

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
108TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. S-290)

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to  
H.P. 477, L.D. 583, Bill, "AN ACT Relating to Approving and  
Financing School Construction."

Amend the Amendment by striking out all of the first  
paragraph and inserting in its place the following:

'Amend the Bill by striking out everything after the  
enacting clause and inserting in its place the following:

'Sec. 1. 5 MRSA c. 153, sub-c. 1-A, as enacted by PL 1977,  
c. 320 , is repealed.

Sec. 2. 5 MRSA c. 153, sub-c. 1-A is enacted to read:

SUBCHAPTER I-A

ENERGY CONSERVATION IN BUILDINGS ACT

§ 1761. Short title

This subchapter may be cited as the "Energy Conservation in Buildings  
Act."

§ 1762. No facility constructed without life-cycle costs

No public improvement, as defined in this chapter, or public school facility,  
with an area in excess of 5,000 square feet, shall be constructed without hav-  
ing secured from the designer a proper evaluation of life-cycle costs, as com-  
puted by a qualified architect. Construction shall proceed only  
upon disclosing, for the design chosen, the life-cycle costs as determined in  
section 1764 and the capitalization of the initial construction costs of the  
facility or building. The life-cycle costs shall be a primary consideration in  
the selection of the design.

or engineer or  
as computed by a  
qualified architect  
and engineer.

§ 1763. No facility leased without life-cycle costs

No public improvement, as defined in this chapter, or public school facility,  
with an area in excess of 10,000 square feet within a given building boundary,  
shall be leased until a life-cycle costs analysis has been performed and a lease  
shall only be approved where the life-cycle costs analysis compare favorably  
to available like facilities.

In the event of an emergency such as a building  
destroyed by fire, this requirement may be waived by the  
Bureau of Public Improvements.

**§ 1764. Life-cycle costs**

1. Bureau of Public Improvements to promulgate rules and procedures. The Bureau of Public Improvements shall promulgate rules and procedures, including energy conservation guidelines, for conducting an energy-related life-cycle costs analysis of alternative architectural and engineering designs and shall evaluate the efficiency of energy utilization for designs in the construction and lease of public improvements and public school facilities. Such rules and procedures shall take effect 90 days after the enactment of this subchapter.

2. Life-cycle costs. Such life-cycle costs shall include:

A. The reasonably expected energy costs over the life of the building, as determined by the designer, that are required to maintain illumination, power, temperature, humidity and ventilation and all other energy-consuming equipment in a facility; and

B. The reasonable energy-related costs of probable maintenance, including labor and materials and operation of the building.

3. Determination of life-cycle costs. To determine the life-cycle costs, the Bureau of Public Improvements shall promulgate rules that shall include but are not limited to:

A. The orientation and integration of the facility with respect to its physical site;

B. The amount and type of glass employed in the facility and the directions of exposure;

C. The effect of insulation incorporated into the facility design and the effect on solar utilization to the properties of external surfaces;

D. The variable occupancy and operating conditions of the facility and subportions of the facility; and

E. Energy consumption analysis of the major equipment of the facility's heating, ventilating and cooling system, lighting system, hot water system and all other major energy-consuming equipment and systems as appropriate. This analysis shall include:

(1) The comparison of alternative systems;

(2) A projection of the annual energy consumption of major energy-consuming equipment and systems for a range of operations of the facility over the life of the facility; and

(3) The evaluation of the energy consumption of component equipment in each system, considering operation of such components at other than full or rated outputs.

4. Annual updating of rules. Such rules shall be based on the best currently available methods of analysis and provisions shall be made for an annual updating of rules and standards as required.

§1765. Application of subchapter to certain public school buildings

Sections 1762 to 1764 shall not apply to any public school facility approved by the State Board of Education prior to the effective date of this subchapter.'

Further amend the Amendment in section 5 in that part designated "§3471." in subsection 2 by adding at the end the following:

I. The Department of Educational and Cultural Services and the Bureau of Public Improvements shall not approve the plans and specifications of any project which does not meet the requirements of Title 5, chapter 153, subchapter 1-A.'

Further amend the Amendment by renumbering sections 1 to 12 to be 3 to 14.

Further amend the Amendment by inserting at the end before the statement of fact the following:

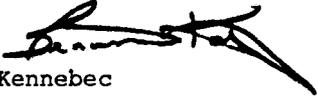
'Emergency clause. In view of the emergency cited in the preamble, sections 1 and 2 of this Act shall take effect when approved and sections 3 to 14 shall take effect on July 1, 1977.'

Statement of Fact

This amendment ensures that the Energy Conservation in Buildings Act, a nonemergency act which has become public law /c. 320, 1977, will apply to all public school buildings approved by the State Board of Education after the date of enactment of this bill.

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The amendment accomplishes this end by reenacting the Energy Conservation in Buildings Act as part of this emergency bill. The amendment also contains a provision which ensures that the requirements of the "Energy Conservation in Buildings Act" does not apply to public school buildings approved by the State Board of Education prior to the enactment date of this bill.

(Katz)  
NAME:   
COUNTY: Kennebec