

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

CHAPTER 621

H.P. 1553 - L.D. 2191

AN ACT to Authorize the Use of Energy Service
Companies and 3rd-party Financing for
Conservation Improvements at School
Administrative Units.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this new draft authorizes counties and school administrative districts to enter contracts for 3rd-party financing of energy conservation improvement projects at county facilities and schools; and

Whereas, there are numerous projects which could benefit from this method of financing resulting in significant energy savings to the counties and school administrative districts; and

Whereas, if this new draft does not become effective immediately, counties and school administrative districts will be hindered in their budget planning process; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRSA §15915 is enacted to read:

§15915. Energy service companies and 3rd-party financing

1. Initial agreement. Any school administrative unit may enter into an agreement of up to 20 years with a private party, such as an energy service or 3rd-party financing company, for the design, installation, operation, maintenance and financing of energy conservation improvements at school administrative unit facilities.

2. Future operation. Any school administrative unit, at the termination of the agreement with the private party pursuant to this section, may acquire, operate and maintain the improvement, may renew the agreement with the private party or may make an agreement with another private party to operate and maintain the improvement.

Sec. 2. 30 MRSA §428 is enacted to read:

§428. Authority to contract for energy conservation improvements

1. Agreement with energy service and 3rd-party financing companies. County commissioners may enter into an agreement with a private party, such as an energy service or 3rd-party financing company for the design, installation, operation, maintenance and financing of energy conservation improvements at county facilities.

2. Future operation. The county commissioners, at the termination of the agreement with the private party pursuant to this section, may acquire, operate and maintain the improvement, renew the agreement with the private party or make an agreement with another private party to operate and maintain the improvement.

3. Budgetary approval. Expenditures by the county commissioners under this section are subject to the normal county budgetary approval process.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 31, 1986.

CHAPTER 622

H.P. 1556 - L.D. 2194

AN ACT Concerning the Labeling of Seafood.

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

Sec. 1. 12 MRSA §6111, sub-§1, as enacted by PL 1985, c. 254, is repealed and the following enacted in its place: