

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**  
**OF THE**  
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**AS PASSED AT THE**  
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**1991**

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## CHAPTER 245

S.P. 223 - L.D. 550

An Act to Clarify the Legislature's Intent  
Regarding Quitclaim Deeds

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

**Sec. 1. 36 MRSA §943, last ¶**, as amended by PL 1989, c. 766, is further amended to read:

A discharge of a municipal tax lien mortgage given after the right of redemption has expired, which discharge has been recorded in the Registry of Deeds for more than one year, terminates all title of the municipality derived from such tax lien mortgage or any other recorded tax lien mortgage for which the right of redemption expired 10 years or more prior to the foreclosure date of this ~~discharge~~ discharged lien, unless the municipality has conveyed any interest based upon the title acquired from any of the affected liens. This paragraph applies to discharges of municipal tax lien mortgages given after October 1, 1935.

**Sec. 2. Retroactivity.** This Act applies retroactively to October 1, 1935.

See title page for effective date.

## CHAPTER 246

H.P. 561 - L.D. 804

## An Act to Improve Energy Efficiency in Buildings

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

**Sec. 1. 5 MRSA §1762-A** is enacted to read:

§1762-A. Water conservation in state facilities

After January 1, 1992, unless otherwise required by law, or for reasons of health or safety, the Bureau of Public Improvements and the following departments and agencies may not purchase or install any faucet, shower head, toilet or urinal that is not a low-flow faucet, a low-flow shower head, a water-saving toilet or a water-saving urinal:

1. Bureau of Purchases. The Bureau of Purchases under chapter 155;

2. University of Maine System. The University of Maine System under Title 20-A, chapter 411;

3. Maine Technical College System. The Maine Technical College System under Title 20-A, chapter 431; and

4. Maine State Housing Authority. The Maine State Housing Authority under Title 30-A, chapter 201.

By January 1, 1992, the Bureau of Public Improvements shall adopt rules defining a "low-flow faucet," a "low-flow shower head," a "water-saving toilet" and a "water-saving urinal" that minimize water use to the maximum extent economically and technologically feasible.

**Sec. 2. 5 MRSA §1768** is enacted to read:

§1768. Shared savings program; state agencies

The Bureau of Public Improvements shall develop an energy efficiency incentive program in which an eligible department or agency of the State may retain a portion of any first-year energy cost savings demonstrably attributable to energy efficiency improvements undertaken by that department or agency. A condition of the program is that the portion of energy cost savings not retained by the department or agency must be credited to the General Fund. The bureau shall submit the proposed program to the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 1, 1992.

**Sec. 3. 5 MRSA §1812-E** is enacted to read:

§1812-E. Water conservation devices; purchase and installation

The purchase and installation of faucets, shower heads, toilets and urinals is subject to section 1762-A.

**Sec. 4. 5 MRSA §13084, sub-§5**, as enacted by PL 1989, c. 875, Pt. M, §§7 and 13, is amended to read:

**5. Review and inspection.** The director ~~shall provide for the~~ may review of plans and specifications and the ~~inspection of~~ may inspect buildings to determine compliance with the energy conservation standards, ~~as described~~ established in Title 10, chapter 214.

**Sec. 5. 10 MRSA §1413, sub-§16**, as repealed and replaced by PL 1987, c. 818, §3, is amended to read:

**16. Residential building.** "Residential building" means a single-family or multifamily structure designed for year-round or winter seasonal use and additions to those buildings. ~~This~~ Notwithstanding section 9042, subsection 3, this term includes modular homes as defined in Title 30, section 4965 30-A, section 4358 that are installed in the State.

**Sec. 6. 10 MRSA §1415-C**, as amended by PL 1989, c. 75, §§5 and 6, is further amended by adding at the beginning a new paragraph to read:

Except as provided in this section, any new conditioned space in a residential building constructed after

January 1, 1989 must conform to the minimum prescriptive or performance standards established in this section.

**Sec. 7. 10 MRSA §1415-C, sub-§1**, as amended by PL 1989, c. 75, §5, is further amended to read:

**1. Prescriptive standard.** ~~Any new conditioned space in a residential building built after January 1, 1989 shall be constructed to meet, at the minimum, the following prescriptive ceiling, wall, floor, foundation and window thermal performance characteristics set out in this subsection~~ standards are established.

A. Ceilings ~~which that~~ face outdoor or unheated space must be insulated to R-38.

B. Walls ~~which that~~ face outdoor or unheated space must be insulated to R-19.

C. Floors over unheated spaces must be insulated to R-19.

D. Slab-on-grade floors must have perimeter insulation of either:

(1) R-10 when the insulation extends downward from the top of the slab to the design frost line; or

(2) R-10 when the insulation extends around the perimeter itself and horizontally or diagonally beneath or away from the slab for a distance equivalent to the depth of the frost line.

E. Foundation walls below grade enclosing heated spaces must be insulated from the top of the foundation to the frost line to R-10.

F. All windows must ~~be insulated to~~ have a minimum unit R-value of R-2.

**Sec. 8. 10 MRSA §1415-C, sub-§1-A** is enacted to read:

**1-A. Performance standards.** By January 1, 1992, the Director of the Energy Conservation Division shall adopt rules establishing a performance-based compliance procedure for residential buildings. The Director of the Energy Conservation Division may not adopt a performance-based compliance procedure that imposes overall thermal performance requirements more stringent than those that would apply if the building were constructed in conformance with subsection 1.

**Sec. 9. 10 MRSA §1415-C, sub-§3**, as enacted by PL 1989, c. 75, §6, is amended to read:

**3. Multifamily structures.** Effective January 1, 1990, in addition to conforming to the requirements of this section, any new construction or renovation of a

conditioned space in a residential building of more than 2 dwelling units ~~shall~~ must conform to the ASHRAE 90 standards ~~under any of the compliance methods specified in the standards,~~ provided that those standards do not conflict with this section. ~~For the purposes of this section, conformance to the ASHRAE 90 standards shall consist of those standards, which are not in conflict with this section, established for the building envelope, heating, ventilating and air conditioning systems and equipment, service water heating and lighting power limits and controls.~~

**Sec. 10. 20-A MRSA §12706, sub-§13**, as amended by PL 1989, c. 761, is further amended to read:

**13. Property management.** To acquire by purchase, gift, lease or rent any property, lands, buildings, structures, facilities or equipment necessary to fulfill the purposes of this chapter. The board of trustees shall manage, rent, lease, sell and dispose of property, including lands, buildings, structures, equipment and facilities. The purchase and installation of faucets, shower heads, toilets and urinals is subject to Title 5, section 1762-A. If the board of trustees proposes to sell or permanently transfer any interest in real estate, the transaction must be approved by the Legislature before the interest is transferred. Any revenues derived from these uses are to be credited to a separate fund to be used for the purposes of this chapter;

**Sec. 11. 30-A MRSA §4704-A** is enacted to read:

**§4704-A. Water conservation devices**

Notwithstanding section 4704, the purchase and installation of any faucet, shower head, toilet or urinal in a residential building funded by the authority is subject to Title 5, section 1762-A.

See title page for effective date.

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**CHAPTER 247**

**S.P. 334 - L.D. 909**

**An Act to Provide Public Access One Weekend a Month to the Veterans' Memorial Cemetery**

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

**37-B MRSA §504, sub-§5** is enacted to read:

**5. Weekend visitation.** The director shall arrange visiting hours to provide public access to the cemetery at least one Saturday or Sunday each month. Regularly scheduled weekly visiting hours may be adjusted to provide for the weekend hours.

See title page for effective date.

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