

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1066

H.P. 801

House of Representatives, March 15, 2011

### **An Act To Increase Home Weatherization and Energy Independence**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative BELIVEAU of Kittery.

Cosponsored by Representatives: BEAVERS of South Berwick, CELLI of Brewer, CORNELL du HOUX of Brunswick, HINCK of Portland, Senator: BARTLETT of Cumberland.

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

2 **Sec. 1. 35-A MRSA §10119, sub-§1, ¶A**, as enacted by PL 2009, c. 372, Pt. B,  
3 §3, is amended to read:

4 A. Any funds collected from an assessment on heating fuels, including the  
5 assessment under subsection 1-A;

6 **Sec. 2. 35-A MRSA §10119, sub-§1-A** is enacted to read:

7 **1-A. Assessment on heating fuels.** A charge to support the heating fuels efficiency  
8 and weatherization purposes of the trust is assessed as provided in this subsection.

9 A. A charge is assessed on the following fuels in the following amounts:

10 (1) On each barrel of #2 heating oil that is first transferred by an oil terminal  
11 facility licensed under Title 38, section 545 or first transported into this State by a  
12 person required to register pursuant to Title 38, section 545-B, \$0.028 per gallon;

13 (2) On each barrel of kerosene that is first transferred by an oil terminal facility  
14 licensed under Title 38, section 545 or first transported into this State by a person  
15 required to register pursuant to Title 38, section 545-B, \$0.0275 per gallon; and

16 (3) On each barrel or equivalent quantity of propane that is first transported into  
17 this State by a person who transports by rail or highway more than 25 barrels or  
18 equivalent quantity of propane into this State at any one time, \$0.021 per gallon.

19 The charge is not assessed on any fuels that are exported from this State.

20 B. Amounts collected from the charge assessed under paragraph A must be paid  
21 monthly to the trust. The trust shall transfer those amounts to the fund. The trust  
22 shall by rule establish a process for implementing this paragraph.

23 C. The trust shall adopt rules establishing a process by which an amount equivalent  
24 to the average amount of the charge assessed under subsection 1 that is directly or  
25 indirectly passed on to eligible low-income households is rebated to those  
26 households, except that the trust may exclude households that the trust determines to  
27 have received adequate weatherization services from the trust's programs or the  
28 administrator of federally funded weatherization programs. Prior to adopting rules,  
29 the trust shall consult with the Department of Health and Human Services' office of  
30 integrated access and support, the Maine State Housing Authority and interested  
31 parties to determine the appropriate process for providing the rebate. For purposes of  
32 this paragraph, "eligible low-income households" means households that are eligible  
33 to participate in the Low-income Home Energy Assistance Program or households  
34 that are eligible to participate in the statewide food supplement program under Title  
35 22, section 3104 administered by the Department of Health and Human Services and  
36 that pay for heating fuels directly or indirectly through rent.

37 Rules adopted under this subsection are routine technical rules as defined in Title 5,  
38 chapter 375, subchapter 2-A.

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## SUMMARY

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This bill establishes an assessment on #2 heating oil, kerosene and propane to fund weatherization and heating fuels efficiency programs. It provides a rebate for low-income households until the household participates in weatherization or heating fuels efficiency programs.

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