

SENATE . . . . . No. 427

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By Mr. Reilly, a petition (accompanied by bill, Senate, No. 427) of Martin T. Reilly, Paul E. Caron and Denis L. McKenna for legislation to encourage senior citizens to implement energy conservation measures to conserve fossil fuels and money. Energy.

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The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT TO ENCOURAGE SENIOR CITIZENS TO IMPLEMENT ENERGY CONSERVATION MEASURES TO CONSERVE FOSSIL FUELS AND MONEY.

*Whereas*, Senior Citizens are among the most hard pressed by gible to receive federal and state tax credits for insulation, conservation, and alternative energy development;

*Whereas*, Senior Citizens are among the most hard pressed by rapidly rising energy costs and often cannot afford measures which would conserve dwindling energy resources and produce a sound net effect; and

*Whereas*, accelerated insulation and weatherization of dwellings in the Commonwealth will have a salutary effect on the economy and the health, safety and well-being of all the citizens of Massachusetts;

*Therefore*, it is declared to be the policy of this Commonwealth to adopt programs and policies designed to help Senior Citizens to adopt proven energy conservation measures.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. There is hereby created a program, to be known
- 2 as the Senior Citizens Insulating Program (SCIP) in the
- 3 amount of \$3,000,000 to accomplish the purposes of this Act.
- 4 Said fund is to be administered by the Secretary of the Com-
- 5 munities and Development, or his designate, with the counsel
- 6 of the Secretary of Elder Affairs. The Secretary shall insure
- 7 that any monies made available to this program shall be used

8 exclusively for the purposes of this Act and shall not be used  
9 for any other purpose.

1 SECTION 2. The Secretary is hereby authorized to promul-  
2 gate rules and regulations deemed necessary to carry out the  
3 provisions of this Act and shall submit any such regulations  
4 to the Joint Committee on Government Regulations for a rea-  
5 sonable time for review and comment prior to promulgation.  
6 In addition, the Secretary shall solicit the advice and opinion  
7 of the Senior Citizens from the various parts of the State  
8 through written comments or public hearings in order to in-  
9 sure sufficient opportunity for full analysis.

1 SECTION 3. The Senior Citizens Insulation Program shall  
2 provide direct energy conservation grants to persons over the  
3 age of 62 years old who first submit an estimated work plan  
4 which shall include costs of all materials, projected expendi-  
5 tures for installation and labor and other directly related  
6 costs. Applicants who submit work plans which amount to a  
7 total of less than \$100 shall not be eligible. After a determi-  
8 nation that the proposed expenditures represent bona fide and  
9 reasonable costs for the work and materials necessary, the  
10 applicant shall be considered for a grant from this program.  
11 A determination that the proposed work plan is bona fide does  
12 not constitute an award of a grant but is merely an approval  
13 that the proposed costs are reasonable. Grants shall be up to  
14 \$500, but in no instance shall they exceed 50% of the total  
15 cost of the conservation improvements. Priority shall be given  
16 to those Senior Citizens who are no longer employed on a  
17 full-time basis. Applications for the grant and approval of  
18 work plans shall be conclusively acted upon no later than four  
19 weeks after complete submissions have been made.

1 SECTION 4. Applicants for grants under this Act shall dem-  
2 onstrate that their total income (or family income) does not  
3 exceed 250% of the poverty level as defined by the U.S. Office  
4 of Management and Budget.

1 SECTION 5. Landlords who own dwellings where tenants pay  
2 their own heating bills shall also be eligible for grants of up  
3 to \$500 provided that they can demonstrate that the sub-  
4 mitted voucher was entirely and absolutely the cost related to

5 conservation improvements for an apartment(s) occupied by  
6 Senior Citizens who are the heads of their household and pay  
7 rent without benefit or contribution from non-Senior Citizen  
8 members of the same household. No landlord may receive a  
9 grant greater than \$500 per qualifying Senior Citizen house-  
10 hold and no landlord may receive a total greater than \$5,000  
11 during any one year during the lifetime of this program. The  
12 landlord must enter into a written agreement that he will not  
13 pass on the reimbursable portion of the conservation grant to  
14 his tenants in any form but further that the non-reimburs-  
15 able portion may be assessed in prorated installments over a  
16 period not less than five years. This provision shall also apply  
17 to communities with rent control apartments.

1 SECTION 6. The Secretary shall set guidelines for the SCIP  
2 program which insure speedy and expeditious disbursement of  
3 grants of qualified applicants and shall report to the Governor  
4 and the General Court after one year with his assessment of  
5 the efficacy of the program. He shall make recommendations  
6 for legislative changes as well as for additional appropria-  
7 tions, if any.

1 SECTION 7. The Secretary shall make allocations to local  
2 Community Action Agencies, who shall directly administer  
3 the grants to Senior Citizens for the purposes of this Act.  
4 These local Councils shall receive allocations on the basis of  
5 the percentage of Senior Citizens within their service area and  
6 the number of dwellings or apartment units owned by Senior  
7 Citizens. Local Agencies may expend an amount not to exceed  
8 10% of their allocation for administrative costs related to the  
9 provision of said grants.

1 SECTION 8. The Secretary shall endeavor to insure that at  
2 least 4,000 direct grants to Senior Citizens are made during  
3 the first year of this program (including those of landlords).

1 SECTION 9. The Secretary shall endeavor to obtain data on  
2 the number of dwellings or apartment units owned by senior  
3 citizens and the number of dwellings or apartment units rented  
4 by senior citizens who must provide or pay for the dwelling's  
5 heat. The Secretary shall deliver a report to the Legislature

6 and the Governor containing a summary of the findings no  
7 more than 6 months after enactment of this Act.

1 SECTION 10. Persons who receive a grant from this program  
2 but fail to perform the proposed conservation work shall be  
3 deemed to have committed a civil offense under the laws of  
4 the Commonwealth.

1 SECTION 11. Since deferred operation of this Act would tend  
2 to defeat its purpose, the Legislature deems this to be an  
3 emergency Act, and Sections 1-10 shall take effect upon pas-  
4 sage.