

MAINE STATE LEGISLATURE

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Date: 4/3/12

L.D. 1787
(Filing No. H-892)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1312, L.D. 1787, Bill, "An Act To Create Efficiencies in the Administration and Enforcement of the Maine Uniform Building and Energy Code"

Amend the bill in section 6 by striking out all of subsection 2 and inserting the following:

2. Training program standards; implementation. The committee shall direct the training coordinator of the Bureau Division of Building Codes and Standards, established in Title 25, section 2372, to develop a training program for municipal building officials, local code enforcement officers and 3rd-party inspectors. The Executive Department, State Planning Office, pursuant to Title 30-A, section 4451, subsection 3-A, shall implement the training and certification program established under this chapter.'

Amend the bill by striking out all of sections 7, 8 and 11.

Amend the bill in section 12 in §2372 in subsection 2 in paragraph A in the first 2 lines (page 3, lines 12 and 13 in L.D.) by striking out the following: "~~certified in building standards pursuant to Title 30-A, section 4451, subsection 2-A, paragraph E,~~" and inserting the following: 'certified in building standards pursuant to Title 30-A, section 4451, subsection 2-A, paragraph E.'

Amend the bill in section 14 in §2374 by striking out all of the indented paragraph and inserting the following:

'The Uniform Building Codes and Standards Fund, referred to in this section as "the fund," is established within the Department of Public Safety to fund the activities of the bureau division under this chapter and the activities of the board under Title 10, chapter 1103 and the Executive Department, State Planning Office under Title 30-A, section 4451, subsection 3-A. Revenue for this fund is provided by the surcharge established by section 2450-A. The Department of Public Safety and the Executive Department, State Planning Office shall together determine an amount to be transferred annually from the fund for training and certification under Title 30-A, section 4451, subsection 3-A to the Maine Code Enforcement Training and Certification Fund established in Title 30-A,

COMMITTEE AMENDMENT

A.S.

COMMITTEE AMENDMENT "A" to H.P. 1312, L.D. 1787

1 section 4451, subsection 3-B. Any balance of the fund may not lapse, but must be carried
2 forward as a continuing account to be expended for the same purpose in the following
3 fiscal year.'

4 Amend the bill in section 15 in §2450-A in the indented paragraph in the 5th and 6th
5 lines (page 4, lines 22 and 23 in L.D.) by striking out the following: "1103, and" and
6 inserting the following: '1103,'

7 Amend the bill in section 15 in §2450-A in the indented paragraph in the 7th and 8th
8 lines (page 4, lines 24 and 25 in L.D.) by striking out the following: "~~and the activities of
9 the Executive Department, State Planning Office under Title 30 A, section 4451,
10 subsection 3 A~~" and inserting the following: 'and the activities of the Executive
11 Department, State Planning Office under Title 30-A, section 4451, subsection 3-A'

12 Amend the bill by adding after section 18 the following:

13 **'Sec. 19. Report on transition; authority to report out a bill.** No later than
14 January 15, 2014, the Department of Public Safety, Office of the State Fire Marshal shall
15 provide a report to the joint standing committee of the Legislature having jurisdiction
16 over labor, commerce, research and economic development matters that details the
17 transition of the Technical Building Codes and Standards Board to the Office of the State
18 Fire Marshal and that provides an update on the funding for the operation of the board
19 and the training program for municipal building officials, local code enforcement officers
20 and 3rd-party inspectors. The joint standing committee of the Legislature having
21 jurisdiction over labor, commerce, research and economic development matters is
22 authorized to report out a bill concerning the details of this report to the Second Regular
23 Session of the 126th Legislature.

24 **Sec. 20. Appropriations and allocations.** The following appropriations and
25 allocations are made.

26 **PUBLIC SAFETY, DEPARTMENT OF**

27 **Bureau of Building Codes and Standards Z073**

28 Initiative: Eliminates one Director, Bureau of Building Codes and Standards position.

29	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
30	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
31	Personal Services	\$0	(\$89,895)
32			
33	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$89,895)

34 **Bureau of Building Codes and Standards Z073**

35 Initiative: Reallocates the cost of one Public Safety License Inspector Supervisor position
36 from 100% Fire Marshal - Office program to 50% Fire Marshal - Office program and
37 50% Bureau of Building Codes and Standards program.

COMMITTEE AMENDMENT

17 of 8

COMMITTEE AMENDMENT "A" to H.P. 1312, L.D. 1787

1	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
2	POSITIONS - LEGISLATIVE COUNT	0.000	0.500
3	Personal Services	\$0	\$48,795
4			
5	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$48,795</u>

6 **Fire Marshal - Office of 0327**

7 Initiative: Reallocates the cost of one Public Safety License Inspector Supervisor position

8 from 100% Fire Marshal - Office program to 50% Fire Marshal - Office program and

9 50% Bureau of Building Codes and Standards program.

10	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
11	POSITIONS - LEGISLATIVE COUNT	0.000	(0.500)
12	Personal Services	\$0	(\$48,795)
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$48,795)</u>

15	PUBLIC SAFETY, DEPARTMENT OF		
16	DEPARTMENT TOTALS	2011-12	2012-13
17			
18	OTHER SPECIAL REVENUE FUNDS	\$0	(\$89,895)
19			
20	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>(\$89,895)</u>
21			

22 Amend the bill by relettering or renumbering any nonconsecutive Part letter or

23 section number to read consecutively.

24 **SUMMARY**

25 This amendment removes provisions in the bill that are also included in the

26 Governor's 2nd supplemental budget that transfer the duties and responsibilities of the

27 State Planning Office to the Department of Economic and Community Development,

28 Office of Community Development. It also removes provisions in the bill that proposed

29 to address an inconsistency in the threshold for municipal populations to which the

30 provisions of the Maine Uniform Building and Energy Code apply, as the resolution of

31 this inconsistency is addressed in Legislative Document 1619, "An Act To Resolve

32 Conflicts in the Implementation of the Maine Uniform Building and Energy Code." The

33 amendment also adds an appropriations and allocations section.

34 **FISCAL NOTE REQUIRED**

35 (See attached)

COMMITTEE AMENDMENT



125th MAINE LEGISLATURE

LD 1787

LR 2559(02)

An Act To Create Efficiencies in the Administration and Enforcement of the Maine Uniform Building and Energy Code

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-892)
Committee: Labor, Commerce, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Appropriations/Allocations				
Other Special Revenue Funds	\$0	(\$89,895)	(\$92,664)	(\$95,518)
Transfers				
Other Special Revenue Funds	\$0	(\$36,518)	(\$36,518)	(\$36,518)

Fiscal Detail and Notes

This legislation eliminates the Bureau of Building Codes and Standards program within the Department of Public Safety and moves its authority and responsibilities to a new division created in the Office of the State Fire Marshal within the Department of Public Safety. The bill includes an Other Special Revenue Funds deallocation of \$89,895 in fiscal year 2012-13 to the Department of Public Safety as a result of the elimination of the Bureau Director position. One half of the cost of a Public Safety License Inspector Supervisor position is transferred from the Office of the State Fire Marshal to the new division. The bill also reduces the transfer of the costs of a Planner II position from the State Planning office to the Bureau by \$36,518 in fiscal year 2012-13.