

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1298

H.P. 920

House of Representatives, February 16, 1999

An Act to Amend the Certification Process of Code Enforcement Officers.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative COLWELL of Gardiner.
Cosponsored by Senator DAGGETT of Kennebec and
Representatives: DAVIDSON of Brunswick, MURPHY of Berwick.

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

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4 **Sec. 1. 30-A MRSA §4451, sub-§5**, as amended by PL 1991, c. 163, is further amended to read:

6 **5. Certification standards.** The office shall establish by
8 rule the qualifications, conditions and licensing standards and
10 procedures for the certification and recertification of
12 individuals as code enforcement officers. A code enforcement
14 officer need only be certified in the areas of actual job
16 responsibilities. A person may not be certified or recertified
18 as a code enforcement officer if that person has been convicted
20 of murder or any Class A, Class B or Class C crime or has been
22 convicted of any crime in this or another jurisdiction for which
24 the maximum term of imprisonment prescribed by law exceeds one
26 year. The rules established under this subsection must identify
standards for each of the areas of training under subsection 2-A,
in addition to general standards that apply to all code
enforcement officers.

20 **Sec. 2. 30-A MRSA §4451, sub-§6, ¶A**, as enacted by PL 1989, c.
22 104, Pt. A, §45 and Pt. C, §10, is amended to read:

24 A. The Administrative Court may revoke the certificate of a
26 code enforcement officer, in accordance with Title 4,
chapter 25, when it finds that:

28 (1) The code enforcement officer has practiced fraud
30 or deception;

32 (2) Reasonable care, judgment or the application of a
34 duly trained and knowledgeable code enforcement
officer's ability was not used in the performance of
the duties of the office; or

36 (3) The code enforcement officer is incompetent or
38 unable to perform properly the duties of the office; ;
or

40 (4) The code enforcement officer has been convicted of
42 murder or any Class A, Class B or Class C crime or has
44 been convicted of any crime in this or another
jurisdiction for which the maximum term of imprisonment
prescribed by law exceeds one year.

SUMMARY

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This bill provides that a person may not be certified or recertified as a code enforcement officer, or if the person is a code enforcement officer, that person's certification may be revoked, if that person has been convicted of murder or any Class A, Class B or Class C crime or has been convicted of any crime in this or another jurisdiction for which the maximum term of imprisonment prescribed by law exceeds one year.