

An Act to Establish a Uniform Building and Energy Code (LD 2257)

Sponsored by Representative Nancy Smith

Our homes are our biggest investment. This session, legislators can save Maine families money, and protect our health and the environment, by setting cost-effective energy standards for our homes. Maine is one of only 10 states in the U.S.—and the only state in the Northeast—that lacks a statewide minimum energy performance standard for residential buildings.

Frequently Asked Questions

1. Why do we need minimum energy performance standards?

Energy standards assure every new homebuyer that the building meets a minimum level of energy efficiency that is carefully established as cost-effective. They provide developers, architects and builders with a clear, uniform standard. Many new homes and buildings in Maine would meet or surpass these energy codes, but without a standard, many others will not, resulting in risks for homebuyers and for the state, which may later be called on to subsidize heating costs or more expensive efficiency retrofits. A recent study found that 85% of *new* homes in Maine do not meet minimum energy performance standards.

Standards are an important tool to protect consumers in cases where they are unlikely to have the needed information to evaluate a product's quality—such as in food and product safety standards or energy standards for appliances. Standards can also be the simplest and most cost-effective way to provide an important public benefit uniformly throughout an industry. For consumers who want more efficient homes, they provide a baseline against which to measure.

2. Is this an unfunded mandate to towns? If not, who will enforce the codes and how?

No. LD 2179 is carefully-crafted to make the codes meaningful and enforceable without burdening municipalities. We know from experience that if energy efficiency codes are not enforced, they fail to deliver their benefits to homeowners. The bill gives municipalities choices about enforcement.

If the town or city already has salaried code enforcement officers, they may designate those officers to enforce the energy efficiency codes along with other building codes—and adjust fees as necessary. If the town lacks a code officer (or if it prefers not to use their existing officer), then the town can simply designate inspectors from a list of trained and certified inspectors, who will inspect and certify homes on a fee-for-service basis. This bill would enable the State Planning Office to provide much-needed training on energy codes, and to certify people who are trained. The emphasis on statewide training and municipal choice makes this approach fitted to Maine.

3. Could building codes really save a significant amount of energy and oil?

Yes, if buildings actually comply with the standards. Energy building codes are widely recognized as one of the most cost-effective energy efficiency measures available. Yet a

surprising number of buildings are not built to a standard. Residential buildings use more energy for space heating than all the energy used by the industrial sector combined. Maine builds thousands of new homes each year – in some years nearly 10,000 new units – and these homes may last for generations. This legislation could also save 100,000 metric tons of global warming pollution/year.

4. Will these standards increase the cost of new homes?

In many cases, these energy performance standards will not increase the cost of new homes, but they will save consumers money on energy by giving designers and builders the needed information to make the building to comply. In a few cases, the codes could increase the total cost of the home by 1-3%. In those homes, the savings from meeting the energy standards will typically exceed any additional up-front cost in just a few years. And when this cost is incorporated into a mortgage—the month-to-month energy savings will exceed the incremental mortgage payment from day one.

You can find the full text of LD 2257 at <http://janus.state.me.us/legis/LawMakerWeb/search.asp>.