



# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1838

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S.P. 741

In Senate, March 20, 2014

**An Act To Expand Affordable Heating Investments with Maine's  
Public Resources**

(EMERGENCY)

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator YOUNGBLOOD of Penobscot. (GOVERNOR'S BILL)

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

3           **Whereas,** it is necessary to enact this legislation as early as possible to alleviate the  
4 burden of high residential heating costs on Maine families; and

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

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

10           **Sec. 1. 12 MRSA §1849, sub-§1,** as amended by PL 2013, c. 405, Pt. A, §24 and  
11 Pt. C, §10, is further amended to read:

12           **1. Revenue sources.** Except as provided in paragraph A and Title 35-A, section  
13 10124, the bureau must receive all money, securities and other things of value accruing to  
14 the State: from the sale of timber and grass and other rights and things of value from the  
15 public reserved lands under the care, custody, control or management of the bureau; in  
16 payment for timber, grass and other things of value cut or taken by trespassers; from  
17 forfeiture of a bond or a deposit when a contractor does not fulfill the terms of the  
18 contract or comply with state regulations; or as a result of a compromise or settlement of  
19 any claim.

20           A. The first \$20,000 in the aggregate of any money accruing from the alienation of  
21 rights to mine upon public reserved land, or other income arising out of mining  
22 operations, that is actually received during any fiscal year, and every portion thereof  
23 accruing from these mining operations, must be paid to the Division of Geology,  
24 Natural Areas and Coastal Resources.

25           **Sec. 2. 35-A MRSA §10124** is enacted to read:

26           **§10124. Affordable Heating from Maine's Forests Fund**

27           **1. Fund established.** The Affordable Heating from Maine's Forests Fund, referred  
28 to in this section as "the fund," is established. The fund is a nonlapsing fund administered  
29 by the trust in accordance with this section. Any interest earned on funds in the fund  
30 must be credited to the fund, and funds not spent in any fiscal year remain in the fund to  
31 be used in accordance with this section. The trust receives and deposits in the fund funds  
32 from the Public Reserved Lands Management Fund, established in Title 12, section 1849,  
33 subsection 2.

34           **2. Funding source.** All money deposited in the fund must be used for investments  
35 in measures that reduce residential heating costs. The measures must be consistent with  
36 the measures that lower residential heating demand in section 10109, subsection 4,  
37 paragraph A. The Treasurer of State shall transfer funds from the Public Reserved Lands  
38 Management Fund, established in Title 12, section 1849, subsection 2, to the fund in  
39 accordance with this subsection.

1           A. On March 1, 2014, the Treasurer of State shall transfer \$500,000 from the Public  
2           Reserved Lands Management Fund to the fund.

3           B. On July 1, 2014, the Treasurer of State shall transfer \$500,000 from the Public  
4           Reserved Lands Management Fund to the fund.

5           C. On July 1, 2015 and on July 1st in each year thereafter, the Treasurer of State  
6           shall transfer from the Public Reserved Lands Management Fund to the fund:

7                   (1) If more than 170,000 cords of wood were harvested from the public reserved  
8                   lands during the prior fiscal year, \$1,250,000; or

9                   (2) If 170,000 cords of wood or less were harvested from the public reserved  
10                   lands during the prior fiscal year, \$1,000,000.

11           For purposes of this paragraph, "cord" has the same meaning as in Title 10, section  
12           2302, subsection 1.

13           **3. Rulemaking.** The board may adopt rules to implement this section. Rules  
14           adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
15           chapter 375, subchapter 2-A.

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

18    **SUMMARY**

19           This bill establishes the Affordable Heating from Maine's Forests Fund, administered  
20           by the Efficiency Maine Trust. The fund receives revenue from the sale of timber and  
21           other things of value from Maine's public reserved lands. In 2014, a total of \$1,000,000  
22           will be transferred from the Public Reserved Lands Management Fund to the Affordable  
23           Heating from Maine's Forests Fund, and in subsequent years, \$1,250,000 or \$1,000,000  
24           will be transferred annually depending on the quantity of wood harvested. The Efficiency  
25           Maine Trust is required to use the funding for measures that reduce residential heating  
26           costs.