

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 6, 2010 to April 12, 2010**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 12, 2010**

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

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**Augusta, Maine**  
**2010**

the commissioner may identify as the result of any legislation enacted in the Second Regular Session of the 124th Legislature, or into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements; and be it further

**Sec. 7. Resolve 1999, c. 114, §7, amended. Resolved:** That Resolve 1999, c. 114, §7, as amended by Resolve 2005, c. 98, §2, is further amended to read:

**Sec. 7. Repealed. Resolved:** That this resolve is repealed August 11, ~~2010~~ 2015.

; and be it further

**Sec. 8. Repeal. Resolved:** That this resolve is repealed 5 years from its effective date, except that the section of the resolve that amends Resolve 1999, chapter 114 is repealed August 11, 2015.

See title page for effective date.

**CHAPTER 206  
S.P. 341 - L.D. 891**

**Resolve, To Develop Practices  
for Developments of State and  
Regional Significance in Order  
To Reduce Dependency on  
Fossil Fuels and Meet the  
State's Greenhouse Gas  
Emissions Reduction Goals**

**Sec. 1. Energy-efficient and carbon-efficient building practices. Resolved:** That the Department of Environmental Protection, referred to in this resolve as "the department," in consultation with the Efficiency Maine Trust Board and technical experts in the field of energy efficiency and other interested parties, shall identify alternative approaches from existing sources and provide recommendations regarding ways to ensure that the design and operation of developments, but excluding industrial and manufacturing processes and equipment contained within these developments, further the state climate action plan by minimizing overall energy use and dependence on fossil fuels, avoid or minimize emissions of greenhouse gases while considering mitigation and maximize energy efficiency. These practices must be evaluated for developments subject to the jurisdiction of the site location of development laws set forth in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6. By January 1, 2011, the department shall submit a report on the recommended practices to the joint standing committee of the Legislature having jurisdiction over natural resources matters; and be it further

**Sec. 2. Creation of best management practices for the siting and construction of developments of state and regional significance that may substantially affect the environment. Resolved:**

That the department, in consultation with the Executive Department, State Planning Office, the Department of Transportation, technical experts in architecture, transportation and site development and other interested parties, shall develop a series of best management practices for the design and site layout 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 that will contribute to minimizing or avoiding the emission of greenhouse gases and maximizing energy efficiency and reducing dependence on fossil fuels. By January 1, 2011, the department shall report on the development of the best management practices to the joint standing committee of the Legislature having jurisdiction over natural resources matters; and be it further

**Sec. 3. Evaluation of current energy-efficient and carbon-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, Green Building Initiative's "Green Globes" and Energy Star and the Home Energy Rating System established by the United States Department of Energy and the United States Environmental Protection Agency. The department shall evaluate and make recommendations as to whether 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 that are designed and operated to those benchmarking systems will further the state climate action plan, minimize overall energy use and dependence on fossil fuels, reduce or avoid emissions of greenhouse gases and maximize energy efficiency. The department's report must consider how any recommended practices relate to existing requirements in the Maine Uniform Building and Energy Code. Nothing in the department's recommendations may require changes to the Maine Uniform Building and Energy Code.

See title page for effective date.