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STATE OF MAINE SENATE 116TH LEGISLATURE FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 241, L.D. 734, Bill, "An Act to Ensure Compliance with Existing Energy Efficiency Building Standards"

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

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'Sec. 1. 10 MRSA §1415-H is enacted to read:

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\$1415-H. Certification of compliance

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The following provisions apply to new construction of a commercial or institutional building undertaken after the effective date of this section.

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1. Certification. Before installing permanent service to a commercial or institutional building, an electric utility, as defined in Title 35-A, section 102, shall obtain from the owner of the building or from the owner's legal agent, on a form provided by the utility, a signed certification that the building complies with the requirements of section 1415-D. A copy of the signed certification must be provided by the electric utility to the Department of Economic and Community Development, Energy Conservation Division or a successor agency charged with administering energy building standards.

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2. Form. The Commissioner of Economic and Community Development shall develop a model certification form to be used by electric utilities under subsection 1.

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3. Fee. An electric utility may charge a reasonable fee to cover its costs of processing certificates under this section.



4. Penalties. An electric utility that knowingly v	<u>iolates</u>
subsection 1 commits a civil violation for which a forfei	ture of
not less than \$100 nor more than \$500 must be adjudged. A	n owner
of a building who falsely certifies that a building compli	es with
the standards established under section 1415-D commits a	a civil
violation for which a forfeiture of not less than \$100 a	and not
more than 5% of the value of the construction must be adjud	lged.
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FISCAL NOTE

The additional costs to develop the model certification form can be absorbed by the Department of Economic and Community Development utilizing existing budgeted resources.

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenues by a minor amount.'

STATEMENT OF FACT

This amendment strikes and replaces the bill. Under this amendment an electric utility must obtain from the owner or agent of the owner of a new commercial or institutional building a certification of compliance with existing mandatory energy efficiency building standards before the utility installs permanent electrical service to the building. Penalties are imposed on utilities that knowingly violate this requirement and on any owner who falsely certifies that a building complies with the mandatory standards.

The amendment also adds a fiscal note to the bill.

Reported by Senator Vose for the Committee on Utilities. Reproduced and Distributed Pursuant to Senate Rule 12. (4/30/93) (Filing No. S-102)