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A COSTLY ERROR FIX THE LANGUAGE AND RESTORE ENERGY FUNDS

At \$12 million per letter, a missing “and” in a state law has proven an expensive error now that the state Public Utilities Commission used inadvertently flawed statutory language to cut funding for Maine’s energy efficiency work by \$36 million.

The PUC earlier this week took an unexpected vote regarding funding for the Efficiency Maine Trust, deciding, 2-1, that a fee to be collected from electricity ratepayers applied only to utility transmission and distribution costs. Advocates for Efficiency Maine argue that the charge was meant to be a percentage of total retail electricity sales, along with transmission and distribution charges, a much larger amount.

Lawmakers should put a quick end to this debate by amending the law to restore the missing “and.”

At issue is the 2013 omnibus energy bill, sweeping legislation that included provisions to increase the state’s natural gas supply and to reopen consideration of an off-shore wind project to let the University of Maine apply for ratepayer funding.

The law, passed when lawmakers overrode Gov. Paul LePage’s veto in the waning hours of the 2013 legislative session, also allows the PUC, not the Legislature, to set the budget for Efficiency Maine, the state agency that oversees residential and business energy efficiency programs. But lawmakers established that the budget for electricity efficiency programs should amount to no more than 4 percent of certain electricity sales. LePage had vetoed the bill because he worried it gave too much authority to the PUC and that there were better ways to lower energy costs.

The law defines those sales as “total retail electricity transmission and distribution sales.” Hence the debate over the missing “and.”

“I think the language is pretty clear and unambiguous,” PUC

Chairman Mark Vannoy, who voted to limit the funding, said Wednesday in a telephone interview with the Bangor Daily News. “I just was not comfortable making a decision that added language to a statute.”

On Thursday, House Minority Leader Ken Fredette, a champion of the 2013 energy bill, said the law clearly contained an error in not including the “and” before transmission and distribution.

“In this case, the statute they were given contained a clerical error. At the end of the day, the lesson to be learned here is that, in the business of lawmaking, words matter,” he said in a statement.

The Newport Republican suggested “everyone take a deep breath, slow down a bit, and let’s look at the possible solutions to this issue.”

The solution is simple — lawmakers have a duty to amend the law to clarify with unquestionable specificity what they intended in 2013 when they passed the law.

Efficiency Maine’s most recent three-year work plan estimated there would be at least \$45 million in cost-efficient electricity savings projects in Maine last year and another \$60 million worth for 2015 and 2016.

The higher cap, if the “and” is included, would allow Efficiency Maine to receive up to \$59 million per year to fund those efficiency projects. The lower cap, approved by the PUC this week, would limit that to about \$23 million.

The trust invested more than \$36 million in energy efficiency over the last year, which will result in nearly \$265 million in avoided energy costs over the lifetime of the changes undertaken, such as installing more efficient machinery and lighting. This rate of return shows the efficiency investments are wise investments.

And it points to the need for the Legislature to fix its error so Maine families and businesses can continue to realize the benefits of using less power.



LETTERS TO THE EDITOR

Martin and term limits

Isn’t it rich, John Martin is lobbying to eliminate term limits and increase pay for legislators. Who would have thought it? Repeal a vote of the people and increase his own pay dramatically. The more things change, the more they stay the same.

The citizens initiated term limits in good part to get Martin out of the seat of House speaker.

Is it possible that Martin thinks we have all gotten old and died off since then? Maybe he thinks we just cannot remember that far back.

Well, I can, he is the main reason I voted for term limits. His recent actions verify, to me, that my vote was the correct one.

Bob Mercer
Bucksport

Maine Forest Service

Regarding Gov. Paul LePage’s budget proposal for the next couple of years, like many things in life, there are things in the budget that I like and things I don’t like. One big thing that I was surprised about and deeply concerned about is the destruction of our Maine Forest Service.

Working in the woods most of my life and seeing and living with this department close by, I learned to appreciate what they did out there all around us. They would keep a watchful eye on the harvesting and illegal harvest taking place. Another big part of their job is to keep a watchful eye out for forest fires. The biggest reason I don’t want to see the department destroyed is back in 2008 when we had a devastating flood. Having the Maine Forest Service on the scene helping and guiding us through the disaster was beyond valuable. The helicopter and other equipment close by was of great help, but the professional people that came to the command post were outstanding. It would be sad to see that go away.

Gutting this department wouldn’t be felt so much down south, but up in northern Maine gutting the Maine Forest Service would endanger the two biggest sources that we have — our people and our forest. I hope our elected officials put some thought behind the cuts that are being presented to them in this proposed budget.

Tony Theriault
Fort Kent

LePage’s harmful budget

As a representative of the Maine Unitarian Universalist State Advocacy Network, a faith-based community that is

guided by belief in the inherent worth and dignity of every person, justice, equity and compassion in human relations and respect for the interdependent web of all existence, I am registering our concerns related to the governor’s proposed budget and all its ramifications.

Relying on a regressive sales tax places an unfair burden on the lowest earners. Asking nonprofits to make up for the loss of revenue sharing to towns will likely lead to cuts in the myriad services those organizations provide, from meals served by Good Shepherd Food Bank to mental health services Shalom House makes available. Forcing those who rely on methadone to switch to Suboxone will likely result in more relapses and negative outcomes for families and communities.

The budget proposed is touted as a way to “drive business investment and increase migration to Maine,” yet there’s little objective evidence to support these contentions. The proposed budget ignores the needs of many and puts Maine on a path towards becoming a less just and less compassionate state, and one that fails to recognize how our lives are interconnected.

Maryann Larson
Portland

WRITE TO US

Letters must be 250 words or fewer and include a full name, town of residence and daytime phone number. OpEds may be 700 words. Letters may be edited or rejected for clarity, taste, libel and space. If a letter or OpEd is published, submissions by the same writer will not be considered for 60 days.

Letters may be sent to letters@bangordailynews.com. OpEds may be sent to OpEd@bangordailynews.com or P.O. Box 1329, Bangor, ME 04402-1329.

Overturn Citizens United

Right now, money is considered “free speech” and corporations are considered “persons” for the purpose of being allowed to spend unlimited money on elections. Supreme Court decisions dating back 100 years have given corporations progressively more rights. The 2010 Citizens United decision made spending by corporations on political campaigns the same as “free speech” (and thus may not be restricted). Polls show that 80 percent of Americans oppose the Citizens United decision.

A Supreme Court decision can only be overturned by a constitutional amendment, which must be written either

by Congress or by a constitutional convention made up of delegates from each state. Congress has shown a lack of will to write such an amendment, so the alternative is to attempt a constitutional convention.

Legislation has been submitted in Augusta that would, if passed, become an official application from the state of Maine for a constitutional convention to draft an amendment to the U.S. Constitution saying that “corporations are not people” and “money is not speech.”

This is a prime opportunity to overturn Citizens United, to help reverse the trend toward more and more corporate domination of our government and our lives. For more information, visit www.wethepeople-maine.org/.

Bob Lodato
Charleston

Bad budget

Where has common sense gone? The budget proposal being considered in this legislative session is guaranteed to increase individual property taxes, taxes for small business, expand the scope of the sales tax, yet reduce income taxes for those earning more than \$175,000 as well as for corporations. It places more of a burden on our local communities to provide basic and essential services.

At the same time, this administration’s policies and attitudes toward the poor and struggling among us is to demonize them for being victims of an economic, social and political system that forces many to move to, or remain in, remote and rural areas, away from jobs and volunteer opportunities. Now they are proposing punishing municipalities that provide too much General Assistance by changing the reimbursement formula and giving less to towns that exceed an arbitrary figure. Belfast officials are looking to treat fellow citizens in need with the respect, assistance and fairness, that any one of us deserve. At times in our lives, well planned or not, anyone among us might need help.

As a former overworked case manager for the Office of Aging and Disability Services,

I served many vulnerable adults in crisis. There are many people in need out there. Most did not qualify for our very limited program. We could use more case managers and front-line workers to assist in navigating our complex underserving social service system.

When will common sense prevail and we focus on meeting human needs on all levels?

Mitzi Lichtman
Northport

OTHER VOICES

LORETTA LYNCH’S NOMINATION

It was inevitable that the new Republican leaders in Congress would face a learning curve. Unfortunately, they are proving to be slow learners.

Senate Majority Leader Mitch McConnell’s treatment of Loretta Lynch, President Barack Obama’s nominee for attorney general, is the latest in a series of strategic missteps that have led to an unproductive start for this Congress — even by recent congressional standards.

After delaying a vote on Lynch by a month, McConnell is trying to use her nomination as leverage to force Democrats to accept abortion restrictions that were added to a bipartisan bill to assist the victims of human trafficking. That bill was sailing toward passage until Democrats noticed that Republicans had inserted the restrictions, which prevent fines collected from human-trafficking criminals from being used to provide their victims with abortions or Plan B contraception. Democrats have vowed to filibuster the bill.

Republicans can argue until they are blue in the face that Democrats should have noticed the abortion language before helping to pass the bill through committee. They have a point, but they don’t appear to have the 60 votes necessary to break a filibuster.

In January, one of the party’s first pieces of business was passage of a bill banning abortion after 20 weeks, with only limited exceptions for rape. Republican women in the House refused to go

along, however, and publicly questioned why the party was putting an abortion bill — which had no chance of becoming law — ahead of economic policy. The leadership eventually relented.

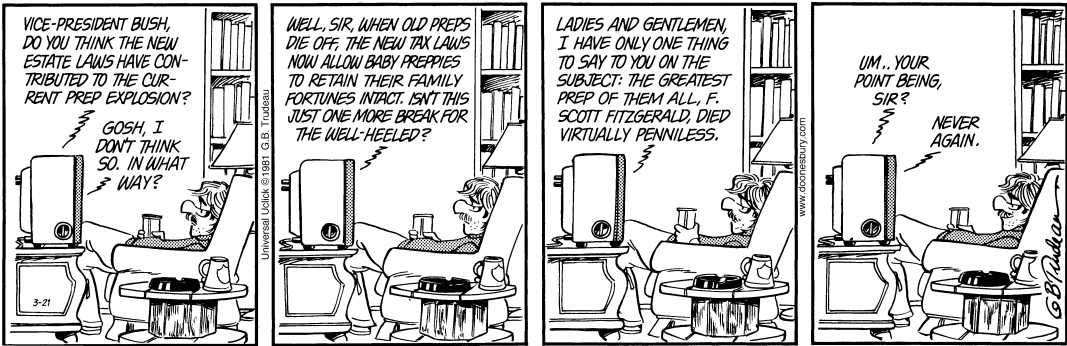
In February, the party thought it could repeal Obama’s executive actions on immigration by making it a condition of funding for the Department of Homeland Security. When Republicans finally accepted that they lacked the Democratic votes necessary to pass such a bill — much less override a presidential veto — Republicans in the House and Senate caved.

Now Republicans appear to have decided to trade one hostage — Homeland Security — for another: Lynch. The party’s opposition to Lynch rests almost entirely on her unwillingness to criticize Obama’s immigration policies. Unless a compromise can be reached, Republicans will be in the position of indefinitely delaying a vote on the first black woman nominated for attorney general, even though she appears to have enough Republican support to be confirmed.

By tabling a vote on Lynch, Republicans risk further alienation of black and Latino voters — and even more rancorous relations with Democrats, just as budget negotiations are beginning. Republicans still need to show the country that they govern. And the best way to do that is to bring Lynch’s nomination to the floor, and the sooner the better.

Bloomberg News (March 18)

DOONESBURY



GARRY TRUDEAU

