

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(New Draft of S.P. 93, L.D. 247)  
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2539

S.P. 958

In Senate, March 17, 1988

Reported by the Majority for the Committee on Energy and Natural Resources and printed under Joint Rule 2. Original Bill sponsored by Senator KERRY of York. Cosponsored by: Senator TUTTLE of York, Representative JACQUES of Waterville, and Representative HOGLUND.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Revise the Energy Building  
Standards Act.

1  
2  
3

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

6 Sec. 1. 10 MRSA §1413, sub-§9-A is enacted to  
7 read:

8 9-A. Industrial building. "Industrial building"

1 means a building and any addition to an existing  
2 building which houses an operation or integrated  
3 series of operations engaged in as a business or  
4 segment of a business which transforms or converts  
5 personal property by physical, chemical or other means  
6 into a different form, composition or character from  
7 that in which it originally existed. The operation or  
8 operations are limited to those classified by the  
9 United States Department of Commerce with any standard  
10 industrial code of 20 through 39.

11       Sec. 2. 10 MRSA §1413, sub-§12, as enacted by PL  
12 1979, c. 503, §2, is amended to read:

13       12. Commercial or institutional building.  
14 "Nonresidential building" "Commercial or  
15 institutional building" means any building with a  
16 conditioned space and any addition to an existing  
17 building which is not a residential or industrial  
18 building as defined herein.

19       Sec. 3. 10 MRSA §1413, sub-§16, as enacted by PL  
20 1979, c. 503, §2, is repealed and the following  
21 enacted in its place:

22       16. Residential building. "Residential building"  
23 means a single-family or multifamily structure  
24 designed for year-round or winter seasonal use and  
25 additions to those buildings. This term includes  
26 modular homes as defined in Title 30, section 4965.

27       Sec. 4. 10 MRSA §§1415-C to 1415-E are enacted  
28 to read:

29 §1415-C Mandatory standards for residential  
30 construction

31       1. Conformance. Any new conditioned space in a  
32 residential building built after January 1, 1989 shall  
33 be constructed to meet, at the minimum, the  
34 prescriptive ceiling, wall, floor, foundation and  
35 window thermal performance characteristics set out in  
36 this subsection.

1 A. Ceilings which face outdoor or unheated space  
2 must be insulated to R-38.

3 B. Walls which face outdoor or unheated space  
4 must be insulated to R-19.

5 C. Floors over unheated spaces must be insulated  
6 to R-19.

7 D. Slab-on-grade floors must have perimeter  
8 insulation of either:

9 (1) R-10 when the insulation extends  
10 downward from the top of the slab to the  
11 design frost line; or

12 (2) R-20 when the insulation extends around  
13 the perimeter itself and horizontally beneath  
14 the slab for a distance equivalent to the  
15 depth of the frost line.

16 E. Foundation walls below grade enclosing heated  
17 spaces must be insulated from the top of the  
18 foundation to the frost line to R-10.

19 F. All windows must be insulated to R-2.

20 2. Exemption. Any person constructing a  
21 residential building for use as that person's  
22 residence is exempt from this section. Any person  
23 constructing a log home is exempt from this section.

24 §1415-D Mandatory standards for commercial and  
25 institutional construction

26 Except as provided in this section, new  
27 construction of any commercial or institutional  
28 building undertaken after January 1, 1989 shall  
29 conform to the ASHRAE 90 standards under any of the  
30 compliance methods specified in the standards.

31 1. Construction in anticipation of future sale or  
32 rental. Any person who constructs any commercial or  
33 institutional building after January 1, 1989 with the  
34 intent to sell or lease the building to

1 another party whose energy requirements are unknown at  
2 the time of construction is subject to the following  
3 provisions.

4 A. The person constructing the building shall  
5 employ construction techniques and design features  
6 that permit the ready installation of energy  
7 efficient equipment and materials sufficient to  
8 meet the standards established under this section  
9 which are applicable to all reasonably foreseeable  
10 uses of the building.

11 B. The person to whom the building is sold or  
12 leased is responsible for promptly installing the  
13 materials and equipment necessary for the building  
14 to conform with the standards established under  
15 this section.

16 §1415-E. Administration of standards

17 1. Administration. The Office of Energy  
18 Resources shall be responsible for the administration  
19 and enforcement of the standards established in this  
20 chapter. In administering these standards, the Office  
21 of Energy Resources shall:

22 A. Work cooperatively with other state, regional  
23 and local agencies interested in or affected by  
24 these standards and may, by rules promulgated in  
25 accordance with the Maine Administrative Procedure  
26 Act, Title 5, chapter 375, distribute to regional  
27 planning councils funds made available for this  
28 purpose;

29 B. Revise the Manual of Accepted Practices to  
30 incorporate these mandatory provisions and make  
31 this and other relevant publications available to  
32 the towns and cities of this State; and

33 C. Collect data from municipalities and regional  
34 planning agencies on the energy construction  
35 characteristics of the residential units built  
36 after January 1, 1989 and include an analysis of  
37 that data in its biennial energy resources plan.



1 Society of Heating, Refrigeration, Electrical and Air  
2 Conditioning Engineers, are established for commercial  
3 and institutional buildings. Industrial facilities  
4 are exempt from these standards.

5 The new draft eliminates notice requirements and  
6 other paper work in the original bill.

7

4957030888