

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 271, L.D. 391, Bill, "An Act to Prohibit the Installation of Electric Heating Systems"

Amend the bill by striking out the title and substituting the following:

'An Act to Require Disclosure of Electric Space Heating Costs for Rental Units'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'14 MRSA §6024-B is enacted to read:

§6024-B. Disclosure of electric space heat costs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Aggrieved person" means a landlord who is not supplied the information required by this section to be provided by an electric utility, or a tenant who is not supplied information required by this section to be provided by a landlord.

B. "Primary electric space heating system" means an electric heating system with a rated maximum heat output greater than 50% of the design heating load of a rental unit.

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2 C. "Primary residence rental unit" means any residential
4 rental unit that is offered on any other than a seasonal
 basis.

6 2. Disclosure. Prior to entering into any rental or lease
 agreement, a landlord or the landlord's agents shall provide in
8 writing to a prospective tenant of a primary residence rental
 unit that is individually metered and that is heated by a primary
10 electric space heating system information on the electricity
 costs and kilowatt-hour consumption for the unit for the most
12 recent calendar year. Electric utilities shall provide on forms
 prescribed by the Public Utilities Commission this information to
14 a landlord or a landlord's agent when requested by a landlord of
 a primary residence rental unit or by the landlord's agent.

16 3. Forfeiture. Any person who violates the provisions of
18 this section is subject to a civil forfeiture not to exceed \$500,
 payable to an aggrieved person to be recovered in a civil action
20 brought by the aggrieved person. If the court finds that there
 has been a violation of this section, the petitioner must, in
22 addition to any civil penalty awarded under this section, be
 awarded reasonable attorney's fees and costs incurred in
24 connection with the action.

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FISCAL NOTE

30 This bill establishes a new civil penalty. There may be a
32 minimal number of cases filed in District Court as result of this
 penalty provision. The additional work load and administrative
34 costs associated with these few cases will be absorbed within the
 budgeted resources of the Judicial Department.

36 The Public Utilities Commission is responsible for designing
 and distributing forms for use by landlords to provide
38 information to prospective tenants on electricity costs. The
 costs associated with the preparation and distribution are
40 minimal and can be absorbed within existing budgeted resources of
 the Public Utilities Commission.'

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STATEMENT OF FACT

46 This amendment replaces the original bill with language
 requiring landlords to provide to prospective tenants of primary
48 residence rental units that are individually metered and that are
 heated by a primary electric space heating system information on
50 electricity costs and kilowatt-hour consumption for the unit for
 the prior calendar year. Landlords are required to provide the
52 information to prospective tenants before entering into a lease

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2 or rental agreement. Electric utilities are required to provide
the information to landlords on request on forms prescribed by
4 the Public Utilities Commission.

6 This amendment also establishes a civil forfeiture not to
exceed \$500, payable to the aggrieved party, for anyone who
8 violates the provisions of this section. If a violation is found
to have occurred, the petitioner may be awarded reasonable
10 attorney's fees and costs incurred in connection with the action.

Reported by the Committee on Utilities
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House
(5/7/91) (Filing No. H-249)