

1 H.340

2 Introduced by Representatives Mitchell of Barnard, Atkins of Winooski,

3 Canfield of Fair Haven, Cheney of Norwich, Edwards of

4 Brattleboro, Nuovo of Middlebury and Weston of Burlington

5 Referred to Committee on

6 Date:

7 Subject: Conservation; energy efficiency; residential building energy

8 standards; home energy rating system

9 Statement of purpose: This bill proposes to require that, to comply with the
10 residential building energy standards, new residential construction must be
11 designed and constructed in a manner that achieves a score of no more than 80
12 under the home energy rating system index.

13 An act relating to energy efficiency standards for residential construction

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 21 V.S.A. § 266(a) is amended to read:

16 (a) Definitions. For purposes of this subchapter, the following definitions
17 apply:

18 (1) "Builder" means the general contractor or other person in charge of
19 construction, who has the power to direct others with respect to the details to
20 be observed in construction.

1 (2) “Residential buildings” means one family dwellings, two family
2 dwellings, and multi-family housing three stories or less in height. “Residential
3 buildings” shall not include hunting camps.

4 (3) “Residential construction” means new construction of residential
5 buildings, and the construction of residential additions that create 500 square
6 feet of new floor space, or more. Before July 1, 1998, this definition shall only
7 apply to residential construction that is subject to the jurisdiction of 10 V.S.A.
8 chapter 151. Effective July 1, 1998, this definition shall apply to residential
9 construction, regardless of whether or not it is subject to the jurisdiction of 10
10 V.S.A. chapter 151.

11 (4) “HERS” means the home energy rating system of the residential
12 energy services network, as most recently amended prior to the enactment of
13 this subsection.

14 Sec. 2. 21 V.S.A. § 266(c) is amended to read:

15 (c) Revision and interpretation of energy standards. The commissioner of
16 public service shall amend and update the RBES, by means of administrative
17 rules adopted in accordance with 3 V.S.A. chapter 25. The commissioner shall
18 ensure that appropriate revisions are made promptly after the issuance of
19 updated standards for residential construction under the international energy
20 conservation code (IECC). No later than March 1, 2010, the commissioner
21 shall complete rulemaking to amend the energy standards to ensure that, to

1 comply with the standards, residential construction must be designed and
2 constructed in a manner that achieves a HERS index of no more than 80. The
3 department of public service shall provide technical assistance and expert
4 advice to the commissioner in the interpretation of the RBES and in the
5 formulation of specific proposals for amending the RBES. At least a year prior
6 to final adoption of each required revision of the RBES, the department of
7 public service shall convene an advisory committee to include one or more
8 mortgage lenders, builders, building designers, utility representatives, and
9 other persons with experience and expertise, such as consumer advocates and
10 energy conservation experts. The advisory committee may provide the
11 commissioner with additional recommendations for revision of the RBES.

12 (1) Any amendments to the RBES shall be:

13 (A) Consistent with duly adopted state energy policy, as specified in
14 30 V.S.A. § 202a, and consistent with duly adopted state housing policy.

15 (B) Evaluated relative to their technical applicability and reliability.

16 (C) Cost-effective and affordable from the consumer's perspective.

17 (D) Consistent with ensuring that compliance with the standards at a
18 minimum means achieving the equivalent in design and construction of a
19 HERS index of no more than 80.

20 * * *