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Date: (Filing No. S-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 680, L.D. 1940, “An Act To Ensure That Building Codes Allow the Installation and Use of Products and Equipment That Use Certain Federally Regulated Refrigerants”

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure That Building Codes Allow the Installation and Use of Refrigeration and Air Conditioning Products and Equipment That Use Certain Federally Regulated Refrigerants'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 10 MRSA §9722, sub-§6, ¶P is enacted to read:

P. Ensure, through the adoption of necessary amendments, that the Maine Uniform Building and Energy Code expressly allows the installation and use of acceptable refrigeration or air conditioning products or equipment as defined in section 9724, subsection 7.'

Amend the bill by striking out all of section 5 and inserting the following:

'Sec. 5. 10 MRSA §9724, sub-§7 is enacted to read:

7. Installation or use of certain refrigeration or air conditioning products or equipment. Notwithstanding subsection 5, paragraph A or any other provision of this chapter to the contrary, a municipality may not adopt or enforce any provision of a building code, including the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code, that prohibits the installation or use of acceptable refrigeration or air conditioning products or equipment.

As used in this subsection, "acceptable refrigeration or air conditioning products or equipment" means refrigeration or air conditioning products or equipment that:

A. Uses a refrigerant listed by the United States Environmental Protection Agency in regulations adopted pursuant to 42 United States Code, Section 7671k as acceptable, acceptable subject to use conditions or acceptable subject to narrowed use limits; and

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1 B. Is installed in accordance with any applicable conditions or limitations imposed by
2 the regulations described in paragraph A.'

3 Amend the bill by striking out all of section 6.

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
5 number to read consecutively.

6 **SUMMARY**

7 This amendment removes from the bill references to the State's hydrofluorocarbon use
8 restrictions under the Maine Revised Statutes, Title 38, section 1613. It also removes a
9 related provision reallocating that statute to correct a numbering problem.

10 The amendment adds to the bill a new term, "acceptable refrigeration or air
11 conditioning products or equipment," which is defined to mean refrigeration or air
12 conditioning products or equipment that uses a refrigerant listed by the United States
13 Environmental Protection Agency in regulations adopted pursuant to the federal Clean Air
14 Act as acceptable, acceptable subject to use conditions or acceptable subject to narrowed
15 use limits and is installed in accordance with any applicable conditions or limitations
16 imposed by those regulations.

17 The amendment replaces the substance of the bill and provides that a municipality may
18 not through its adopted building code prohibit the installation or use of such products or
19 equipment.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**