

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 306

H.P. 238 House of Representatives, February 6, 1987
Reference to the Committee on State and Local Government
suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative ARMSTRONG of Wilton.
Cosponsored by Representatives JACKSON of Harrison and
WEBSTER of Cape Elizabeth.

STATE OF MAINE

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

1 AN ACT to Abolish the Office of Energy
2 Resources.
3

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

6 Sec. 1. 2 MRSA §6, sub-§3, as amended by PL
7 1985, c. 785, Pt. B, §1, is further amended to read:

8 3. Range 89. The salaries of the following
9 state officials and employees shall be within salary
10 range 89:

11 State Director of Public Improvements;

12 State Budget Officer;

1 State Controller;
2 Director of the Bureau of Forestry;
3 Chief of the State Police;
4 Director, State Planning Office;
5 ~~Director, Energy Resources Office,~~
6 Public Advocate; and
7 Commissioner of Defense and Veterans' Services;
8 and
9 Director of Human Resources.

10 Sec. 2. 3 MRSA §507, sub-§6, ¶B, as amended by
11 PL 1985, c. 309, §1, is further amended to read:

12 B. Unless continued or modified by law, the fol-
13 lowing Group C-2 independent agencies shall ter-
14minate, not including the grace period, no later
15 than June 30, 1985:

- 16 (1) Maine Sardine Council;
- 17 (2) Atlantic Sea Run Salmon Commission;
- 18 (3) Public Utilities Commission;
- 19 (4) State Development Office;
- 20 ~~(5) Office of Energy Resources;~~
- 21 (6) Atlantic States Marine Fisheries Com-
22 mission;
- 23 (7) Maine Development Foundation;
- 24 (8) Board of Directors, Maine Municipal and
25 Rural Electrification Cooperative Agency;
- 26 (9) State Energy Resource Advisory Board;
- 27 (10) Advisory Commission on Radioactive
28 Waste;

- 1 (11) Lobster Advisory Council; and
2 (12) State Board of Examiners of Psycholo-
3 gists.

4 Sec. 3. 5 MRSA §1762, as repealed and replaced
5 by PL 1981, c. 353, §1, is amended to read:

6 §1762. No facility constructed without life-cycle
7 costs

8 No public improvement, as defined in this chap-
9 ter, public school facility or other building or ad-
10 dition constructed or substantially renovated in
11 whole or in part with public funds or using public
12 loan guarantees, with an area in excess of 5,000
13 square feet, may be constructed without having se-
14 cured from the designer a proper evaluation of
15 life-cycle costs, as computed by a qualified archi-
16 tect or engineer. The requirements of this section
17 with respect to substantial renovation shall pertain
18 only to that portion of the building being renovated.
19 Construction shall proceed only upon disclosing, for
20 the design chosen, the life-cycle costs as determined
21 in section 1764 and the capitalization of the initial
22 construction costs of the facility or building. The
23 life-cycle costs shall be a primary consideration in
24 the selection of the design. As a minimum, the design
25 shall meet the energy efficiency building performance
26 standards promulgated by the Office of Energy Re-
27 sources under Title 10, chapter 214 which shall be
28 consistent with chapter 4 of the ASHRAE 90 STANDARDS.

29 Sec. 4. 5 MRSA §1764, sub-§1, as amended by PL
30 1981, c. 353, §2, is further amended to read:

31 1. Bureau of Public Improvements to promulgate
32 rules and procedures. The Bureau of Public Improve-
33 ments shall promulgate rules and procedures, includ-
34 ing energy conservation guidelines which conform as a
35 minimum to the energy efficiency building performance
36 standards promulgated by the Office of Energy Re-
37 sources under Title 10, chapter 214, as provided in
38 section 1762, for conducting an energy-related
39 life-cycle ~~costs~~ cost analysis of alternative archi-
40 tectural or engineering designs, or both, and shall
41 evaluate the efficiency of energy utilization for de-

1 signs in the construction and lease of public im-
2 provements and public school facilities. Such rules
3 and procedures shall take effect 90 days after the
4 enactment of this subchapter.

5 Sec. 5. 5 MRS.A §§5001, 5002 and 5003, as enacted
6 by PL 1973, c. 770, §2, are repealed.

7 Sec. 6. 5 MRS.A §5004, as amended by PL 1985, c.
8 785, Pt. B, §37, is repealed.

9 Sec. 7. 5 MRS.A §5005, as amended by PL 1985, c.
10 481, Pt. A, §17, is repealed.

11 Sec. 8. 5 MRS.A §5006, as amended by PL 1985, c.
12 481, Pt. A, §17, is further amended to read:

13 §5006. Maine Energy Resources Development Program

14 The ~~Office of Energy Resources State Development~~
15 Office shall, as funding allows, administer a program
16 of energy research and demonstration activities re-
17 lated to both the use of indigenous, renewable re-
18 sources and more efficient use of energy. The
19 ~~direector~~ State Development Director may accept pri-
20 vate money for the purpose of pursuing this program.

21 1. Report to Legislature. The ~~Dirreector of Ener-~~
22 gy Resources State Development Director shall in-
23 clude, in the biennial comprehensive energy plan, a
24 report which specifies in regard to the Maine Energy
25 Resources Development Program the expenditure of
26 funds, the purposes for which the funds were used and
27 the amount of as well as the sources from which the
28 funds were derived.

29 2. Expenditures requiring approval. For all
30 programs involving expenditures of \$10,000 or more,
31 the director shall recommend those expenditures to
32 the Governor. If the Governor approves, he shall
33 recommend those expenditures to the Legislature under
34 the procedure authorizing the transfer of funds set
35 forth in section 1585, subsection 3.

36 Sec. 9. 5 MRS.A §5007, sub-§1, as amended by PL
37 1983, c. 812, §34, is further amended to read:

1 1. Appointment. The State Energy Resources Ad-
2 visory Board, established by section 12004, subsec-
3 tion 10, shall be appointed by the Governor to advise
4 the Governor, the Legislature and the ~~Director of the~~
5 ~~Office of Energy Resources~~ State Development Director
6 on policy matters relating to this chapter.

7 Sec. 10. 5 MRSA §5008, as amended by PL 1985, c.
8 763, Pt. A, §10, is further amended to read:

9 §5008. Duties

10 The State Energy Resources Advisory Board shall
11 meet at least 3 times each year and at other times at
12 the request of the ~~Director of the Office of Energy~~
13 ~~Resources~~ State Development Director or the Governor.
14 The members of the board shall provide information
15 and assistance in the development of a state energy
16 resources plan and in the research and development
17 phase of the office's activities as requested by the
18 director. The board shall act only in an advisory ca-
19 pacity and shall have no power to control the activi-
20 ties of the office.

21 As of July 1, 1987, this section is repealed pur-
22 suant to Title 3, chapter 23.

23 Sec. 11. 5 MRSA §5009, as amended by PL 1979, c.
24 734, §5, is repealed.

25 Sec. 12. 5 MRSA §5010, as amended by PL 1981, c.
26 134, §§1 to 4, is repealed.

27 Sec. 13. 5 MRSA §5011, as enacted by PL 1981, c.
28 664, is repealed.

29 Sec. 14. 5 MRSA §12004, sub-§10, ¶A, sub-¶(20)
30 is repealed.

31 Sec. 15. 7 MRSA §2, 4th ¶, as amended by PL
32 1981, c. 372, is further amended to read:

33 In addition, the commissioner shall be concerned
34 with the quality of life of Maine farmers and rural
35 communities. The commissioner shall promote: Farm
36 financing and rural development proposals; conserva-
37 tion and preservation of agricultural lands; in-

1 creased and improved production of beef, poultry,
2 sheep, dairy beef and other livestock; expanded and
3 improved production of potatoes, fruits and other
4 vegetables and horticultural ventures; coordinated
5 foreign and domestic marketing of Maine agricultural
6 products; in conjunction with the university, crop
7 development and integrated pest management; and con-
8 servation of nonrenewable energy resources and utili-
9 zation of renewable energy resources in conjunction
10 with the Office of Energy Resources. To accomplish
11 these objectives, the commissioner is authorized for,
12 or on behalf of, Maine's farmers and rural community:
13 To engage in research and educational programs; to
14 participate directly or indirectly in program
15 programs to encourage and enable individuals to enter
16 agricultural or other rural enterprises; to institute
17 litigation or upon request to represent farmers or
18 other members of the rural community in litigation
19 where he determines that such litigation may be bene-
20 ficial to agricultural industry as a whole; and to
21 exercise all other powers of an agency of State Gov-
22 ernment. The commissioner may study such issues and,
23 consistent with statute law, take such actions either
24 individually, for, or on behalf of, the state's
25 State's farmers or rural residents, or jointly with
26 such other persons, agencies or organizations as he
27 determines may benefit the state's State's farmers
28 and rural communities.

29 Sec. 16. 10 MRSA §1063, sub-§2, ¶J, as amended
30 by PL 1985, c. 714, §35, is further amended to read:

31 J. In the case of an energy generating system,
32 an energy distribution system or an
33 industrial-commercial project, any of which in-
34 cludes hydroelectric facilities deemed necessary
35 for the production of electricity:

36 (1) The Public Utilities Commission has
37 certified that all required licenses have
38 been issued or that none are required; and.

39 (2) The Director of Energy Resources has
40 reviewed and commented upon the project pro-
41 posal. The Director of Energy Resources
42 shall make his comments within 30 days after
43 receipt of a notification and copy of the

1 project proposal from the authority. The au-
2 therity shall take the comments into consid-
3 eration in its consideration of the project,
4 and

5 Sec. 17. 10 MRSA c. 214, as amended, is re-
6 pealed.

7 Sec. 18. 10 MRSA §1464, as enacted by PL 1981,
8 c. 499, §1, is amended to read:

9 §1464. Regional Ride Share Services Matching Fund
10 Program

11 There is established, to carry out the purposes
12 of this chapter, a Regional Ride Share Services
13 Matching Fund Program to be administered by the Of-
14 fice of Energy Resources Department of
15 Transportation.

16 Sec. 19. 10 MRSA §1465, 2nd ¶, as enacted by PL
17 1981, c. 499, §1, is amended to read:

18 The ~~direeter~~ Commissioner of Transportation
19 shall, in accordance with Title 5, chapter 375, de-
20 velop rules and regulations for the allocation and
21 disbursement of funds provided by this chapter.
22 These rules and regulations include, but are not lim-
23 ited to:

24 Sec. 20. 10 MRSA §1466, as enacted by PL 1981,
25 c. 499, §1, is repealed.

26 Sec. 21. 10 MRSA §1485, as enacted by PL 1979,
27 c. 212, is repealed.

28 Sec. 22. 10 MRSA §1492, sub-§1, as enacted by PL
29 1979, c. 299, is amended to read:

30 1. Solar energy equipment. "Solar energy equip-
31 ment" means all controls, tanks, pumps, heat
32 exchangers, collectors and all other equipment neces-
33 sary for the collection, transfer and storage of so-
34 lar energy; as determined by the Office of Energy
35 Resources. Passive solar energy systems or those sys-
36 tems using natural means to collect, store and trans-
37 fer solar energy shall not be included under this
38 chapter.

1 Sec. 23. 10 MRSA §1493, first ¶, as enacted by
2 PL 1979, c. 299, is amended to read:

3 The Office of Energy Resources Commissioner of
4 Professional and Financial Regulation shall ~~establi~~
5 provide for an express warranty for the sale and in-
6 stallation of solar energy equipment in Maine. This
7 express warranty shall, at a minimum, include the
8 following:

9 Sec. 24. 22 MRSA §676, sub-§6, as enacted by PL
10 1983, c. 345, §§13 and 14, is amended to read:

11 6. Energy. The Office of Energy Resources State
12 Development Office shall serve as liaison with the
13 United States Department of Energy.

14 Sec. 25. 23 MRSA §4206, sub-§1, ¶M, as enacted
15 by PL 1983, c. 310, §4, is amended to read:

16 M. Acting upon the advice of the State Tax As-
17 sessor, to negotiate a compact with other states,
18 the District of Columbia and Canadian provinces
19 for the administration of user license fees on
20 condition that the compact provides for:

21 (1) The collection of the annual user li-
22 cense fee for any other state or province by
23 the state or province in which the motor
24 truck is registered;

25 (2) The disbursement of revenues due to
26 other states or provinces subject to the
27 compact;

28 (3) The free exchange of information be-
29 tween and among the states or provinces sub-
30 ject to the compact; and

31 (4) The establishment of identification
32 tags or decals.

33 The compact shall provide for reciprocal enforce-
34 ment of the laws establishing the annual user li-
35 cense fees and for the auditing of all books,
36 records and logs of the operator of a motor truck
37 by the state or province in which the motor truck

1 is registered, which pertains to travel in it and
2 any other state or province subject to the com-
3 pact; and

4 Sec. 26. 23 MRSA §4206, sub-§1, ¶N is enacted to
5 read:

6 N. To develop or encourage development of model
7 car pooling programs and to study car pooling
8 parking facilities throughout the State, deter-
9 mine the need for those facilities and report its
10 findings and any necessary legislation to the
11 Legislature.

12 Sec. 27. 25 MRSA §2465, sub-§5-A, as enacted by
13 PL 1983, c. 231, §1, is amended to read:

14 5-A. Safety information. No new factory-built
15 fireplace, fireplace stove or solid fuel burning room
16 heater may be sold in retail trade, unless the seller
17 provides the buyer, on or before the sale, with an
18 installation instruction manual or, in the case where
19 such a manual is not available, with a publication of
20 from the Office of Energy Resources office of the
21 State Fire Marshal containing recommended clearances,
22 the same as those prescribed in the National Fire
23 Protection Association Code #211, The Standards for
24 Chimneys, Fireplaces, Vents and Solid Fuel Burning
25 Appliances, as approved by the office of the State
26 Fire Marshal.

27 Sec. 28. 25 MRSA §2465, sub-§6, as amended by PL
28 1983, c. 231, §2, is further amended to read:

29 6. Penalty. Any person who, for compensation,
30 constructs or installs chimneys, fireplaces, vents or
31 solid fuel burning appliances in violation of the
32 standards, and permits such violation to remain un-
33 corrected after 30 days notice from any official em-
34 powered to enforce this section, shall be considered
35 guilty of commits a civil violation and shall be sub-
36 ject to a forfeiture of not more than \$500 for each
37 violation. The court may waive any penalty or cost
38 against any violator upon satisfactory proof that the
39 violation was corrected within 30 days of the issu-
40 ance of a complaint.

1 Any person who fails to provide a purchaser with an
2 instruction manual or the authorized publication of
3 the Office of Energy Resources office of the State
4 Fire Marshal, as described in subsection 5-A, commits
5 a civil violation for which a forfeiture of not less
6 than \$200 nor more than \$500 for the first offense
7 and not less than \$500 nor more than \$800 for each
8 subsequent offense shall be adjudged. In addition to
9 the civil penalty provided in this subsection, any
10 violation of this chapter constitutes a violation of
11 Title 5, chapter 10.

12 Sec. 29. 30 MRSA §3862, sub-§6, as enacted by PL
13 1981, c. 122, is amended to read:

14 6. Coordinate with other organizations. To coor-
15 dinate their efforts with those of other local, re-
16 gional and state organizations.

17 The commission shall keep records of its meetings and
18 activities and shall make an annual report to the mu-
19 nicipality to be published as part of the annual mu-
20 nicipal report. The commission shall also notify the
21 Office of Energy Resources of its formation.

22 The commission may promote and conduct research, in
23 furtherance of its purposes, in conjunction with the
24 planning board, if any, and in the following areas:
25 Public transportation; van pools and carpools
26 pools; recycling; solar power; cogeneration;
27 hydro-electric power; energy audits; energy conserva-
28 tion and other activities that will make the munici-
29 pality more energy self-sufficient through the utili-
30 zation of renewable energy resources; and

31 Municipal energy commissions may seek technical as-
32 sistance from the Office of Energy Resources and that
33 office shall notify local energy commissions in writ-
34 ing, of plans and projects that may affect these com-
35 missions, if the commission so requests; and

36 Sec. 30. 30 MRSA §4768, as enacted by PL 1983,
37 c. 321, §5, is amended to read:

38 §4768. Eligible conservation projects

1 The state authority in consultation with the Of-
2 fice of Energy Resources shall develop guidelines de-
3 fining energy improvements which may be made with
4 proceeds of home improvement notes.

5 Sec. 31. 32 MRSA c.c. 87 and 88, as amended, are
6 repealed.

7 Sec. 32. 36 MRSA §2915, as enacted by PL 1983,
8 c. 852, §5, is amended to read:

9 §2915. Report to the Legislature

10 The State Tax Assessor shall report to the Legis-
11 lature by January 31, 1987, and each subsequent year
12 until 1990 on the amount of revenue losses due to the
13 ethanol tax exemption provided in section 2903, sub-
14 section 2. The report shall also include information
15 provided by the Office of Energy Resources on ethanol
16 sales in other states, revenue losses to these states
17 from similar ethanol tax exemption and any other rel-
18 evant information on the market for ethanol blended
19 gasoline requested by the Legislature-

20 Sec. 33. 37-B MRSA §704, as amended by PL 1985,
21 c. 785, Pt. B, §175, is further amended by adding at
22 the end a new paragraph to read:

23 The bureau shall be responsible for administering
24 any emergency fuel allocation program and any
25 mandated federal conservation, production and energy
26 extension service program.

27 Sec. 34. 37-B MRSA §704-A is enacted to read:

28 §704-A. Definitions; reporting of petroleum invento-
29 ries and deliveries

30 1. As used in the section, unless the context
31 otherwise indicates, the following terms have the
32 following meanings.

33 A. "Petroleum products" means propane, gasoline,
34 unleaded gasoline, gasohol, kerosene, #2 heating
35 oil, diesel fuel, kerosene base jet fuel, avia-
36 tion gasoline, #4, #5 and #6 residual oil for
37 utility and nonutility uses and Bunker C. oil.

1 B. "Primary storage facilities" means any facil-
2 ity which receives petroleum products into the
3 State either by pipeline or ship.

4 C. "Primary supplier" means any refiner,
5 marketer, distributor, firm or person who makes
6 the first sale of any petroleum product to
7 resellers or consumers in this State.

8 2. Reporting. Each owner or lessee of primary
9 storage facilities of petroleum products in the State
10 shall make an accurate report on the first and 3rd
11 Monday of each month to the Director of Civil Emer-
12 gency Preparedness within the Administrative Services
13 Division on a form provided by the director. This
14 form shall require the following information:

15 A. The total inventory of each petroleum product
16 stored in the State, as measured within no more
17 than 3 working days prior to the reporting date;

18 B. Quantities of each petroleum product delivery
19 expected into the State within 15 days of the re-
20 porting date; and

21 C. A conspicuous statement of the penalties pro-
22 vided in subsection 4.

23 3. Reporting of primary suppliers. Each primary
24 supplier of petroleum products shall make an accurate
25 report on the 3rd Monday of each month to the Direc-
26 tor of Civil Emergency Preparedness on a form pro-
27 vided by the director, unless the report is already
28 being submitted in accordance with federal regula-
29 tions.

30 This form shall require the following information:

31 A. Actual deliveries of all petroleum products
32 in this State during the preceding calendar
33 month;

34 B. Anticipated deliveries of all petroleum
35 products in this State during the following cal-
36 endar month;

37 C. Allocation fractions for all petrole-
38 products for the following month; and

1 D. A conspicuous statement of the penalties pro-
2 vided in subsection 4.

3 4. Penalty provisions. Any owner or lessee of a
4 primary storage facility or any primary supplier cov-
5 ered by this section who fails to provide the infor-
6 mation required by this section or who knowingly or
7 recklessly supplies false or misleading information
8 is guilty of a violation of Title 17-A, section 453.
9 Any owner or lessee of a primary storage facility who
10 supplies false or misleading information is subject
11 to a civil penalty of \$2,500, payable to the State,
12 to be recovered in a civil action.

13 Sec. 35. 38 MRSA §634, sub-§3, as enacted by PL
14 1983, c. 458, §18, is amended to read:

15 3. Application review. Within 10 working days
16 of receiving a completed application, the Commissioner
17 of Environmental Protection or the Director of the
18 Maine Land Use Regulation Commission, as appropriate,
19 shall notify the applicant of the official date on
20 which the application was accepted.

21 The commissioner or the director, as appropriate,
22 shall circulate the application among the Department
23 of Environmental Protection, Department of Conserva-
24 tion, Department of Inland Fisheries and Wildlife,
25 Department of Marine Resources, Department of Trans-
26 portation, Maine Historic Preservation Commission,
27 Office of Energy Resources, Public Utilities Commis-
28 sion and the municipal officials of the municipality
29 in which the project is located. The Office of Ener-
30 gy Resources and the Public Utilities Commission
31 shall submit written comments on section 636, subsec-
32 tion 7, paragraph F. For projects within the juris-
33 diction of the Maine Land Use Regulation Commission,
34 the director may request and obtain technical assist-
35 ance and recommendations from the staff of the de-
36 partment. The department shall respond to the re-
37 quests in a timely manner. The department's recom-
38 mendations shall be considered by the commission in
39 acting upon a project application.

40 Sec. 36. Transition clause.

1 1. Funds transferred; Ride Share Program. Not-
2 withstanding the Maine Revised Statutes, Title 5,
3 sections 1585 and 1586, all accrued expenditures, as-
4 sets, liabilities, balances or allocations, trans-
5 fers, revenues or other available funds in an account
6 or subdivision of an account of the Office of Energy
7 Resources to be used for the Ride Share Program as
8 defined in Title 10, section 1464, shall be reallo-
9 cated to the Department of Transportation to be used
10 for the same purpose. The Commissioner of Transporta-
11 tion shall determine the account of the department to
12 which these funds shall be allocated.

13 2. Funds transferred; solar energy equipment
14 warranty. Notwithstanding the Maine Revised Statutes,
15 Title 5, sections 1585 and 1586, all accrued expendi-
16 tures, assets, liabilities, balances or allocations,
17 transfers, revenues or other available funds in an
18 account or subdivision of an account of the Office of
19 Energy Resources for the solar energy equipment war-
20 ranty program, as defined in the Maine Revised Stat-
21 utes, Title 10, section 1492, shall be reallocated to
22 the Department of Professional and Financial Regula-
23 tion for the same purpose. The Commissioner of Pro-
24 fessional and Financial Regulation shall determine
25 the account of the department and the organization
26 within the department to which the funds and adminis-
27 trative responsibilities shall be allocated.

28 3. Funds transferred. Notwithstanding the Maine
29 Revised Statutes, Title 5, sections 1585 and 1586,
30 all accrued expenditures, assets, liabilities, bal-
31 ances or allocations, transfers, revenues or other
32 available funds in an account or subdivision of an
33 account of the Office of Energy Resources for the
34 preparation of the installation instruction manual,
35 as defined in the Maine Revised Statutes, Title 25,
36 section 2465, shall be reallocated to the Office of
37 the State Fire Marshal within the Department of Pub-
38 lic Safety for the same purpose.

39 4. Funds transferred; Maine Energy Resources De-
40 velopment Fund. The Maine Energy Resources Develop-
41 ment Fund, together with any interest, liabilities,
42 accrued balances, shall be transferred to the State
43 Development Office.

1 5. Personnel transferred. Personnel of the Of-
2 fice of Energy Resources, which are currently as-
3 signed to the preparation of the installation in-
4 structional manual, as defined in the Maine Revised
5 Statutes, Title 25, section 2465, the implementation
6 of solar energy equipment warranty program, as de-
7 fined in Title 10, section 1492, the administration
8 and operation of the Maine Energy Resources Develop-
9 ment Fund, as defined in Title 5, section 5006, and
10 the reporting of petroleum inventories and deliveries
11 shall be transferred to the respective departments as
12 described in this Act.

13 6. Rules and procedures. All rules and proce-
14 dures currently in effect and operation pertaining to
15 the Ride Share Program, the installation instruction
16 manual program, the Maine Energy Resources Develop-
17 ment Fund and the Solar Energy Equipment Fund, as de-
18 fined in this Act, shall continue in effect until re-
19 scinded or amended by the departments to which the
20 respective programs have been transferred.

21 7. Equipment and property transferred. All
22 equipment and property of the State used by employees
23 and officials of the Office of Energy Resources for
24 the Ride Share Program, the Installation Instruction-
25 al Manual Program, the Solar Energy Equipment Warran-
26 ty Program and the Maine Energy Resources Development
27 Fund, as defined in this Act, shall be transferred to
28 the respective departments as provided in the Act.

29 8. Data and information files. All data and in-
30 formation files, not needed by the various depart-
31 ments to which additional functions are transferred
32 by this Act, shall be transferred to the State Devel-
33 opment Office.

34 9. Contracts and agreements. All contracts and
35 agreements currently in effect with the Office of En-
36 ergy Resources shall remain in effect unless re-
37 scinded, terminated or modified by a department to
38 which the responsibility for the contract or agree-
39 ment has been transferred or by a provision in the
40 contract or agreement that specifies the conditions
41 by which termination of the contract or agreement oc-
42 curs.

1 Sec. 37. Appropriation. The following funds are
 2 appropriated from the General Fund to carry out the
 3 purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
<u>EXECUTIVE DEPARTMENT</u>		
6 Office of Energy Resources		
7 Positions	(-15)	(-15)
8 Personal Services	\$(415,295)	\$(433,182)
9 All Other	(145,123)	(155,853)
10 Capital Expenditures	(7,000)	(3,000)
11		
12 Total	<u>\$(567,418)</u>	<u>\$(592,035)</u>
13 Deappropriates funds		
14 to the Office of En-		
15 ergy Resources for		
16 the biennium.		
 <u>TRANSPORTATION, DEPARTMENT OF</u>		
18 Bureau of Transportation		
19 Services		
20 Personal Services	\$ 5,000	\$ 5,000
21 All Other	15,000	15,000
22		
23 Total	<u>\$20,000</u>	<u>\$20,000</u>
24 This appropria-		
25 tion provides		
26 funds to admin-		
27 ister the Ride		
28 Share Program		
29 previously ad-		
30 ministered by		
31 the Office of		
32 Energy Re-		
33 sources.		
 <u>DEFENSE AND VETERANS'</u>		
<u>SERVICES, DEPARTMENT OF</u>		
36 Bureau of Civil Emergency		
37 Preparedness		
38 Administration - Civil		
39 Emergency Preparedness		
40 All Other	\$2,500	\$2,500

1 This appropriation
 2 provides funds for
 3 the Bureau of Civil
 4 Emergency
 5 Preparedness to ad-
 6 minister the report-
 7 ing of petroleum in-
 8 ventories and deliv-
 9 eries previously im-
 10 plemented by the Of-
 11 fice of Energy Re-
 12 sources.

13 Sec. 38. Allocation. The following funds are al-
 14 located from federal funds and other special revenue
 15 funds to carry out the purposes of this Act.

16 1987-88 1988-89

17 EXECUTIVE DEPARTMENT

18	Office of Energy Resources		
19	Positions	(-13)	(-13)
20	Personal Services	\$(310,633)	\$(326,178)
21	All Other	<u>(141,974)</u>	<u>(130,486)</u>
22	Total	<u>\$(452,607)</u>	<u>\$(456,664)</u>
23	Deallocates		
24	funds to the Of-		
25	fice of Energy		
26	Resources for		
27	the biennium.		

28 TRANSPORTATION, DEPARTMENT OF

29	Bureau of Transportation	
30	Services	
31	All Other	\$25,000
32	This allocation pro-	
33	vides federal funds	
34	to implement the Van	
35	Loan Subsidy Program	
36	previously adminis-	
37	tered by the Office	
38	of Energy Resources.	

39 PUBLIC SAFETY, DEPARTMENT OF

1 Office of the State Fire
2 Marshal
3 All Other \$2,000 \$2,000
4 This allocation au-
5 thORIZES the State
6 Fire Marshal to pre-
7 pare 4 instruction
8 manuals of installa-
9 tion for new factory
10 built stoves,
11 fireplaces, stoves
12 and etc. previously
13 implemented by the
14 Office of Energy Re-
15 sources.

16 DEFENSE AND VETERANS'
17 SERVICES, DEPARTMENT OF

18 Bureau of Civil Emergency
19 Preparedness
20 Administration - Civil
21 Emergency Preparedness
22 All Other \$500 \$500
23 This allocation pro-
24 vides funds to assist
25 in the administration
26 of the reporting of
27 petroleum inventories
28 and deliveries previ-
29 ously implemented by
30 the Office of Energy
31 Resources.

32 Sec. 39. Effective date. This Act shall take ef-
33 fect on January 1, 1988.

34 STATEMENT OF FACT

35 This bill authorizes:

36 1. The Bureau of Public Improvements to adopt
37 energy performance standards for consideration of
38 life-cycle costs of public buildings. The standards
39 are required to meet the minimum standards of chapter
40 4 of the ASHRAE 90 STANDARDS;

- 1 2. Abolishes the Office of Energy Resources;
- 2 3. Transfers administration of the Maine Energy
- 3 Resources Development Fund to the State Development
- 4 Office;
- 5 4. Eliminates the requirement that the Director
- 6 of Energy Resources review any energy conservation,
- 7 generation or distribution project to be funded with
- 8 industrial development bonds;
- 9 5. Repeals the chapter on Energy Building Per-
- 10 formance Standards;
- 11 6. Transfers the administration of the Ride
- 12 Share Program to the Department of Transportation;
- 13 7. Repeals the requirement that the Office of
- 14 Energy Resources publish an informational insulation
- 15 materials fact sheet;
- 16 8. Transfers the responsibility of providing
- 17 warranties for the sale and installation of solar en-
- 18 ergy equipment to the Department of Professional and
- 19 Financial Regulation;
- 20 9. Transfers the responsibility of preparing a
- 21 instruction manual installation for new factory built
- 22 stoves, fireplaces, stoves, etc., to the office of
- 23 the State Fire Marshal;
- 24 10. Repeals the training and certification pro-
- 25 gram for installers of solar energy equipment;
- 26 11. Repeals the voluntary certification program
- 27 for energy auditors; and
- 28 12. Transfers the responsibility for administer-
- 29 ing any fuel allocation programs or any federal con-
- 30 servation, production and energy extension service
- 31 programs to the Bureau of Civil Emergency
- 32 Preparedness.

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