

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
SECOND SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 356, L.D. 1025, Bill, "An Act To Ensure Uniform Code Compliance and Efficient Oversight of Construction in the State"

Amend the amendment in section 1 in the 4th line (page 1, line 40 in amendment) by striking out the following: "MAINE"

Further amend the amendment in section 1 in that part designated "§9701." by striking out all of subsection 1 and inserting in its place the following:

'1. Model building code. Except as provided in section 9703, "model building code" means:

A. The 2003 version of the International Residential Code;

B. The 2003 version of the International Building Code; or

C. The National Fire Protection Association building, construction and safety code, entitled and referred to in this chapter as "NFPA 5000."

Further amend the amendment in section 1 in that part designated "§9702." by striking out all of the indented paragraph (page 2, lines 11 to 21 in amendment) and inserting in its place the following:

'A town, city or municipality may not adopt a residential building code or nonresidential building code other than one of

2 the model building codes after the effective date of this  
3 chapter. A town, city or municipality that adopts one of the  
4 model building codes may adopt amendments to the code at any  
5 time, as long as such an amendment does not result in the  
6 adoption of all or a significant portion of any code other than  
7 the code adopted pursuant to this section. This section may not  
8 be construed to prevent a town, city or municipality from  
9 selectively adopting parts or portions of one of the model  
10 building codes or from adopting a building rehabilitation code.'

11 Further amend the amendment in section 1 in that part  
12 designated "~~§9703.~~" by striking out all of the first 5 lines  
13 (page 2, lines 23 to 28) and inserting in their place the  
14 following:

15 '§9703. Laws in conflict with model building code

16  
17 To the extent that a provision of a model building code  
18 conflicts with the following provisions of law, that provision of  
19 the model building code is not applicable and may not be enforced:  
20

21 Further amend the amendment in section 1 in that part  
22 designated "~~§9704.~~" by striking out all of the indented paragraph  
23 (page 3, lines 9 to 12 in amendment) and inserting in its place  
24 the following:

25  
26 'Codes and standards other than the International  
27 Residential Code, the International Building Code and NFPA 5000  
28 that are referenced within the model building codes are not  
29 automatically adopted as part of the model building codes.'  
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32 **SUMMARY**

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34 This amendment allows municipalities the flexibility of  
35 adopting the National Fire Protection Association building,  
36 construction and safety code, NFPA 5000, or the international  
37 codes.  
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44 SPONSORED BY: *G. Duprey*  
45 (Representative G. DUPREY)

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47 TOWN: Medway  
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