

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 527

H.P. 396

House of Representatives, March 1, 1989

Submitted by the Office of Energy Resources pursuant to Joint Rule 24.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative DEXTER of Kingfield.

Cosponsored by Senator KANY of Kennebec, Senator LUDWIG of Aroostook and Representative MICHAUD of East Millinocket.

STATE OF MAINE

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

An Act to Amend and Unify the Residential Energy Efficiency Building Standards.



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

3 **Sec. 1. 10 MRSA §1413, sub-§1**, as enacted by PL 1979, c. 503,
5 §2, is amended to read:

7 1. **ASHRAE 90.** "ASHRAE 90" means the current standard for
9 energy conservation in new building design developed and approved
by the American Society of Heating, Refrigeration and Air
Conditioning Engineers.

11 **Sec. 2. 10 MRSA §1413, sub-§11**, as enacted by PL 1979, c. 503,
13 §2, is amended to read:

15 11. **Manual of Accepted Practices.** "Manual of Accepted
17 Practices" means the Manual of Accepted Practices prepared by the
Office of Energy Resources in conformance with the ~~State-of-Maine~~
Energy-Conservation-Building-Standards mandatory standards for
residential construction as defined in section 1415-C.

19 **Sec. 3. 10 MRSA §1415-A**, as amended by PL 1985, c. 481, Pt.
21 A, §19, is repealed.

23 **Sec. 4. 10 MRSA §1415-B**, as enacted by PL 1985, c. 370, §4,
25 is repealed.

27 **Sec. 5. 10 MRSA §1415-C, sub-§1, ¶D**, as enacted by PL 1987, c.
818, §4, is amended to read:

29 D. Slab-on-grade floors must have perimeter insulation of
31 either:

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

35 (2) R-20 R-10 when the insulation extends around the
37 perimeter itself and horizontally beneath the slab for
a distance equivalent to the depth of the frost line.

39 **Sec. 6. 10 MRSA §1415-C, sub-§§3 to 6** are enacted to read:

41 3. Multifamily structures. Effective January 1, 1990, in
43 addition to conforming to the requirements of section 1415-C, any
new construction or renovation of a conditioned space in a
45 residential building of more than 2 dwelling units shall conform
to the ASHRAE 90 standards under any of the compliance methods
47 specified in the standards. For the purposes of this section,
conformance to the ASHRAE 90 standards shall consist of those
49 standards, which are not in conflict with section 1415-C,
established for the building envelope, heating, ventilating and
51 air-conditioning systems and equipment, service water heating and
lighting power limits and controls.

1 4. Waiver. A waiver from subsection 3 may be granted by
3 the director on a case-by-case basis for instances of renovation
5 as defined by section 1413, subsection 15. In regards to the
7 renovation of historic buildings, a waiver shall be granted when
9 the Executive Director of the State Historic Preservation
11 Commission determines that adherence to the energy building
13 standards would result in irreparable damage to the historic
15 character of a building on the National Register of Historic
17 Places, eligible for nomination to the national register or
designated as a historic building by a certified municipal
historic preservation ordinance. In other instances, such as the
rebuilding of a structure damaged by fire or a historic
preservation project when maintaining historic character is not
an issue, the director may grant a waiver when it can be shown
that the additional cost of meeting the energy building standards
would make the building renovation economically infeasible.

19 5. Waiver decision. The director shall render a decision
21 on an application for a waiver from the standards within 30 days
23 of the receipt by the director of a complete application for a
25 waiver. In rendering a decision, the director may place
conditions upon the granting of a waiver. Failure on the part of
the director to render a decision within the 30-day period shall
constitute approval of the request for the waiver.

27 6. Waiver application. A request for a waiver under
29 subsection 4 shall be submitted to the Office of Energy Resources
31 in writing and shall contain the location of the renovation, the
33 intended use of the building and the names of the owner, designer
35 and contractor or builder. If applying for a waiver under the
historic preservation provisions of subsection 4, information on
the historic character of the building shall be provided to the
director. If applying for a waiver under the economic hardship
provisions of subsection 4, information on the economic
infeasibility shall be provided to the director.

37 **Sec. 7. 10 MRSA §1415-F is enacted to read:**

39 **§1415-F. Manual of Accepted Practices**

41 The director shall prepare a Manual of Accepted Practices,
43 which shall consist of building procedures and building materials
45 to enable builders of one-family and 2-family structures to
conform to the residential standards in section 1415-C.

47 **Sec. 8. 10 MRSA §1416, as amended by PL 1979, c. 636, §§3 to**
5, is repealed.

49 **Sec. 9. 10 MRSA §1418, as amended by PL 1979, c. 676, §7, is**
repealed.

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Section 10 repeals the penalties previously established for noncompliance with the publicly-funded standard and for falsifying compliance with the voluntary standards.