

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

Amend the bill by striking out the title and substituting the following:

'Resolve, Regarding Building Energy Efficiency and Carbon Performance Ratings'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Whereas, promoting renewable energy and energy efficiency are significant priorities of the federal American Recovery and Reinvestment Act of 2009; and

Whereas, significant funding from the federal American Recovery and Reinvestment Act of 2009 will be disbursed to the Public Utilities Commission as administrator of the United States Department of Energy State Energy Program in the immediate future for energy initiatives, including energy efficiency programs; 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

Sec. 1 Building energy efficiency and carbon performance rating system.

Resolved: That the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, in consultation with the stakeholder group convened pursuant to section 2, shall:

1. Develop or select a standardized rating system and reporting form for building energy efficiency and carbon performance;
2. Include the standardized rating system and reporting form in professional education and training programs sponsored by the Public Utilities Commission;
3. Encourage real estate professionals and other stakeholders to promote voluntary use of the standardized rating system and reporting form by residential and commercial property owners, including, but not limited to, voluntary disclosure of building ratings in the context of real estate transactions;
4. Encourage voluntary use of the standardized rating system and reporting form by large-scale property owners and managers, including the State, municipalities and other public and private entities; and
5. Develop a voluntary library or repository of ratings based on the standardized rating system and reporting form; and be it further

Sec. 2 Stakeholder group. Resolved: That the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, shall convene a stakeholder group to assist in the implementation of section 1. The commission, at a minimum, shall invite the Department of Administrative and Financial Services, Bureau of General Services; the Department of Public Safety, Bureau of Building Codes and Standards; representatives of the energy audit and energy performance and management sectors; representatives of the residential and commercial real estate industry; and other interested parties to participate in the stakeholder group; and be it further

Sec. 3 Report. Resolved: That, no later than February 1, 2010, the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, shall prepare and submit a report to the Joint Standing Committee on Utilities and Energy regarding the actions taken pursuant to section 1. The report must include, but is not limited to, recommendations for steps to be taken to promote the use of the standardized rating system and reporting form, with particular attention to promoting their use for state-owned facilities; and be it further

Sec. 4 Funding. Resolved: That the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, may use for the purposes of this resolve up to \$50,000 of the funding received under the federal American Recovery and Reinvestment Act of 2009 designated for the commercial construction efficient design program in the Proposed Plan for Energy Stimulus Funds submitted by the Public Utilities Commission pursuant to Resolve 2009, chapter 1; and be it further

Sec. 5 Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Conservation Administration Fund 0966

Initiative: Provides an allocation of \$50,000 to the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, to develop and promote a standardized rating system for energy efficiency and carbon performance.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$50,000	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$50,000	\$0

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

SUMMARY

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission, as administrator of the United States Department of Energy State Energy Program, in consultation with a stakeholder group, to develop or select a standardized rating system and reporting

form for building energy efficiency and carbon performance, to take several steps to encourage the use of the selected rating system and reporting form and to develop a voluntary library of results. The amendment requires the commission to submit a report on these efforts to the Joint Standing Committee on Utilities and Energy and authorizes the commission to use up to \$50,000 in federal funds received by the commission, as administrator of the United States Department of Energy State Energy Program under the federal American Recovery and Reinvestment Act of 2009 for the purposes of this resolve. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)