

Peak Oil New England Advisory

8-September-2005

Please find attached a second draft of legislation which we'd like to see introduced (modified to reflect feedback received to-date). The purpose of the legislation is to establish a commission for the study of peak oil. Its introduction to the legislature, whether passed or not, will at the very least introduce the concept of peak oil to our legislative representatives.

Your continued feedback and comments will be appreciated. Again, my hope is to have a finalized draft, acceptable to those participant to this advisory group, by 16-September-2005.

Most Sincerely Yours,

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The Commonwealth of Massachusetts



In the Year Two Thousand and Five.

AN ACT TO PREPARE A COMMON ENERGY PLANNING FRAMEWORK FOR THE COMMONWEALTH ACCOUNTING FOR THE DECLINING AVAILABILITY OF FOSSIL FUELS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Preamble.

Whereas, oil, natural gas, and coal are fuels derived from fossil remains deposited in the earth over many millions of years and are therefore a finite resource; and

Whereas, geophysicist have, through scientific inquiry and analysis, predicted a time when total world production of these fossil fuels will peak and then decline; and

Whereas, M. Hubbert King was the first geophysicist to accurately predict peak oil production for the United States, which occurred in 1970, and many geophysicists worldwide subsequently formed an Association for the Study of Peak Oil (the ASPO) to improve data gathering and analysis for the prediction of total world production based on M. Hubbert King's original peak oil model; and

Whereas, fossil fuels have been predicted by the ASPO to reach a time when their total world wide availability begins to decline, which no possible human scientific, economic or political activity can alter, through increased discovery, investment, technology or other means, because these fuels are non-renewable, and hence, when consumed, are gone; and

Whereas, the ASPO has gathered together many scientists, economists, politicians and others from many countries, having careers of distinction and repute and, who through their association with one another, have predicted that total world production of oil, natural gas, and coal will peak as soon as 2006 and no later than 2011; and

Whereas, there exists much uncertainty, and different data and predictive models, from many different sources, including the International Energy Agency (IEA) and the Energy Information Administration (EIA) of the United States Department of Energy (DOE), all of which require a review to establish a basis for common energy planning by the Commonwealth and its people;

and

Whereas, the commerce of the people of the Commonwealth, in all goods upon which their livelihood depends, including their food, shelter, heat, travel, education and work, are all dependent upon the continued availability of fossil fuels in the absence of alternative energy sources; and

Whereas, the Commonwealth is vulnerable, by its dependency on non-renewable fossil fuel imports, and is made increasingly secure through the further development of local renewable energy sources such as solar, wind, and biomass; and

Whereas, the ability of the people of the Commonwealth to predict, plan and prepare for a time when fossil fuels will not be as readily available as they may have come to depend, is contingent upon the best and most accurate information available; and

Whereas, the many offices, departments, commissions and agencies of the Commonwealth are both themselves dependent, as well as being a source of information, energy infrastructure and services, insuring an energy future for the people of the Commonwealth, and would thereby benefit from a common framework for planning the Commonwealth's energy future; and

Whereas, this legislature exists for the benefit of the people of this great Commonwealth;

Therefore, The General Court deems it to be essential **TO PREPARE A COMMON ENERGY PLANNING FRAMEWORK FOR THE COMMONWEALTH ACCOUNTING FOR THE DECLINING AVAILABILITY OF FOSSIL FUELS**, and that this act take immediate effect.

Section 1. Special Commission Establishment and Membership. There is hereby established a special commission on peak oil consisting of 15 members, to be duly appointed within two months subsequent to the passage of this act, as follows:

- a) three members of the public, including a representative of the Association for the Study of Peak Oil, and others having knowledge of and a genuine concern for the consequences of peak oil, to be appointed by the sponsors of this legislation at the time of its passage; and
- b) three members of the academic community in Massachusetts, including the board chairperson for the Massachusetts Technology Collaborative or his designee, the president of the University of Massachusetts or his designee; and the chancellor of the Massachusetts Board of Higher Education or his designee; and
- c) three members of the House, including the house chair of the Joint Committee on Telecommunications, Utilities and Energy or her designee, to be appointed by the speaker of the House; and
- d) three members of the Senate, including the senate chair of the Joint Committee on Telecommunications, Utilities and Energy or her designee, to be appointed by the president of the Senate; and
- e) three members of the executive branch, including the commissioner of the Division of Energy Resources or his designee, the secretary for the Office for Commonwealth Development or his designee, and a representative from a non-governmental organization that promotes renewable energy sources such as wind, solar or biomass, to be appointed

by the Governor.

Section 2. Duties of the Special Commission. The commission shall make an assessment of, investigation of, and/or study of peak oil and prepare a written report, including, but not limited to :

- a) An assessment of peak oil dates from the ASPO, the IEA and EIA, to reconcile differences of scientific opinion and determine the best sources of analytic data and predictive modeling for energy planning purposes within and by the Commonwealth; and
- b) An annotated listing of scholarly works consulted or referenced and found to have merit in consideration of peak oil, including *Peaking Of World Oil Production: Impacts, Mitigation, & Risk Management* by Robert L. Hirsch, Roger Bezdek, and Robert Wendling, February 2005; and
- c) A listing of public governmental, nongovernmental, and private academic programs, experts and others consulted during the course of investigation; and
- d) A common energy planning framework for the commonwealth accounting for the declining availability of fossil fuels, including time lines and other graphs which convey rates of decline and their probable social and economic impact; and
- e) A set of recommendations for modifying the Massachusetts renewable energy portfolio standards (RPS) through time in a manner consistent with the common energy planning framework, hereby devised; and
- f) A set of recommendations addressing the essentials of regional food production, transportation and security during the decline of fossil fuels availability (and therefore agricultural products such as fertilizers); and
- g) Such other matters as the commission may deem relevant to the fulfillment of its mission and purpose.

Section 3. Public Outreach and Staffing. The commission is authorized to conduct such public hearings as may be appropriate to gathering information and to raising the awareness of the people of the Commonwealth, including the sponsorship of one or more statewide or regional conferences involving experts in the study of peak oil, educators, students, and the public at large. The Massachusetts Technology Collaborative and the Division of Energy Resources are authorized and directed to provide such staff and other resources as this commission deems appropriate to the fulfillment of its mission and purpose.

Section 4. Report and Recommendations. The commission shall make its final report to the Governor and Joint Committee on Telecommunications, Utilities and Energy no latter than January 1, 2007, and may make such interim reports as it deems appropriate.

Section 5. This act shall take effect upon its passage.