

MAINE STATE LEGISLATURE

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No. 428

H.P. 344

House of Representatives, January 29, 2007

An Act To Conserve Energy in Maine Households

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLETCHER of Winslow.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: BERUBE of Lisbon, BLISS of South Portland, BRAUTIGAM of Falmouth,
CAMPBELL of Newfield, CANAVAN of Waterville, MUSE of Fryeburg, RINES of
Wiscasset, Senator: DOW of Lincoln.

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

2 **Sec. 1. 30-A MRSA c. 201, sub-c. 11-B** is enacted to read:

3 **SUBCHAPTER 11-B**

4 **WEATHERIZATION ASSISTANCE**

5 **§4965. Weatherization Assistance Program**

6 **1. Definitions.** As used in this subchapter, unless the context otherwise indicates,
7 the following terms have the following meanings.

8 A. "Authority" means the Maine State Housing Authority established pursuant to
9 section 4722.

10 B. "Eligible household" means a household that is eligible to receive fuel assistance
11 through the authority pursuant to section 4722, subsection 1, paragraph W; section
12 4741, subsection 15; and subchapter 13 and rules adopted pursuant to these laws.
13 "Eligible household" does not include a tenant who resides in subsidized housing and
14 receives a utility allowance or a tenant whose utilities are included in the rent.

15 C. "Fund" means the Weatherization Assistance Program Fund established in section
16 4966.

17 D. "Program" means the Weatherization Assistance Program established in
18 subsection 2.

19 E. "Weatherization assistance" means assistance as established by the authority
20 pursuant to this subchapter, based on an eligible household's income level.

21 **2. Program established.** The Weatherization Assistance Program is established to
22 provide funds or materials to eligible households to improve the energy efficiency of the
23 homes of those eligible households.

24 **3. Program administration.** The authority shall administer the program directly or
25 through regional contract agents. The program may be administered in conjunction with
26 other programs of the authority.

27 **4. Reporting requirements.** The authority shall report annually to the joint standing
28 committee of the Legislature having jurisdiction over utilities and energy matters
29 information to determine the amount of funding necessary for the program, including the
30 amount of weatherization assistance provided on behalf of each eligible household, the
31 total amount of weatherization assistance paid on behalf of eligible households, the
32 number of eligible households served and other reasonably necessary information
33 required by the committee in connection with the program.

34 **5. Rulemaking.** The authority may adopt rules to implement this subchapter. Rules
35 adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter
36 375, subchapter 2-A.

1 **§4966. Weatherization Assistance Program Fund**

2 **1. Established.** The Weatherization Assistance Program Fund is established under
3 the jurisdiction of the authority.

4 **2. Sources of fund.** The fund consists of:

5 **A. Funds collected pursuant to Title 36, section 4641-B, subsection 4;**

6 **B. Federal funds collected by the authority on behalf of the State for weatherization**
7 **pursuant to the Weatherization Assistance for Low-income Persons Program**
8 **administered through the United States Department of Energy;**

9 **C. All money appropriated by the State for inclusion in the fund;**

10 **D. Subject to any pledge, contract or other obligation, all interest, dividends and**
11 **pecuniary gains from the investment of money in the fund; and**

12 **E. All other money deposited in the fund to implement the provisions of this**
13 **subchapter.**

14 **3. Application of fund.** The authority shall apply money in the fund to provide
15 weatherization assistance for the benefit of eligible households and for other purposes
16 authorized by this subchapter. Money in the fund not currently needed for purposes of
17 this subchapter may be deposited with the authority to the credit of the fund and may be
18 invested as provided by law. The fund may be used by the authority to pay for the
19 administrative expenses of the fund and operation of the program.

20 **4. Accounts within fund.** The authority may divide the fund into separate accounts
21 as it determines necessary or convenient to accomplish the purposes of this subchapter.

22 **5. Revolving fund.** The fund is a revolving fund. The authority shall continuously
23 apply the money in the fund to accomplish the purposes of this subchapter.

24 **Sec. 2. 36 MRSA §4641-B, sub-§4,** as amended by PL 2005, c. 644, §4, is
25 further amended to read:

26 **4. Distribution of State's share of proceeds.** The State Tax Assessor shall pay all
27 net receipts received pursuant to this section to the Treasurer of State, and shall at the
28 same time provide the Treasurer of State with documentation showing the amount of
29 revenues derived from the tax imposed by section 4641-A, subsection 1 and the amount
30 of revenues derived from the tax imposed by section 4641-A, subsection 2. The
31 Treasurer of State shall credit 1/2 of the revenues derived from the tax imposed by
32 section 4641-A, subsection 1 to the General Fund and shall monthly pay the remaining
33 1/2 of such revenues to the Maine State Housing Authority, which shall deposit the funds
34 in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853, except
35 that in fiscal year 2003-04, fiscal year 2004-05 and fiscal year 2005-06, \$7,500,000 of the
36 remaining 1/2 of those revenues must be transferred to the General Fund before any
37 payments are made to the Maine State Housing Authority ~~and~~, in fiscal year 2006-07,
38 \$7,687,067 of the remaining 1/2 of those revenues must be transferred to the General
39 Fund before any payments are made to the Maine State Housing Authority and in fiscal
40 year 2007-08 and annually thereafter, \$7,500,000 of the remaining 1/2 of those revenues

1 must be deposited in the Weatherization Assistance Program Fund established in Title 30-
2 A, section 4966. The Treasurer of State shall credit to the General Fund all of the
3 revenues derived from the tax imposed by section 4641-A, subsection 2.

4 **SUMMARY**

5 This bill establishes the Weatherization Assistance Program to provide funds or
6 materials to eligible households to improve the energy efficiency of the homes of those
7 eligible households. The program is administered by the Maine State Housing Authority.
8 The program is funded by an annual allocation of \$7,500,000 of the funds from the real
9 estate transfer tax that are transferred to the Maine State Housing Authority.