

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 288

S.P. 115

In Senate, February 9, 1987

Reference to the Committee on State and Local Government suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator RANDALL of Washington.

Cosponsored by Representative HUSSEY of Milo,
Representative LOOK of Jonesboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Require State Compliance with
Municipal Ordinances.

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3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 5 MRSA §1742-B, first ¶, as enacted by PL 1985,
7 c. 625, is repealed and the following enacted in its
8 place:

9 State construction projects and public improve-
10 ments to state-owned or leased buildings shall comply
11 with municipal ordinances governing the construction
12 and alteration of buildings. Prior to requesting
13 bids, the Bureau of Public Improvements shall obtain,
14 or it shall require the project designer to obtain,
15 all necessary municipal building permits for the con-
16 struction and improvement of state-owned or leased

1 buildings and these projects shall be subject to mu-
2 nicipal inspections.

3 STATEMENT OF FACT

4 Public Law 1985, chapter 625, requires state
5 building projects to comply with municipal ordinances
6 governing the construction and alteration of build-
7 ings. Rather than requiring the Bureau of Public Im-
8 provements to obtain the necessary building permits,
9 the law passed this responsibility on to the general
10 contractor or subcontractor.

11 This is an unusual arrangement since the general
12 contractor is not the entity responsible for project
13 design in such areas as local building code require-
14 ments. That is the responsibility of the project de-
15 signer.

16 Leaving local permit acquisition until long after
17 the project is designed results in costly project de-
18 lays if the permit is contingent upon design changes.

19 This bill places the responsibility of obtaining
20 permits on the project designer, rather than the con-
21 tractor.

22 The proper administration of this bill requires
23 one additional person within the Bureau of Public Im-
24 provements at an annual cost of \$30,000.

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