

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1316

H. P. 1111

House of Representatives, March 16, 1981

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Huber of Falmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Increase Rental Unit Energy Conservation.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 30 MRSA § 4552, sub-§ 11, last sentence, as enacted by PL 1979, c. 712, § 1, is amended to read:

When this term is used in connection with loans made to improve or rehabilitate, for the purpose of energy conservation, ~~owner-occupied one family to 4 family~~ residential housing in the State, including ~~Title 30~~ section 4651, subsection 13, sections 4712 and 4757, it shall not include families whose adjusted income exceeds 150% of the median family income for the State, as developed by the United States Bureau of the Census for the United States Department of Health, Education and Welfare for use in establishing eligibility for social services funded under the United States Social Security Act, Title XX.

Sec. 2. 30 MRSA § 4552, sub-§ 19, as enacted by PL 1979, c. 712, § 2, is amended to read:

19. Home improvement note. "Home improvement note" means an interest bearing obligation, secured in whole or in part by a mortgage, insurance or otherwise as may be agreed upon by the state authority from time to time, made to improve or rehabilitate, for the purpose of energy conservation, ~~owner occupied one family to 4 family~~ residential housing in the State.

Sec. 3. 30 MRSA § 4601-A, sub-§ 3 is enacted to read:

3. Rental dwellings; home improvement notes. The state authority shall require that when a home improvement note is used to improve or rehabilitate a rental dwelling or any units within the dwelling, for the purpose of energy conservation, a condition be imposed requiring, that not later than 5 years after the improvement or rehabilitation is made, the entire dwelling be in compliance with the Energy Efficiency Building Performance Standards contained in Title 10, chapter 214, and that failure to achieve compliance creates a right of action for the State to sue for liquidated damages in the amount of the estimated cost required to achieve compliance, plus attorneys' fees.

Sec. 4. Application. Section 3 of this Act does not apply to notes issued or loans made prior to the effective date of this Act.

STATEMENT OF FACT

This bill extends the State Housing Authority's home improvement loan program to all residential housing, not just owner-occupied one to 4-family units. It also mandates that as a condition of any notes used for rental dwellings, the dwelling achieve compliance, within 5 years, with the Energy Efficiency Building Performance Standards. Failure to comply within that 5-year period would create a right, in the State, to sue for liquidated damages in the amount necessary to achieve that compliance, plus attorneys' fees.