

# 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)



# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

---

Legislative Document

No. 1246

H.P. 864

House of Representatives, March 10, 2005

### An Act To Amend the Laws Governing the State Planning Office

---

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HUTTON of Bowdoinham.  
Cosponsored by Senator BARTLETT of Cumberland and  
Representatives: KOFFMAN of Bar Harbor, THOMPSON of China, TWOMEY of Biddeford.

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

4 **Sec. 1. 5 MRSA §3307-G** is enacted to read:

6 **§3307-G. Board of Code Enforcement Review**

8 **1. Members.** The Board of Code Enforcement Review, within the  
10 State Planning Office, as established by section 12004-I,  
subsection 77-B and referred to in this section as "the board,"  
consists of 5 members, appointed by the Governor as follows:

12 A. One member who is a plumber;

14 B. One member who is an electrician;

16 C. One member who is employed in the field of construction;  
18 and

20 D. Two members who are code enforcement officers.

22 Members are appointed for terms of 4 years.

24 Any member of the board may be removed from the board for cause  
by the Governor.

26 **2. Powers and duties.** The board has the following powers  
28 and duties.

30 A. The board may, in accordance with the Maine  
Administrative Procedure Act adopt rules commensurate with  
32 the authority vested in it by this section to implement this  
section. Rules adopted pursuant to this section are routine  
34 technical rules as defined in chapter 375, subchapter 2-A.

36 B. The board may conduct hearings to assist with  
investigations.

38 C. The board may enter into contracts to carry out its  
40 responsibilities under this section.

42 **3. Investigation of complaints.** The board shall  
investigate or cause to be investigated:

44 A. All complaints made to it and all cases of failure to  
46 properly enforce municipal and state codes;

48 B. Any gross negligence, incompetence or misconduct in the  
performance of the work of code enforcement;

2       C. Any violation of this chapter or any rule adopted by  
3       the board; and

4       D. Subject to the limitations of chapter 341, conviction of  
5       a crime that involves dishonesty or false statement or that  
6       relates directly to code enforcement or conviction of any  
7       crime for which incarceration for one year or more may be  
8       imposed.

10       **Sec. 2. 5 MRSA §12004-I, sub-§77-B** is enacted to read:

12             77-B.     Board of Code Not             5 MRSA  
13             State Planning Enforcement     Authorized     §3307-G  
14             Office             Review

16       **Sec. 3. Appropriations and allocations.**     The following  
17       appropriations and allocations are made.

18       **EXECUTIVE DEPARTMENT**

20       **State Planning Office**

22       Initiative: Provides funds for one Planner II position and  
23       general operating expenses.

26	<b>GENERAL FUND</b>	<b>2005-06</b>	<b>2006-07</b>
	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
28	Personal Services	\$51,920	\$71,707
	All Other	\$5,250	\$7,000
30		<hr/>	<hr/>
	GENERAL FUND TOTAL	\$57,170	\$78,707

32

34                                       **SUMMARY**

36       This bill establishes within the Executive Department, State  
37       Planning Office the Board of Code Enforcement Review. The bill  
38       also funds a Planner II position within the State Planning Office.