

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 408

S.P. 129

In Senate, January 23, 1997

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**An Act to Include Operation and Maintenance in the Life-cycle Costs  
Analysis Required for Public Improvements.**

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Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Reference to the Committee on State and Local Government 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 NUTTING of Androscoggin.  
Cosponsored by Representative KERR of Old Orchard Beach and  
Senators: FERGUSON of Oxford, LIBBY of York, Representative: AHEARNE of Madawaska.

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

Sec. 1. 5 MRSA §1763, as repealed by PL 1977, c. 563, §1 and reenacted by §2, is amended to read:

§1763. No facility leased without life-cycle costs

No public improvement, as defined in this chapter, or public school facility, with an area in excess of 10,000 square feet within a given building boundary, shall may be leased until a life-cycle costs analysis has been performed and a lease shall may only be approved where when the life-cycle costs analysis compare favorably to available like facilities.

In the event of an emergency such as a building destroyed by fire, this requirement may be waived by the Bureau of Public Improvements General Services.

Sec. 2. 5 MRSA §1764, as amended by PL 1989, c. 501, Pt. DD, §2, is further amended to read:

§1764. Life-cycle costs

1. Bureau of General Services to adopt rules and procedures. The Bureau of Public-Improvements General Services shall promulgate adopt rules and ~~procedures~~, including energy conservation guidelines which that conform as a minimum to the energy efficiency building performance standards promulgated adopted by the Department of Economic and Community Development for conducting an energy-related life-cycle costs analysis of alternative architectural or engineering designs, or both, and shall evaluate the efficiency of energy utilization for designs in the construction and lease of public improvements and public school facilities. Such Any rules and ~~procedures~~ shall adopted take effect 90 days after the enactment of this subchapter.

2. Life-cycle costs. Such Any life-cycle costs shall must include:

A. The reasonably expected energy costs over the life of the building, as determined by the designer, that are required to maintain illumination, power, temperature, humidity and ventilation and all other energy-consuming equipment in a facility; and

B. The reasonable energy-related costs of probable maintenance, including labor and materials and operation of the building, replacement costs over the expected life of

the facility and any other ownership cost issues identified by the Bureau of General Services; and

C. A comparison of energy-related and economic-related design alternatives. The Bureau of General Services may direct the designer to select, include and develop life-cycle costs for any viable alternatives that should be considered.

3. Determination of life-cycle costs. To determine the life-cycle costs, the Bureau of Public--Improvements General Services shall promulgate adopt rules that shall include but are not limited to:

A. The orientation and integration of the facility with respect to its physical site;

B. The amount and type of glass employed in the facility and the directions of exposure;

C. The effect of insulation incorporated into the facility design and the effect on solar utilization to the properties of external surfaces;

D. The variable occupancy and operating conditions of the facility and subportions of the facility; and

E. Energy consumption analysis of the major equipment of the facility's heating, ventilating and cooling system, lighting system, hot water system and all other major energy-consuming equipment and systems as appropriate. This analysis shall must include:

(1) The comparison of alternative systems;

(2) A projection of the annual energy consumption of major energy-consuming equipment and systems for a range of operations of the facility over the life of the facility; and

(3) The evaluation of the energy consumption of component equipment in each system, considering operation of such the components at other than full or rated outputs.

4. Annual updating of rules. Such-rules-shall Rules must be based on the best currently available methods of analysis and provisions shall must be made for an annual updating of rules and standards as required.

## SUMMARY

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4       This bill expands the life-cycle costs analysis required for  
6       public improvements to include certain elements of economic  
8       analysis in addition to energy costs required under current law.  
The bill also transfers the responsibility for adopting rules  
related to life-cycle costs analysis from the Bureau of Public  
Improvements to the Bureau of General Services.