

MAINE STATE LEGISLATURE

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Date: 3-25-10

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 341,
L.D. 891, Bill, "An Act To Amend the Site Location of Development Laws To Include
Consideration of Greenhouse Gas Emissions"

Amend the amendment by striking out all of section 1 and inserting the following:

'Sec. 1. Creation of energy-efficient building standards. Resolved: That the Department of Environmental Protection, referred to in this resolve as "the department," in consultation with the Efficiency Maine Trust Board, the Technical Building Codes and Standards Board within the Department of Public Safety, technical experts in energy efficiency and other interested parties, shall compile from existing sources a set of standards for the design and operation of developments subject to the jurisdiction of the site location of development laws in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6. The standards must be selected based on a demonstration that a building designed, constructed and operated under the standards will have no unreasonable adverse impact on the environment from the generation of greenhouse gases over the building's useful life. By January 1, 2011, the department shall submit a report on its compilation of the standards to the joint standing committee of the Legislature having jurisdiction over natural resources matters; and be it further'

Amend the amendment by striking out all of section 3 and inserting the following:

'Sec. 3. Evaluation of current energy-efficient building practices. Resolved: That the department, in consultation with the Efficiency Maine Trust Board, the Technical Building Codes and Standards Board within the Department of Public Safety and technical experts, shall evaluate the energy performance of the Maine Uniform Building and Energy Code in relation to other commonly used benchmarking systems, such as the United States Green Building Council's "LEED" system, and Energy Star and the Home Energy Rating System established by the United States Department of Energy and the United States Environmental Protection Agency, in order to make recommendations to ensure that any standards developed under section 1 for developments subject to the jurisdiction of the site location of development laws in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6 are consistent with the Maine Uniform Building and Energy Code. By January 1, 2011, the department shall report its recommendations to the joint standing committee of the Legislature having jurisdiction over natural resources matters; and be it further'

SENATE AMENDMENT

1 Amend the amendment by striking out all of section 5 and inserting the following:

2 **'Sec. 5. Creation of energy-efficient developments. Resolved:** That the
3 department shall, in the course of developing the recommended standards and best
4 management practices pursuant to this resolve, provide the Maine Land Use Regulation
5 Commission with information regarding energy-efficient design, construction and
6 operation of developments. By January 1, 2012, the Maine Land Use Regulation
7 Commission shall submit a report on how these recommendations could be implemented,
8 with an estimate of the cost to landowners to implement each recommendation, to the
9 joint standing committee of the Legislature having jurisdiction over natural resources
10 matters and the joint standing committee of the Legislature having jurisdiction over
11 agriculture, conservation and forestry matters. The joint standing committee of the
12 Legislature having jurisdiction over agriculture, conservation and forestry matters is
13 authorized to submit a bill to implement the recommendations to the Second Regular
14 Session of the 125th Legislature.'

15 **SUMMARY**

16 This amendment:

17 1. Removes language requiring the Department of Environmental Protection to
18 develop carbon-neutral building standards and instead requires the department to develop
19 energy efficiency standards;

20 2. Requires that the energy efficiency standards be consistent with the Maine
21 Uniform Building and Energy Code; and

22 3. Removes language requiring the Maine Land Use Regulation Commission to
23 recommend ways to ensure that development in the unorganized and deorganized areas in
24 the State minimizes energy use, reduces greenhouse gas emissions and maximizes energy
25 efficiency.

26 **SPONSORED BY:**



27 (Senator SCHNEIDER)

28 **COUNTY: Penobscot**