

MAINE STATE LEGISLATURE

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1 SMG
ROPS

L.D. 1286

2 Date: 3-15-16

(Filing No. S-396)

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4 STATE OF MAINE
5 SENATE
6 127TH LEGISLATURE
7 SECOND REGULAR SESSION

8 SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 461,
9 L.D. 1286, Bill, "An Act To Ensure the Use of Environmentally Responsible Insulation
10 Materials in Taxpayer-funded Building Projects"

11 Amend the amendment by striking out all of the first paragraph after the title (page 1,
12 lines 12 and 13 in amendment)

13 Amend the amendment by striking out all of the mandate preamble (page 1, lines 14
14 to 18 in amendment)

15 Amend the amendment by inserting at the end before the summary the following:

16 'Amend the bill in section 1 in §1762-B by inserting after subsection 2 the following:

17 '3. Exemption. Notwithstanding subsection 2, this section does not apply to a
18 school administrative unit, the University of Maine System, the Maine Community
19 College System or the Maine Maritime Academy if that entity can demonstrate that the
20 use of insulation with a global-warming potential of 10 or less will significantly increase
21 the cost of the state-funded new construction or substantial renovations.'

22 SUMMARY

23 This amendment removes the mandate preamble and exempts a school administrative
24 unit, the University of Maine System, the Maine Community College System and the
25 Maine Maritime Academy from the requirement of using insulation with a global-
26 warming potential of 10 or less if it is demonstrated that use of such materials will
27 significantly increase the cost of the state-funded new construction or substantial
28 renovations.

29 SPONSORED BY: 

30 (Senator JOHNSON)

31 COUNTY: Lincoln

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



127th MAINE LEGISLATURE

LD 1286

LR 774(04)

An Act To Ensure the Use of Environmentally Responsible Insulation Materials in Taxpayer-funded Building Projects

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-396)

Sponsor: Sen. Johnson of Lincoln

Fiscal Note Required: Yes

Fiscal Note

Removes mandate preamble
Potential State Mandate - Unfunded

State Mandates

Required Activity

Requires local school administrative units (SAU's) to install, or fund the installation of, insulation with a global-warming potential of 10 or less in state-funded new construction or substantial renovation projects that begin on or after October 1, 2017 unless SAU's can demonstrate that the use of such materials will significantly increase the cost of the projects.

Unit Affected

School

Local Cost

Not Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

This amendment removes the mandate preamble and now allows SAU's, the University of Maine, the Maine Community College System and the Maine Maritime Academy to be exempt from the new requirement only if they can demonstrate that the use of such materials will significantly increase the cost of a project. No definition of significant is made. The significant standard will not apply to the Maine State Housing Authority, the Efficiency Maine Trust and the State of Maine, which will all be required to use the new materials regardless of any cost differential. The eventual cost differential of using low global-warming potential materials instead of more traditional materials cannot be determined at this time and will depend on the availability and competitiveness of such products in the marketplace.