

# MAINE STATE LEGISLATURE

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R.O.S.

L.D. 531

(Filing No. S- 151)

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 204, L.D. 531, Bill, "An Act Concerning Energy Efficiency Standards for Subsidized Housing"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 10 MRSA §1413, sub-§§13-A and 14-A are enacted to read:

13-A. Primary heating system. "Primary heating system" means a heating system with a rated maximum heat output that is greater than 50% of the design heating load of the building or the unit.

14-A. Remodeling. "Remodeling" means the addition to an existing building of new conditioned space that is heated electrically or the conversion of existing space from nonelectric heat to electric heat.

Sec. 2. 10 MRSA §1413, sub-§15, as amended by PL 1985, c. 370, §2, is further amended to read:

15. Renovation. "Renovation" means the reconstruction, removal or replacement of any portion or element of an existing building which that affects the heat loss or gain of the building, illumination of the building or the heating, ventilating or air conditioning system of the building where when the total cost of the renovation exceeds 75% of the assessed value of the building, but does not include normal maintenance and repair.

Sec. 3. 10 MRSA §1415-G is enacted to read:

§1415-G. Electric heating systems; subsidized housing

1. Residential construction, remodeling and renovation. Except as provided in this section, during the construction,

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2 remodeling or renovation of a multifamily residential building, a  
4 person may not install electric space heating equipment as the  
6 primary heating system if that construction, remodeling or  
8 renovation is funded in whole or in part by public funds,  
10 guarantees or bond proceeds. For purposes of this section,  
12 "multifamily residential building" means a structure with more  
14 than one dwelling unit.

16 2. Waiver. After written petition from a building owner,  
18 the commissioner shall grant a waiver from subsection 1 if the  
20 building design conforms to the residential standards set forth  
22 in subsection 3 or 4. A waiver granted by the commissioner under  
24 this subsection must be in writing and state the commissioner's  
26 reason for granting the waiver.

28 3. Residential standards; electric heat. If the  
30 commissioner grants a waiver under subsection 2, the building  
32 owner shall renovate the building or construct a new building so  
34 that the entire building conforms to the minimum energy  
36 efficiency standards established in this section. If a waiver is  
38 granted under subsection 2 for a building to be remodeled or a  
40 building that receives an addition, only the remodeled portion of  
42 the building or the addition must conform to the following  
44 minimum energy efficiency standards.

46 A. All ceilings that face an outdoor or unheated space must  
48 be insulated to an R-value of 57 or greater.

50 B. All walls that face an outdoor or unheated space must be  
52 insulated to an R-value of 38 or greater.

54 C. All floors over unheated spaces must be insulated to an  
56 R-value of 25 or greater.

58 D. Slab-on-grade floors must have perimeter insulation of  
60 either:

62 (1) R-15 when the insulation extends downward from the  
64 top of the slab to the design frost line; or

66 (2) R-15 when the insulation extends around the  
68 perimeter and horizontally or diagonally beneath or  
70 away from the slab for a distance equivalent to the  
72 depth of the frost line.

74 E. All foundation walls adjacent to a heated space must be  
76 insulated from the top of the foundation to the frost line  
78 to an R-value of 19 or greater.

80 F. All windows and glass in doors, when the glass in the  
82 door constitutes 1/3 or more of the door area, must have a  
84 total window unit R-value of 2.5 or greater.

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G. All exterior doors must be insulated or equipped with a storm door.

H. All new construction and renovation must comply with infiltration and ventilation standards established by the commissioner.

4. Performance-based compliance. Effective January 1, 1992, the commissioner may waive the requirements of subsection 3 for any building if the commissioner determines that the building's calculated annual energy consumption is not greater than the annual energy consumption of a similar building constructed in accordance with subsection 3.

The commissioner shall adopt rules that establish a performance-based compliance procedure for residential buildings before January 1, 1992.

5. Violation. A building owner who violates this section or rules adopted under this section commits a civil violation for which a forfeiture of not less than \$100 nor more than 5% of the value of construction must be adjudged.

6. Notification. An agency, municipality or granting authority that provides a housing subsidy as described in this section must notify the Department of Economic and Community Development, Energy Conservation Division that the application complies with the residential energy requirements of this section. Notification must be in a form prescribed by rule by the commissioner.

**Sec. 4. Application.** This Act applies to applications for public funds, guarantees or bond proceeds pursuant to this Act submitted on or after January 1, 1992.

**Sec. 5. Effective date.** This Act takes effect on January 1, 1992.

**FISCAL NOTE**

This bill prohibits the installation of any electric space heating systems under specified circumstances after January 1, 1992 and establishes a new civil violation and forfeiture. There may be a minimal number of cases filed in District Court. The additional work load and administrative costs associated with these few cases will be absorbed within the budgeted resources of the Judicial Department. There may also be a minimal increase in revenue to the General Fund from the collection of fines.

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2 This bill gives the Department of Economic and Community  
Development the ability to grant waivers if requested by building  
4 owners and requires rulemaking. The additional administrative  
responsibilities related to granting waivers and the costs  
6 associated with rulemaking can be absorbed within existing  
budgeted resources of the Department of Economic and Community  
Development.'

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STATEMENT OF FACT

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This amendment makes the following changes to the bill:

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1. Defines "remodeling";

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2. Deletes the provision prohibiting installation of  
18 electric heat in a building intended for occupancy by a person  
who may be eligible for public fuel assistance;

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3. Deletes the medical necessity waiver;

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4. Deletes the provision for single-family units;

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5. Adjusts several residential energy standards and adds an  
26 insulated exterior door requirement;

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6. Requires the Commissioner of Economic and Community  
Development to adopt rules establishing infiltration and  
30 ventilation standards;

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7. Adds a notification provision; and

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8. Adds a fiscal note.

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Reported by Senator Dutremble for the Committee on Housing  
and Economic Development. Reproduced and Distributed Pursuant  
to Senate Rule 12.  
(5/13/91) (Filing No. S-151)