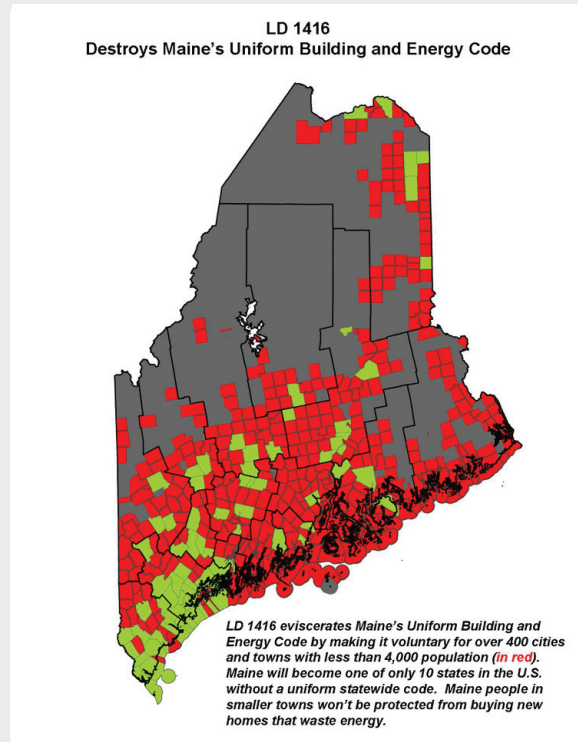


BUILDING ENERGY CODE ADOPTION IN MAINE – LESSONS LEARNED

In 2008, the state of Maine passed their first statewide building energy code, the [Maine Uniform Building and Energy Code](#), or MUBEC. MUBEC set the 2009 IECC and ASHRAE 90.1-2007 as the mandatory energy standards for residential, commercial, and public buildings statewide. Exempted from this legislation were towns with populations less than 2,000 people. In 2011, however, the state effectively repealed MUBEC by passing [LD 1416](#), which makes the code optional to communities with populations under 4,000, or more than 400 Maine towns with 40 percent of the state’s population. According to the [Natural Resources Council of Maine \(NRCM\)](#), the exempted towns can “opt in” to the code, with the added burden of local code enforcement and administration, an option that historically is rarely utilized.

The [Bangor Daily News](#) reported that Maine received \$27 million of federal ARRA funds to adopt a mandatory statewide building energy code, as well as to develop weatherization and renewable energy projects. But by effectively repealing MUBEC, Maine jeopardizes future potential funding and DOE assistance, and most importantly, the state passes up potential energy savings that the 2009 IECC and ASHRAE 90.1-2007 could have created for the state and its residents. Instead, LD 1416 maintains the current patchwork system of codes in the state. [Maine’s USGBC chapter opposed LD1416](#), stating that the setback of MUBEC would result in higher costs for consumers and a confusing regulatory environment for builders. The following statistics derived from the Building Codes Assistance Project (BCAP) offer a look at the potential savings that could be accomplished by adopting and implementing the 2009 IECC and ASHRAE 90.1-2007 statewide:

- Save \$30 million annually by 2020;
- Avoid 5.5 trillion Btu of primary annual energy use by 2030, the equivalent of removing over 80,000 cars off the road;
- Avoids annual emissions of more than 0.39 million metric tons of CO₂ by 2030, the equivalent energy use of nearly 34,000 homes for one year.



Source: [Natural Resources Council of Maine](#)



A Step Backward for Maine

According to [George Terrien of American Institute of Architects](#), MUBEC was voted by a previous legislature and strongly supported by the previous governor. So what went wrong? Terrien explained that creating the infrastructure within which to implement the new standards proved to be problematic for Mainers. Despite the hard work of a dedicated group of public servants and volunteers, and partly because of a shortage of funds, the education, training and local preparation required for smooth code implementation was insufficient, and the resulting fears, unknowns and unbudgeted expense led to the passage of LD 1416.

Opposition to MUBEC

[Representative Gary Knight explained](#) that some of the opposition to MUBEC concerns issues such as the practicality of a locally controlled state regulation and the difficulty for contractors and builders to comply with the code cost-effectively. Additionally, MUBEC's opposition voices concern for a potential disproportionate impact on low income Mainers. However, [NRCM estimated](#) that low-income Mainers spend at least 14 percent of their income heating their homes, and that every dollar spent on weatherizing and retrofitting generates \$2.72 in savings over the life of a home. Furthermore, the stimulus funding aims to create and save jobs by expanding and promoting energy efficiency in the state. Without a statewide building energy code, [Consumers Union explains](#), Mainers are vulnerable to unsafe new construction, higher energy bills, less comfortable homes, and an unequal playing ground for builders and developers.

Steps in the Right Direction

To raise awareness about the value of statewide building energy codes and to help promote local adoption of MUBEC, NEEP and Consumers Union partnered with Maine organizations such as Natural Resources Council of Maine, [GrowSmart](#), and [Cool Communities](#), to create the [MUBEC Community Action Toolkit](#). The MUBEC Community Action Toolkit was designed specifically for Mainers who believe in their right to a safe, affordable, and comfortable home.

“The issue is standardization. It’s making the builder’s job easier, because it’s just one code. It’s not 50 different codes throughout the state. It will increase the cost of the house by about 3 percent, but you’re going to recognize those savings in 2-3 years, just in efficiency.” - Assistant State Fire Marshal Richard McCarthy in “Building Code Takes Effect Next Month”

“Going backwards on Maine’s uniform code won’t be good for our economy or good for my members. It was a very disappointing vote for businesses that want to see uniformity and predictability in Maine.” - Charlie Huntington, President of the Maine Contractors and Builders Alliance in “House votes to roll back building code”

Not only does the toolkit help raise awareness about the benefits of MUBEC, but it equips and empowers individuals with the tools they need to lead a successful grassroots campaign in support of MUBEC adoption in their community. The toolkit contains printable handouts on the value of MUBEC, a template power point presentation to raise awareness on MUBEC for use at local events and special town meetings, model ordinance language for a smooth adoption process, and even a template press release for sharing a town’s success upon adoption. The Toolkit also includes testimony from local businesses, citizens, and policymakers in support of MUBEC as well as frequently asked questions about MUBEC that debunks common code misconceptions. As of early June 2012, 34 towns exempted from MUBEC under LD 1416, voluntarily adopted MUBEC as their local code, thanks to the advocacy, outreach, and support of Mainers across the state. Thanks to the Community Action Toolkit resources, these towns understand that MUBEC ensures safe, healthy, energy-efficient construction and reduces citizens’ energy costs and dependence on heating oil. The MUBEC Community Action Toolkit will help small communities adopt MUBEC and generate the needed momentum to re-enact MUBEC as Maine’s statewide uniform building energy code.