

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 531

S.P. 204

In Senate, February 12, 1991

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator COLLINS of Aroostook

Cosponsored by Representative ANDERSON of Woodland, Representative BELL of Caribou and Senator BERUBE of Androscoggin.

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### STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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An Act Concerning Energy Efficiency Standards for Subsidized Housing.

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

Sec. 1. 10 MRSA §1413, sub-§13-A is 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.

Sec. 2. 10 MRSA §1415-G is enacted to read:

1415-G. Electric heating systems; subsidized housing

1. Residential construction and renovation. Except as provided in this section, during the construction or renovation of a residential building, a person may not install electric space heating equipment as the primary heating system in that building if that building is:

A. Funded in whole or in part from any federal, state, county, municipal or quasi-governmental funds, guarantees or bond proceeds; or

B. Intended for occupancy by a person who may be eligible to receive federal, state or municipal fuel assistance payments or any other form of direct public subsidy of that person's residential heating costs.

2. Waiver. After written petition from a builder, the commissioner shall grant a waiver from subsection 1 only if the commissioner determines that the building design conforms to the residential standards set forth in subsection 3 and:

A. The building is a single-family dwelling and a primary electric space heating system is the only economically feasible primary heating system for that building; or

B. A primary electric space heating system is medically necessary for the health of the building's occupants.

A waiver granted by the commissioner under this subsection must be in writing and must state the commissioner's reason for granting the waiver.

3. Residential standards; electric heat. If the commissioner grants a waiver under subsection 2, the builder shall construct or renovate the residential building so that the entire building conforms to the following minimum energy efficiency standards:

A. All ceilings that face an outdoor or unheated space must be insulated to an R-value of 50 or greater;

2 B. All walls that face an outdoor or unheated space must be  
4 insulated to an R-value of 19 or greater;

6 C. All floors over unheated spaces must be insulated to an  
8 R-value of 19 or greater;

10 D. All perimeters of slab-on-grade floors must be insulated  
12 to an R-value of 15 with insulation that extends from the  
14 top of the slab either vertically downward to the frost line  
16 or horizontally away from the slab a distance equal to the  
18 depth of the frost line;

20 E. All foundation walls adjacent to a heated space must be  
22 insulated from the top of the foundation to the frost line  
24 to an R-value of 15 or greater; and

26 F. All windows must have an R-value of 4 or greater.

28 4. Violation. A person who violates this section commits a  
30 civil violation for which a forfeiture of not less than \$100 nor  
32 more than \$1,000 must be adjudged.

34 Sec. 3. Effective date. This Act takes effect on January 1,  
36 1992.

## 38 STATEMENT OF FACT

40 This bill prohibits the installation of electric space  
42 heating equipment as the primary space heating system in any  
44 residential building that is constructed or renovated using any  
46 public funds, or that is constructed or renovated for the purpose  
of housing any person who may be eligible to receive any public  
fuel assistance subsidy. This bill allows the Commissioner of  
Economic and Community Development to grant a waiver from that  
prohibition, as long as the electrically heated residential  
building is constructed to meet minimum energy efficiency  
standards which are more stringent than the residential energy  
standards enacted by the 113th Legislature as Public Law 1987,  
chapter 818. The commissioner may grant a waiver if the  
commissioner determines that no other type of heating system is  
economically feasible, or if primary electric heat is medically  
necessary for the health of the occupants. Any person violating  
this provision is guilty of a civil violation, punishable by a  
fine of at least \$100, but not more than \$1,000. This bill is  
effective on January 1, 1992.