

OPPOSE

LD 43 – An Act To Repeal the Maine Uniform Building and Energy Code

Sponsor: Representative HARVELL of Farmington

Cosponsors: Representatives CEBRA of Naples, CLARK of Easton, COTTA of China, CRAY of Palmyra, GIFFORD of Lincoln, JOHNSON of Eddington, LIBBY of Waterboro, and PARRY of Arundel

Summary: This bill repeals the law establishing the Maine Uniform Building and Energy Code which includes minimum energy efficiency standards for new homes and commercial buildings.

Explanation: Maine's uniform building and energy code was adopted in 2008 with bipartisan support because it will help Maine people save money on energy bills and it replaces a patchwork of local codes that have been confusing, time-consuming, and expensive for Maine builders and developers. Implementation of the code is projected to save Maine homeowners and businesses more than \$100 million in energy costs over the next 10 years, with the average Maine homeowner of a newly built home reaping *net* savings of more than \$200 per year.

Before the uniform building and energy code was enacted, Maine was the only state in the Northeast and one of only 10 in the country that didn't have such a code -- meaning that thousands of homes were being built that wasted energy. Before the law was enacted, only 15% of Maine homes were meeting baseline energy efficiency standards. LD 43 would return Maine to being one of only states in the nation without a uniform code that protects ratepayers from the prospect of buying a new building that wastes energy, needlessly, for the life of the building. Repeal of Maine's uniform building and energy code would reinstate antiquated codes adopted at the municipal level that differ from town to town. A voluntary statewide code that was in place previously in Maine was not utilized, because there was no requirement to do so, and no enforcement. Reinstating the voluntary code would certainly fail again.

Because energy efficiency is the best way to reduce energy costs, and since energy efficiency is easiest and cheapest when applied to new buildings, NRCM strongly opposes repeal of these codes that are protecting the interests of Maine people. The uniform building and energy code has broad support from Maine's construction industries, including from the Maine Homebuilders Association, Maine Real Estate & Developers Association, Associated General Contractors, and Retail Lumber Dealers.

With heating oil prices on the rise, now is not a time to go backwards in terms of promoting energy efficient construction of new buildings. LD 43 and other efforts to delay or weaken the code appear to be driven by a series of anecdotes and misunderstandings about the code. Claims that the code results in large additional costs are unfounded and run counter to actual evidence. The code only requires widely accepted, well-established practices used across the nation. Efforts to eliminate enforcement would completely undermine the code, and delaying implementation is not necessary because the law provides towns with a high degree of flexibility, and slowly phases in enforcement over several years, starting in 2010 only cities and towns that had pre-existing codes, and in 2012 for other towns above a certain size. Maine's building and energy code saves money, reduces oil dependence, protects consumers and streamlines regulations for builders and developers. For these reasons, the code should not be repealed.

NRCM opposes LD 43.