

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Conserve Energy in Maine Households

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

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

SUBCHAPTER 11-B

WEATHERIZATION ASSISTANCE

§ 4965. Weatherization Assistance Program

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

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

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

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

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

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

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

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

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

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

§ 4966. Weatherization Assistance Program Fund

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

2. Sources of fund. The fund consists of:

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

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

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

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

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

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

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

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

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

4. Distribution of State's share of proceeds. The State Tax Assessor shall pay all net receipts received pursuant to this section to the Treasurer of State, and shall at the same time provide the Treasurer of State with documentation showing the amount of revenues derived from the tax imposed by section 4641-A, subsection 1 and the amount of revenues derived from the tax imposed by section 4641-A, subsection 2. The Treasurer of State shall credit 1/2 of the revenues derived from the tax imposed by section 4641-A, subsection 1 to the General Fund and shall monthly pay the remaining 1/2 of such revenues to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853, except that in fiscal year 2003-04,

fiscal year 2004-05 and fiscal year 2005-06, \$7,500,000 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority and, in fiscal year 2006-07, \$7,687,067 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority and in fiscal year 2007-08 and annually thereafter, \$7,500,000 of the remaining 1/2 of those revenues must be deposited in the Weatherization Assistance Program Fund established in Title 30-A, section 4966. The Treasurer of State shall credit to the General Fund all of the revenues derived from the tax imposed by section 4641-A, subsection 2.

SUMMARY

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