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TESTIMONY BEFORE THE COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT

An Act to Increase Preparedness for Solar Power Adoption in Maine

L.D. 741

GOVERNOR'S ENERGY OFFICE
March 11, 2025

Senator Curry, Representative Gere, and Members of the Joint Standing Committee on Housing and Economic Development (HED): My name is Caroline Colan, and I am the Legislative Liaison for the Governor's Energy Office (GEO).

The GEO testifies neither for nor against L.D. 741.

I appreciate the opportunity to comment on this legislation and to provide information to the HED Committee on the topic of Maine's energy codes. The Technical Building Codes and Standards Board (the Board) is the governing body of the Maine Uniform Building and Energy Code (MUBEC) and the entity which reviews, amends, and votes on new building codes in Maine. MUBEC is the statewide building and energy code and is comprised of codes from the International Code Council (ICC) and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) which provide standards for building construction and maintenance that promote safety, sustainability, public health, and efficiency. In particular, energy codes establish standards for energy efficiency, beneficial electrification, and weatherization, in addition to other areas.

Per statute, the Board voted in late 2024 to update Maine's building and energy codes. The new code includes the 2021 ICC Codes which will become effective in Maine beginning April 7, 2025. As proposed, L.D. 741 would require the Board to ensure MUBEC includes Appendix CB of the 2021 edition of the International Energy Conservation Code published by the ICC. It is our understanding that as of April 7, 2025, Appendix CB can be voluntarily adopted by municipalities but is not required by MUBEC at this time.

As described by the ICC, "Appendix CB is intended to encourage the installation of renewable energy systems by preparing buildings for the future installation of solar energy equipment, piping and wiring,"¹ and is specific to new commercial construction. It requires new commercial construction, with exceptions, to reserve a "solar-ready zone" on the building roof.

GEO is interested in efforts to support the development of solar on rooftops and to promote new building design and construction that takes into consideration factors that may facilitate more cost-effective renewable resource interconnection in the future. Distributed generation developed in close

¹ <https://codes.iccsafe.org/content/IECC2021P2/appendix-cb-solar-ready-zone-commercial>

proximity to load can reduce transmission and distribution needs while providing resiliency benefits to a building and its operations, among other benefits.

There are several building design and technical considerations that can be leveraged during construction to ensure a building is well positioned to integrate a solar installation in the future. These considerations may include building orientation, shading, climate, roof design, electrical system design preparations as well as local zoning and permitting requirements. Awareness of these considerations prior to and during construction would likely reduce barriers and costs to development of rooftop solar later. Ensuring MUBEC includes Appendix CB could be one way to build awareness of these considerations, though we would like to better understand how in practice, a suitable solar-ready zone is best determined and the feasibility of reserving at least 40 percent of roof space on varying building types. We understand feasibility is often site-specific, but we also see that Appendix CB provides several exceptions to maintaining solar-ready zones in recognition of site-specific variability.

Separately, we would like to highlight for the Committee that Sec. 2 of L.D. 741 requires the Board to define “new commercial buildings” to exclude buildings that have received all necessary permits and approvals before July 1, 2026. This seemingly gives an extension to commercial building construction to utilize the 2015 Energy code until July 1, 2026, rather than the updated code which becomes effective April 7, 2025 in Maine. We would like to understand whether this extension was intentional and if so, the intended effect.

GEO closely monitors activities of the Board and the development of new standards by ICC and ASHRAE. We would be happy to assist this committee and the bill sponsor as this proposal is considered.

Thank you for your consideration.



Caroline Colan, Legislative Liaison
Governor’s Energy Office