

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)

M
R.S.

L.D. 1500

DATE: 5-26-99

(Filing No. H-692)

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1069, L.D. 1500, Bill, "An Act to Establish a Trust Fund to Provide Statewide Assistance to Low-income Electric Consumers"

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

'An Act to Provide Assistance to Low-income Energy Consumers'

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

'Sec. 1. 30-A MRSA c. 201, sub-c. VII-A is enacted to read:

SUBCHAPTER VII-A

MAINE LOW-INCOME ENERGY ASSISTANCE FUND

§4861. Maine Low-income Energy Assistance Program

1. Program. Upon receipt of money for deposit in the Maine Low-income Energy Assistance Fund created by section 4862, subsection 1, the Maine State Housing Authority shall operate the Maine Low-income Energy Assistance Program. The purpose of the program is to provide weatherization, energy conservation and fuel assistance to persons who qualify for assistance pursuant to the Weatherization Assistance for Low-income Persons Program administered through the United States Department of Energy or the Low-income Home Energy Assistance Program administered through the United States Department of Health and Human Services. This program may be operated in conjunction with or as part of one or more other programs of the authority that provide weatherization, energy conservation or fuel assistance to low-income persons.

HOUSE AMENDMENT

R. of S.

2 2. Interpretation; protections. Assistance provided under
3 this subchapter from the fund may not be counted as income or a
4 resource in other means-tested assistance programs for low-income
5 households. Assistance must be provided in a manner most likely
6 to prevent loss of other assistance.

7 **§4862. Fund created**

8 1. Creation. There is created and established under the
9 jurisdiction and control of the authority the Maine Low-income
10 Energy Assistance Fund. The fund is nonlapsing.

11 2. Definitions. As used in this subchapter, unless the
12 context otherwise indicates, the term "fund" means the Maine
13 Low-income Energy Assistance Fund created by subsection 1.

14 **§4863. Sources of fund**

15 1. Sources. Money obtained from the following sources must
16 be paid to the authority, which shall deposit in the fund:

17 A. That portion of corporate income taxes collected by the
18 State Tax Assessor attributable to the sale or transfer of
19 generation assets divested pursuant to Title 35-A, section
20 3204 after May 21, 1999;

21 B. All interest, dividends and pecuniary gains from
22 investment of money of the fund;

23 C. All money appropriated or dedicated for inclusion in the
24 fund;

25 D. Gifts, bequests and donations to the fund from private
26 individuals or corporations;

27 E. Grants to the fund from private or public foundations;
28 and

29 G. Other money available to the authority and directed by
30 the authority to be paid into the fund.

31 **§4864. Application of fund**

32 1. Use of money. Money in the fund may be applied:

33 A. To provide weatherization, energy conservation and fuel
34 assistance to persons who qualify for assistance pursuant to
35 the Weatherization Assistance for Low-income Persons Program
36 administered through the United States Department of Energy
37 or the Low-income Home Energy Assistance Program
38 administered through the United States Department of Health
39 and Human Services;

A. 03

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50
52

B. In conjunction with or as part of one or more programs operated by the authority that provide weatherization, energy conservation or fuel assistance to persons of low-income;

C. To pay the administrative costs of operating the Maine Low-income Energy Assistance Program, except that no more than 10% of the money in the fund may be applied for this purpose; and

D. To 3rd parties to provide reasonable administrative support.

2. Maximization of resources. The authority shall apply money in the fund in a manner that maximizes federal assistance under the Weatherization Assistance for Low-income Persons Program administered through the United States Department of Energy and the Low-income Home Energy Assistance Program administered through the United States Department of Health and Human Services.

3. Investment. Money in the fund not needed currently for purposes of this subchapter may be invested as provided by law.

§4865. Report

On or before the 3rd business day of January of each odd-numbered year, the authority shall report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on its expenditures and activities undertaken pursuant to this subchapter.

Sec. 2. Tax revenues from divestiture. That portion of the corporate income taxes collected from electric utilities by the State Tax Assessor pursuant to the Maine Revised Statutes, Title 36, Part 8 attributable to the gain on the sale or transfer of generation assets divested pursuant to Title 35-A, section 3204 after May 21, 1999 must be paid by the State Tax Assessor to the Maine State Housing Authority, which shall deposit them in the Maine Low-income Energy Assistance Fund established pursuant to Title 30-A, section 4862. The amount of tax attributable to the gain on the sale or transfer of generation assets divested pursuant to Title 35-A, section 3204 after May 21, 1999 must be calculated by subtracting from the total corporate income tax paid by the utility the amount of tax that would have been paid had there been no gains relative to the sale or transfer of generation assets divested pursuant to Title 35-A, section 3204 after May 21, 1999.

Funds deposited in the Maine Low-income Energy Assistance Fund pursuant to this section are not included in the calculation

R. of S.

HOUSE AMENDMENT "A" to H.P. 1069, L.D. 1500

of municipal revenue sharing pursuant to Title 30-A, section 5681. If an electric utility files an amended return that affects the calculations made under this section, the State Tax Assessor shall recalculate the amount of taxes attributable to the gain on the sale or transfer of generation assets divested pursuant to Title 35-A, section 3204 and:

1. If the amount of those taxes is increased, shall transfer the increased amounts to the Maine State Housing Authority, which shall deposit them in the Maine Low-income Energy Assistance Fund; or

2. If the amount of those taxes is reduced, shall provide an accounting to the Maine State Housing Authority, which shall pay from the Maine Low-income Energy Assistance Fund to the Treasurer of State for deposit in the General Fund an amount equal to the amount of the reduction.

Sec. 3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
HOUSING AUTHORITY, MAINE STATE		
Maine Low-income Energy Assistance Fund		
All Other	\$500	\$500
Provides allocations to authorize the payment of funds to the Maine Low-income Energy Assistance Fund administered and controlled by the Maine State Housing Authority.'		

FISCAL NOTE

	1999-00	2000-01
APPROPRIATIONS/ALLOCATIONS		
Other Funds	\$500	\$500

This amendment replaces the bill. As amended, this bill has the following fiscal impact.

This bill requires the transfer of certain corporate income taxes from electric utilities attributable to the divestiture of generation assets after May 21, 1999 to a Maine Low-income Energy Assistance Fund to be administered and controlled by the Maine State Housing Authority. These transfers of tax revenue from eligible divestitures may decrease unbudgeted General Fund revenue and unbudgeted dedicated revenue transferred to the Local Government Fund for state-municipal revenue sharing beginning in fiscal year 1999-00. The amounts to be transferred can not be estimated at this time.

The amounts set aside as dedicated revenue for the Maine Low-income Energy Assistance Fund must be allocated to authorize their transfer to the Maine State Housing Authority. Allocations of \$500 annually in fiscal years 1999-00 and 2000-01 are included to authorize the payment of any eligible tax collections to the fund.

The Maine State Housing Authority will incur additional costs to administer the fund and the Maine Low-income Energy Assistance Program. The authority assumes that administrative costs will be paid by the trust fund.

The Bureau of Revenue Services will incur some minor additional costs to implement the required transfers. These costs can be absorbed within the bureau's existing budgeted resources.

SUMMARY

This amendment replaces the bill. Under this amendment, that portion of the corporate income taxes collected from electric utilities by the State Tax Assessor attributable to the gain on the sale or transfer of generation assets divested after May 21, 1999 must be paid by the State Tax Assessor to the Maine State Housing Authority, which must deposit them in the Maine Low-income Energy Assistance Fund. The Maine State Housing Authority may apply money in the fund to operate the Maine Low-income Energy Assistance Program to provide weatherization, energy conservation and fuel assistance to persons who qualify for assistance pursuant to the Weatherization Assistance for Low-income Persons Program administered through the United States Department of Energy or the Low-income Home Energy Assistance Program administered through the United States Department of Health and Human Services. The authority may use up to 10% of

R. S.

R. 013

HOUSE AMENDMENT "A" to H.P. 1069, L.D. 1500

2
4
6
8

the funds to cover the administrative costs of operating the program. The authority is required to apply the funds in a manner that maximizes federal assistance under the Weatherization Assistance for Low-income Persons Program administered through the United States Department of Energy and the Low-income Home Energy Assistance Program administered through the United States Department of Health and Human Services.

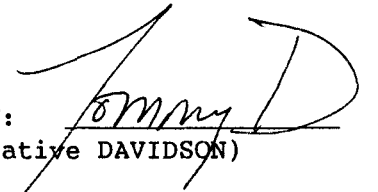
10
12
14

This amendment provides that on or before the 3rd business day of January of each odd-numbered year, the Maine State Housing Authority shall report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on its expenditures and activities undertaken pursuant to the Maine Low-income Energy Assistance Program.

16
18

This amendment also adds an allocation section to the bill and includes a fiscal note.

20

SPONSORED BY: 
(Representative DAVIDSON)

24

TOWN: Brunswick

26