

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

Adult Community Corrections 0124

Initiative: Appropriates funds for association dues and for transportation of Department of Corrections staff to required meetings related to participation in the Interstate Compact.

General Fund	2003-04	2004-05
All Other	\$23,000	\$23,000
CORRECTIONS, DEPARTMENT OF		
DEPARTMENT TOTALS	2003-04	2004-05
GENERAL FUND	\$0	\$0
<hr/>		
DEPARTMENT TOTAL -		
ALL FUNDS	\$0	\$0

See title page for effective date.

CHAPTER 496

H.P. 745 - L.D. 1028

An Act To Restrict Use of Auto Dealer Plates

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

Sec. 1. 29-A MRSA §903, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Plate reduction. The Upon renewal of a dealer license, the number of plates allowed a motor vehicle dealer who fails to sell, through retail sales, a minimum of one vehicle per month or 12 vehicles within a 12-month period must be reduced to one dealer plate unless the Secretary of State determines that the reduction is not warranted, and the motor vehicle dealer may not be issued a dealer plate under section 1002, subsection 1, paragraph B. Upon a 2nd application for renewal of a dealer license, a motor vehicle dealer must be denied renewal if the Secretary of State determines that the dealer sold fewer than 4 vehicles, through retail sales, in the previous license year, at which time all dealer credentials issued previously must be returned to the Secretary of State.

A motor vehicle dealer who is denied a license renewal under this subsection may not reapply until the license has been expired at least one year.

A motor vehicle dealer who holds a vehicle auction business license under section 1051 is exempt from this subsection.

See title page for effective date.

CHAPTER 497

S.P. 92 - L.D. 233

An Act To Promote Energy Conservation

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

Sec. 1. 5 MRSA §1764-A is enacted to read:

§1764-A. Improvement of energy efficiency in state-funded construction

1. Definition. For purposes of this section, "substantially renovated" means any renovation for which the cost exceeds 50% of the building's current value prior to renovation.

2. Rules. The Bureau of General Services, in consultation with the Energy Resources Council and the Public Utilities Commission, shall by rule require that all planning and design for the construction of new or substantially renovated state-owned or state-leased buildings and buildings built with state funds, including buildings funded through state bonds or the Maine Municipal Bond Bank:

A. Involve consideration of architectural designs and energy systems that show the greatest net benefit over the life of the building by minimizing long-term energy and operating costs;

B. Include an energy-use target that exceeds by at least 20% the energy efficiency standards in effect for commercial and institutional buildings pursuant to Title 10, section 1415-D; and

C. Include a life-cycle cost analysis that explicitly considers cost and benefits over a minimum of 30 years and that explicitly includes the public health and environmental benefits associated with energy-efficient building design and construction, to the extent they can be reasonably quantified.

Rules adopted pursuant to this section apply to all new or substantially renovated state-owned or state-leased buildings and buildings built with state funds, including buildings funded through state bonds or the Maine Municipal Bond Bank, regardless of whether the planning and design for construction is subject to approval by the department.

Rules adopted pursuant to this section may provide for exemptions, waivers or other appropriate consideration for buildings with little or no energy usage, such as unheated sheds or warehouses.

The Bureau of General Services shall adopt rules pursuant to this section by July 1, 2004. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Approval. A state agency responsible for approving the construction of a new or substantially renovated state-owned or state-leased building and buildings built with state funds, including buildings funded through state bonds or the Maine Municipal Bond Bank, may not grant such approval unless the agency or other entity or organization proposing the construction can show that it has duly considered the most energy-efficient and environmentally efficient designs suitable in accordance with rules adopted pursuant to this section.

Sec. 2. 20-A MRSA §15908-A is enacted to read:

§15908-A. School energy efficiency standards rules

1. Definition. For purposes of this section, "substantially renovated" means any renovation for which the cost exceeds 50% of the building's current value prior to renovation.

2. Rules. The state board, in consultation with the Department of Administrative and Financial Services and the Public Utilities Commission, shall by rule require as a condition for state funding for construction that all planning and design for new or substantially renovated schools or school buildings subject to state board approval:

A. Involve consideration of architectural designs and energy systems that show the greatest net benefit over the life of the building by minimizing long-term energy and operating costs;

B. Include an energy-use target that exceeds by at least 20% the energy efficiency standards in effect for commercial and institutional buildings pursuant to Title 10, section 1415-D; and

C. Include a life-cycle cost analysis that explicitly considers cost and benefits over a minimum of 30 years and that explicitly includes the public health and environmental benefits associated with energy-efficient building design and construction, to the extent they can be reasonably quantified.

The state board shall adopt rules pursuant to this section by July 1, 2004. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Requirements for approval. The state board shall withhold approval of a state-funded new or

substantially renovated school or school building if the local school authority proposing the project can not show that it has duly considered the most energy-efficient and environmentally efficient designs suitable in accordance with rules adopted pursuant to this section.

Sec. 3. State Board of Education rules; transition. Prior to the effective date of rules adopted pursuant to the Maine Revised Statutes, Title 20-A, section 15908-A, the State Board of Education shall disseminate to appropriate local authorities proposing to construct or substantially renovate any school or school building information concerning the development of the rules and shall encourage planning and design that is consistent with the purposes of Title 20-A, section 15908-A.

Sec. 4. Work group; review of building energy-efficiency standards. The Public Utilities Commission, in consultation with the Energy Resources Council, shall form a working group to review current state building energy standards and their enforcement. The working group shall also review various advanced building guidelines, including, but not limited to, the Leadership in Energy and Environmental Design system, the United States Environmental Protection Agency's Energy Star buildings system, the State of California's Collaborative for High Performance Schools guidelines, and the New Buildings Institute's Advanced Building Guidelines. The Public Utilities Commission shall submit a report that includes its findings and recommendations, including any recommended new rules or changes to existing rules or recommended legislation, to the Joint Standing Committee on Energy and Utilities not later than February 1, 2004. The Joint Standing Committee on Utilities and Energy may report out legislation to the Second Regular Session of the 121st Legislature concerning energy policy, including energy efficiency.

Sec. 5. Application. The Maine Revised Statutes, Title 5, section 1764-A does not apply to any new or substantially renovated state-owned or state-leased buildings or buildings built with state funds, including buildings funded through state bonds or the Maine Municipal Bond Bank, that have received design approval prior to the effective date of rules adopted pursuant to that section. Title 20-A, section 15908-A does not apply to any school construction project that receives voter approval at a public referendum pursuant to Title 20-A, section 15904 prior to the effective date of rules adopted pursuant to Title 20-A, section 15908-A.

See title page for effective date.
