

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

L.D. 1997

(Filing No. S- 601)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 798, L.D. 1997, Bill, "An Act to Amend the Law Regarding the Responsibilities of Code Enforcement Officers to Approve Plans or Technical Submissions by Architects"

Amend the bill by striking out all of section 2 and inserting in its place the following:

Sec. 2. 32 MRSA §226, sub-§1, ¶E, as repealed and replaced by PL 1991, c. 396, §21, is repealed and the following enacted in its place:

E. Any person who is qualified under section 1251 to use the title "professional engineer" from performing any professional engineering service as authorized in section 1251. Such service includes, but is not limited to consultation, investigation, evaluation, planning, design and responsible supervision and administration of construction contracts in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects, and technical submissions, provided the person does only architectural or landscape architectural work that is incidental to the person's engineering work;

Sec. 3. 32 MRSA §226, sub-§2, ¶¶A to C, as repealed and replaced by PL 1991, c. 396, §21, are amended to read:

A. Single Detached single or 2-family dwellings, including those to be utilized for home occupations, as defined by local ordinances, and sheds, storage buildings and garages incidental to the dwellings;

B. Farm buildings, including barns, silos, sheds or housing for farm equipment and machinery, livestock, poultry or storage, if the structures are designed to be occupied by no more than 10 persons; and

COMMITTEE AMENDMENT

2 C. Alterations, renovations or remodeling of a building
 when the alteration,--renovation--or--remodeling--does--not
 4 affect--structural--or--other--safety--features--of--the--building
 and--when--the cost of the work contemplated by the design
 6 does not exceed 15% of the assessed value of the building or
\$50,000, whichever is the lesser, or does not require the
 8 issuance of a permit under applicable building codes or when
the work involves those structures as provided in paragraphs
A and, B, F, G and H; and

10 **Sec. 4. 32 MRSA §226, sub-§2, ¶¶F to H are enacted to read:**

12 F. Buildings that do not have as their principal purpose
 14 human occupancy or habitation;

16 G. Single-story, above-grade buildings of less than 1,000
 18 square feet that are designed to be occupied by no more than
10 persons; and

20 H. Preengineered manufactured buildings. For the purposes
 22 of this section, "preengineered manufactured building" means
a structural unit, other than a dwelling, that is designed
 24 by a person licensed as an engineer in the State and is
constructed in a manufacturing facility.'

26 **STATEMENT OF FACT**

28 This amendment accomplishes the following:

- 30 1. It expands the law that exempts engineers in the
 32 practice of their profession from the need for an architect's
 license.
 34
- 36 2. It eliminates a provision of the bill that exempts the
 construction or development of dwellings for 4 or fewer families
 38 from the need for an architect. Current law exempts dwellings
 for 2 or fewer families. The amendment adds the word 'detached'
 40 in order to help define the type of dwelling or buildings being
 exempted.
- 42 3. It corrects a technical error in the bill regarding an
 exception to the need for an architect's license for remodeling.
 44
- 46 4. It exempts the construction or development of buildings
 whose principal purpose is not human occupancy, single-story
 48 buildings of less than 1,000 square feet and preengineered
 manufactured buildings from the need for an architect.

Reported by Senator Rich for the Committee on Business
 Legislation. Reproduced and Distributed Pursuant to
 Senate Rule 12.
 (3/9/92) (Filing No. S-601)