's regulatory capital structure as determined in Subsection 1 of the definition of eligible infrastructure replacement costs.

(D) "Investment" means costs incurred on eligible infrastructure replacement projects including planning, development, and construction costs; costs of infrastructure associated therewith; and an allowance for funds used during construction. In calculating the allowance for funds used during construction, the Commission shall use the natural gas utility's actual regulatory capital structure as determined in Subsection 1 of the definition of eligible infrastructure replacement costs.

(E) "Natural gas utility" means any investor-owned public service company engaged in the business of furnishing natural gas service to the public.

(F) "Natural gas utility facility replacement project" means the replacement of storage, peak shaving, transmission or distribution facilities used in the delivery of natural gas or supplemental or substitute forms of gas sources by a natural gas utility.

(G) "PRIME plan" means a plan filed by a natural gas utility that identifies proposed eligible infrastructure replacement projects and a PRIME rider.

(H) "PRIME rider" means a recovery mechanism that will allow for recovery of the eligible infrastructure replacement costs, through a separate mechanism from the customer rates established in a rate case using the cost of service methodology, or a performance-based regulation plan.

Section 4. Filing of petition with Commission to establish or amend a PRIME plan; recovery of certain costs; procedure.

A. Notwithstanding any provisions of law to the contrary, a natural gas utility may file a PRIME plan as provided in this Act. Such a plan shall provide for a timeline for completion of the proposed eligible infrastructure replacement projects, the estimated costs of the proposed eligible infrastructure projects, and a schedule for recovery of the related eligible infrastructure replacement costs through the PRIME rider, and demonstrate that the plan is prudent and reasonable. The Commission may approve such

a plan after such notice and opportunity for hearing as the Commission may prescribe, subject to the provisions of this Act.

B. The Commission shall approve or deny, within 180 days, a natural gas utility's initial application for a PRIME plan and shall base its approval upon the utility's fulfillment of the PRIME plan requirements specified in Subsection A of this Section. A plan filed pursuant to this Section shall not require the filing of rate case schedules. The Commission shall approve or deny, within 120 days, a natural gas utility's application to amend a previously approved plan. If the Commission denies such a plan or amendment, it shall set forth with specificity the reasons for such denial, and the utility shall have the right to re-file, without prejudice, an amended plan or amendment within 60 days, and the Commission shall thereafter have 60 days to approve or deny the amended plan or amendment. The time period for Commission review provided for in this Subsection shall not apply if the PRIME plan is filed in conjunction with a rate case using cost of service methodology, or a performance-based regulation.

C. The Commission shall not reduce a utility's future return on common equity or other measure of utility profit as a result of the implementation of a PRIME rider.

D. Any PRIME plan and any PRIME rider that is submitted to and approved by the Commission shall be allocated and charged in accordance with appropriate cost causation principles in order to avoid any undue cross-subsidization between rate classes.

E. No other revenue requirement or ratemaking issues may be examined in consideration of the application filed pursuant to the provisions of this Act.

F. At the end of each 12-month period the PRIME rider is in effect, the natural gas utility shall reconcile the difference between the recognized eligible infrastructure replacement costs and the amounts recovered under the PRIME rider, and shall submit the reconciliation and a proposed PRIME rider adjustment to the Commission to recover or refund the difference, as appropriate, through an adjustment to the PRIME rider. The Commission shall approve or deny, within 90 days, a natural gas utility's proposed PRIME rider adjustment.

G. A natural gas utility that has implemented a PRIME rider pursuant to this Act shall file revised rate schedules to reset the PRIME rider to zero, when new base rates and charges that incorporate eligible infrastructure replacement costs previously reflected in the currently effective PRIME rider become effective for the natural gas utility, following a Commission order establishing customer rates in a rate case using cost of service methodology, or a performance-based regulation plan.

H. Costs recovered pursuant to this Act shall be in addition to all other costs that the natural gas utility is permitted to recover, shall not be considered an offset to other Commission-approved costs of service or revenue requirements, and shall not be included in any computation relative to a performance-based regulation plan revenue-sharing mechanism. Further, if the Commission approves (1) an updated weighted average cost of

capital for use in calculating the return on investment, (2) the carrying costs on the over- or under-recovery of the eligible infrastructure replacement costs, (3) the allowance for funds used during construction, or (4) any combination thereof, such weighted average cost of capital shall be used only for the purpose of the eligible infrastructure replacement costs for the PRIME rider and shall not be used for any purpose in any other proceeding.

Section 5. Effective date.

This Act takes effect upon becoming law.



COMMON CAUSE
Holding Power Accountable

Resolution Supporting a Reasonable Compliance Timeline and Economy-wide impact study of EPA's Mercury and Air Toxics Rule

WHEREAS, the U.S. Environmental Protection Agency (EPA) has adopted and has proposed a series of regulations establishing stringent new standards applicable to the electric power sector industry;

WHEREAS, individual states, the American Legislative Exchange Council, Regional Transmission Operators and other parties have raised significant concerns on the proposed Cross State Air Pollution and Mercury and Air Toxics regulations such as the negative impact these regulations would have on states' ability to prepare compliance plans, electricity prices, the reliable operation of the electric power grid, the effective elimination of future electric generating plants that use clean coal technologies and on the interests of electricity consumers to maintain affordable, reliable electricity;

WHEREAS, the compliance deadlines set forth in EPA's final Mercury and Air Toxics Standards (MATS) rule are insufficient according to state and industry experience to allow electric utilities time for pre-construction certification, engineering, permitting and other regulatory approvals that require up to three years and additional time to construct the necessary emission control technologies that requires approximately three years for a total of five to six years;

WHEREAS, the MATS rule provides for a three-year compliance period but EPA admits that many sources will need a one-year extension for non-reliability critical units (a four-year compliance schedule) to install controls, construct replacement capacity, or implement transmission reinforcement or other mitigation measures to assure the reliability of the electric grid and EPA has stated that States may authorize an additional one year for compliance through an Administrative Order under Title V permits;

WHEREAS, electricity generators may enter into a Consent Decree on a case by case basis for reliability critical units that require 5 or more years to complete construction and to assure the reliability of the electric grid;

WHEREAS, no state or electricity generators want to base their retrofit plans on uncertain regulatory processes, and there is a need for States and generators to be certain that their actions to comply with MATS will not have power shortage, price spikes, and other negative consequences on jobs, the economy, and consumers;

NOW, THEREFORE, BE IT RESOLVED that ALEC encourages federal legislative actions such as, but not limited to, the resolution to disapprove the MATS introduced by Senator Inhofe under the Congressional Review Act to subject MATS to analysis for its negative impacts on jobs, state economies and their recovery, electricity prices and consumers' ability to afford them, domestic manufacturing, and international competitiveness and the Fair Compliance Act sponsored by Senators Manchin and Coats that would not change MATS' stringency or reduction levels but harmonize MATS compliance deadlines with pre-construction and construction timelines to install emission

reduction technologies, construct replacement capacity, or implement transmission reinforcement or other mitigation measures to assure electricity price increases are reasonable and the reliability of the electric grid is maintained and;

BE IT FURTHER RESOLVED that ALEC simultaneously encourages applicable State agencies to work closely with generation owners, regional transmission operators, federal agencies such as, but not limited to the Department of Energy and the Federal Energy Regulatory Commission, transmission and electric system reliability organizations and the EPA to avoid unreasonable electricity price increases and grid reliability risks from these regulations.

This resolution is approved and copies of it are transmitted to the President, all members of Congress, the Chairman of FERC, Secretary of the U.S. Department of Energy and the Administrator of the US EPA, the leadership of NERC, SPP, ERCOT, PJM, MISO, NGA, and NARUC, and the ALEC staff is directed to advocate for policies that reflect these principles.

Resolution in Support of the Regulations from the Executive In Need Of Scrutiny (REINS) Act.

WHEREAS, the Constitution of the United States of America charges the Congress with all legislative powers; and

WHEREAS, Members of the United States House of Representatives and the United States Senate have excessively delegated that power to the executive branch with little oversight, review, or meaningful accountability; and

WHEREAS, the results of that delegation is an annual regulatory burden of \$1.75 trillion upon American families and businesses according to the U.S. Small Business Administration's Office of Advocacy; and

WHEREAS, Congressman Geoff Davis [KY-04], Senator Rand Paul [R-KY] and many of their colleagues have introduced the REINS Act as H.R. 10 and S. 299 in the U.S. House and Senate respectively; and

WHEREAS, the REINS Act would require that Congress must pass a joint resolution of approval to be signed by the President for each new major regulation proposed by the executive branch before it may be enforced against the American people; and

WHEREAS, the REINS Act also retains existing law permitting Congress to disapprove non-major regulations (5 USC 801-808) to ensure that Congressional accountability is present for every federal regulation; and

WHEREAS, the REINS Act effectively limits the scope of regulation-making permission granted to the executive branch; and

WHEREAS, the REINS Act's required accountability will improve the quality of federal regulations by reintroducing the importance of input from elected representatives into the regulation-making process; and

WHEREAS, enactment of the REINS Act would ensure that the greatest regulatory burdens on our economy are both necessary and required by the electorate; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF {insert state}, That we hereby call upon {insert state}'s Delegation to the United States Senate and the United States House of Representatives to cosponsor and support passage of the REINS Act.

BE IT FURTHER RESOLVED, That a copy of this resolution will be provided to each member of {insert state}'s Congressional Delegation.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for up to a two-night stay at the host hotel are covered by ALEC.
3. Registration fees are not covered; however, Task Force Members may submit registration expenses for payment from their state scholarship account upon approval of the State Chair.
4. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
5. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
6. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the **specific subject areas** of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to develop an **annual budget**, which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the **jurisdiction** of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all **model bills and resolutions 35 days before** the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have **10 days after the 35-day mailer deadline** to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the **National Chair and the Private Enterprise Board Chair**. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-

day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. **The National Chair and the Private Sector Board Chair** will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. **The Board of Directors** shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice

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should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.

- D. The **operating cycle of a Task Force** is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. If a Task Force is **unable to develop an operating budget**, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- F. **The Board of Directors** shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. **MEMBERSHIP AND MEMBER RESPONSIBILITIES**

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two **Co-Chairs**; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in

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accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:

- (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
- (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
- (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and
- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.

C. Each Task Force shall have an **Executive Committee** appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B)); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F)); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).

D. Each Task Force may have any number of **subcommittees**, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.

E. Each Task Force may have advisors, appointed in accordance with Section VI (G). **Advisors** shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official

Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The **operating budget** shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.
- C. The operating budget shall not be used to cover Task Force meeting expenses associated with **alternate task force members'** participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The **programming budget** shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

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- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing **three legislative members and three alternates to the Task Force** who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the **appointment cannot be made earlier than thirty days** after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing **the Task Force Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.
- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the **Task Force Executive Committee**, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.

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- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing **new private sector members** to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the **Task Force Private Sector Co-Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the **private sector members of the Task Force Executive Committee**, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.
- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as **advisors** to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector **Task Force Co-Chair** from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an **Executive Committee or subcommittee** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any **Private Sector Task Force Co-Chair** from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any **private sector member of an Executive Committee or subcommittee** from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an **advisor** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may **resign** from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the

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effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All **vacancies** for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. **Task Force meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII (H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. **Executive Committee meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. **At least forty-five days** prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or **amendment** of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. **All Task Force meetings are open** to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions

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and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.

- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the **appointment letter** sent pursuant to Section VI (D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.
- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of **Roberts Rules of Order**, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. **No proxy, absentee or advance voting is allowed.**
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a **Task Force vote by mail or any form of electronic communication** on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and

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policy statements be mailed or notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.

- H. For purposes of Sections VIII(A), (B) and (G), an **emergency situation** can be declared by:
- (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.
- I. Ten Task Force members shall **constitute a quorum** for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. **REVIEW AND ADOPTION PROCEDURES**

- A. All Task Force policy statements, model bills or resolutions shall become **ALEC policy** either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, **a formal review by the Board of Directors**. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be

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formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.

- C. A member of the Board of Directors may request a formal review by the Board of Directors. The **request must be in writing** and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will **consist of key members of the Task Force**, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
- **Notification of Committee:** Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - **Staff Analysis:** Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments
 - Opponents arguments
 - **Standardized Review Format:** To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.



- All votes will be recorded for the official record.
 - **Notification of Committee:** The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.
- E. **The Board of Directors can:**
- (1) Vote to affirm the policy or affirm the policy by taking no action, or
 - (2) Vote to disapprove the policy, or
 - (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.
- F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.



Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.