

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 SPECIAL SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

incapacitated person has assets against which the costs may be assessed or that another more appropriate funding source is available and subject to the court's jurisdiction.

Effective August 29, 1986.

CHAPTER 818

H.P. 1753 - L.D. 2436

**AN ACT Making Appropriations and Allocations
for the Expenditure of Funds Received
by the State as a Result of a Federal
Court Order in the Exxon Oil
Overcharge Case.**

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

Sec. 1. 10 MRSA §969-A, sub-§2-A is enacted to read:

2-A. Interest subsidies; grants. Provide interest rate subsidies on commercial loans or grants to businesses, farms and nonprofit organizations;

Sec. 2. Establishment of fund. There is established a fund entitled "Exxon Fund" within the Office of Energy Resources. Any funds received by the State from the Federal Government relating to the oil overcharge case against Exxon Corporation shall be deposited to the fund. Interest accruing on these funds shall be deposited to the fund to be used for the same purposes.

Sec. 3. Allocations. There is allocated from the Exxon funds and from any interest earned thereon for the fiscal year ending June 30, 1987, to the departments listed, the following sum:

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AGRICULTURE, FOOD AND RURAL RE-SOURCES, DEPARTMENT OF

Agricultural Technology Transfer Grant Program
All Other \$200,000
Provides funds for the.de-

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partment to run an "Agricultural Technology Transfer Grant Program" to provide incentives for transfer of innovative energy conservation and renewable resource concepts.

Farm Energy Audit Program	
All Other	50,000
Provides funds to run a "Farm Energy Audit" Demonstration Program.	

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES
TOTAL

\$250,000

EXECUTIVE DEPARTMENT

Community Services, Division of Energy and Weatherization	
All Other	\$7,600,000
Provides funds to continue the current Low-income Weatherization Program consistent with regulations of the federal "Low Income Weatherization Assistance Program." Funds will be used to weatherize low-income eligible housing units.	

Low-income Home Energy Assistance	
All Other	200,000
Provides funds to continue the "Emergency Crisis Intervention Program" (ECIP) to assist low-income persons with emergency fuel purchases consistent with regulations of the federal "Low Income Heating Assistance Program."	

Division of Community Services	
Total	<u>\$7,800,000</u>

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Energy Resources, Office of

Weatherization Rebates

All Other \$525,000

Provides funds for a demonstration program to reimburse homeowners for 50% of the cost of weatherization materials.

Furnace Modernization Rebate

All Other 525,000

Provides funds for a demonstration program to reimburse homeowners and residential rental property owners for 40% of the cost of modernizing their oil furnace equipment, oil water heater equipment and controls.

Furnace Service Rebate

All Other 350,000

Provides funds for a demonstration program to reimburse homeowners and residential rental property owners for 50% of the cost of normal burner testing and servicing.

High Efficiency Lighting Rebate

All Other 350,000

Provides funds for a demonstration program to reimburse homeowners, tenants, residential rental property owners, businesses, non-profit entities and units of government for 50% of the cost of purchasing high efficiency replacement lighting equipment.

Small Business Weatherization and
Furnace Modernization Rebate

All Other 500,000

Provides funds for a demonstration program for small businesses with fewer than 20 employees and nonprofit

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entities to receive rebates for 50% of the cost of weatherizing their structural facilities or for modernizing their furnaces and furnace control equipment.

Community Based Weatherization

All Other 1,000,000

Provides funds to conduct a "Community Based Weatherization Demonstration Program," to be implemented by local and regional service agencies, to educate members of the public on energy conservation techniques and to assist them in applying for assistance programs. Cost will include "weatherization kits" to be distributed.

Schools and Hospitals

All Other 1,000,000

Provides funds for grants to schools and hospitals qualified under the federal "Institutional Conservation Program" of which a portion is to be allocated to qualified state-owned schools and hospitals.

Office of Energy Resources

Total \$4,250,000

EXECUTIVE DEPARTMENT

TOTAL \$12,050,000

FINANCE AUTHORITY OF MAINE (FAME)

Energy Conservation Program

All Other \$2,450,000

Provides funds to operate an energy conservation program, by providing interest subsidies or grants to businesses, including agricultural businesses, and to

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nonprofit entities. FAME shall promulgate rules in accordance with the Maine Administrative Procedure Act, Maine Revised Statutes, Title 5, chapter 375. Underground storage tanks are an eligible item if approved by the Federal Government.

MAINE STATE HOUSING AUTHORITY

Residential Conservation Energy Program

All Other \$1,150,000

Provides funds to operate a residential conservation energy program for single-family (1-4 units), owner-occupied housing units to include subsidized low-interest loans or grants for energy conservation and heating system conversion activities.

Nonowner-Occupied Conservation Energy Program

All Other 600,000

Provides funds to operate an energy conservation program for nonowner-occupied housing units to include low-interest loans or grants for energy conservation and heating system conversion activities.

MAINE STATE HOUSING AUTHORITY

TOTAL \$ 1,750,000

GRAND TOTAL

\$16,500,000

Sec. 4. Allowance for state administrative purposes. In the event a federal court order or a change in federal regulations allows the expenditure of funds allotted in section 1 of this Act for state administrative purposes, an allowance for the use of all funds so allotted, not to exceed 5% of the funds

allocated to each agency, shall be available to each of the agencies funded under this Act.

Sec. 5. Rebate. No single household may receive more than \$200 in assistance, in total, from any or all of the rebate programs set out in this Act and no business or nonprofit entity may receive more than \$500 in assistance from any or all of the rebate programs.

Sec. 6. Unexpended balances carried forward. Any unexpended balances of allocations made from this fund on June 30, 1987, shall not lapse, but shall carry through June 30, 1989, to be used for the same purposes. The Governor, through the Office of Energy Resources, shall report annually to the Legislature, beginning on December 1, 1987, as to the progress on the expenditures of funds and to recommendations for the reallocation of funds.

Sec. 7. Low-income weatherization priorities.

1. **Priorities.** For any expenditures for low-income weatherization assistance pursuant to this Act, the priorities of the Community Services Division shall be as follows:

A. Households which are eligible for fuel assistance benefits and which include:

(1) An elderly household member;

(2) A household member who is handicapped;
or

(3) A household member who is under 24 months of age;

B. All other low-income households which are eligible for fuel assistance benefits; and

C. All other low-income households.

2. **Percentages served.** Any agency or organization implementing the Low-income Weatherization Assistance Program pursuant to this Act shall provide the division with such evidence as the division may require that the priorities set out in subsection 1 have been met by serving at least the following percentages:

A. The percentage of total low-income households with an elderly member, a handicapped member or a

child under 24 months of age served is equal to or exceeds the percentage of each of these group's incidence on each agency's or organization's waiting list as of July 1st of each year.

Effective August 29, 1986.

CHAPTER 819

H.P. 1761 - L.D. 2441

AN ACT Making Corrections of Errors and Inconsistencies in the Laws of Maine.

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

Whereas, Acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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:

PART A

Sec. 1. 4 MRSA §1051, as repealed and replaced by PL 1985, c. 737, Part A, §13, and c. 787, §2, is repealed and the following enacted in its place:

§1051. Legal holidays

No court may be held on Sunday or any day designated for the annual Thanksgiving; New Year's Day,