

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 15, 2009.

CHAPTER 133

H.P. 1036 - L.D. 1483

**Resolve, To Stimulate the
Maine Economy by Allowing
the Federal First-time Home
Buyer Tax Credit To Be Used
at Closing of a Real Estate
Transaction**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Federal Government has provided a federal housing tax credit for first-time home buyers; and

Whereas, the best and most efficient use of the federal housing tax credit for first-time home buyers is for the funds to be available to home buyers at or near the time of closing; and

Whereas, the use of the federal housing tax credit for first-time home buyers will assist families with home ownership and stimulate the State's economy; and

Whereas, the federal housing tax credit for first-time home buyers must be used prior to December 1, 2009; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption of rules to allow use of tax credit funds. Resolved: That if the United States Internal Revenue Service permits the first-time home buyer tax credit available under the federal American Recovery and Reinvestment Act of 2009 to be paid directly to 3rd parties, the administrator of the Maine Consumer Credit Code, as defined in the Maine Revised Statutes, Title 9-A, section 1-301, subsection 2, may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A, to facilitate the use of the tax credit funds for the financing of all or part of the down payment, closing costs, prepaid expenses and home energy improvement costs of first-time home buyers by supervised lenders and supervised

financial organizations as defined in Title 9-A, section 1-301.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 15, 2009.

CHAPTER 134

S.P. 357 - L.D. 935

**Resolve, Regarding Building
Energy Efficiency and Carbon
Performance Ratings**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, promoting renewable energy and energy efficiency are significant priorities of the federal American Recovery and Reinvestment Act of 2009; and

Whereas, significant funding from the federal American Recovery and Reinvestment Act of 2009 will be disbursed to the Public Utilities Commission as administrator of the United States Department of Energy State Energy Program in the immediate future for energy initiatives, including energy efficiency programs; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Building energy efficiency and carbon performance rating system. Resolved: That the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, in consultation with the stakeholder group convened pursuant to section 2, shall:

1. Develop or select a standardized rating system and reporting form for building energy efficiency and carbon performance;
2. Include the standardized rating system and reporting form in professional education and training programs sponsored by the Public Utilities Commission;
3. Encourage real estate professionals and other stakeholders to promote voluntary use of the standardized rating system and reporting form by residential and commercial property owners, including, but not

limited to, voluntary disclosure of building ratings in the context of real estate transactions;

4. Encourage voluntary use of the standardized rating system and reporting form by large-scale property owners and managers, including the State, municipalities and other public and private entities; and

5. Develop a voluntary library or repository of ratings based on the standardized rating system and reporting form; and be it further

Sec. 2. Stakeholder group. Resolved: That the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, shall convene a stakeholder group to assist in the implementation of section 1. The commission, at a minimum, shall invite the Department of Administrative and Financial Services, Bureau of General Services; the Department of Public Safety, Bureau of Building Codes and Standards; representatives of the energy audit and energy performance and management sectors; representatives of the residential and commercial real estate industry; and other interested parties to participate in the stakeholder group; and be it further

Sec. 3. Report. Resolved: That, no later than February 1, 2010, the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, shall prepare and submit a report to the Joint Standing Committee on Utilities and Energy regarding the actions taken pursuant to section 1. The report must include, but is not limited to, recommendations for steps to be taken to promote the use of the standardized rating system and reporting form, with particular attention to promoting their use for state-owned facilities; and be it further

Sec. 4. Funding. Resolved: That the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, may use for the purposes of this resolve up to \$50,000 of the funding received under the federal American Recovery and Reinvestment Act of 2009 designated for the commercial construction efficient design program in the Proposed Plan for Energy Stimulus Funds submitted by the Public Utilities Commission pursuant to Resolve 2009, chapter 1.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 16, 2009.

**CHAPTER 135
H.P. 690 - L.D. 1002**

Resolve, To Conduct an Updated Study of the Feasibility of Establishing a Single-payor Health Care System in the State and the Impact of Any Federal Health Care Reform

Sec. 1. Update to feasibility study. Resolved: That the Legislative Council shall contract with a qualified consultant to update the estimated costs and impact of a single-payor health care system as described in the December 2002 document titled "Feasibility Study of a Single-payor Health Plan Model for the State of Maine" produced by Mathematica Policy Research, Inc. In the event that federal legislation related to universal health care is enacted, the updated study must include a preliminary analysis of the impact of federal action on state legislation to establish a single-payor health care system or other mechanism for universal health care and the availability of federal funding and guidance for implementation in this State. The Legislative Council shall seek outside grant funding to fully fund all costs of the updated study, which may not exceed \$60,000. If sufficient outside funding has not been received by the Legislative Council by October 1, 2009 to fully fund all costs of the updated study, no expenses of any kind related to the study may be incurred. The updated study must be submitted no later than January 15, 2010 to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Insurance and Financial Services may submit legislation based on the updated feasibility study to the Second Regular Session of the 124th Legislature; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Allocates funds to the Legislature to contract for an update to the 2002 study of the feasibility of establishing a single-payor health care plan for the State.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$60,000	\$0