

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 677

S.P. 214

February 9, 2007

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**Resolve, Directing the Development of a Building Code and Building  
Rehabilitation Code Implementation Plan**

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Reported by Senator DOW of Lincoln for the Community Preservation Advisory  
Committee pursuant to the Maine Revised Statutes, Title 30-A, section 4350, subsection 10.

Reference to the Committee on Business, Research and Economic Development suggested  
and ordered printed under Joint Rule 218.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

1       **Sec. 1. Maine building code and building rehabilitation code**  
2 **implementation plan. Resolved:** That the Executive Department, State Planning  
3 Office, with assistance from the Office of the State Fire Marshal, the Department of  
4 Economic and Community Development and the Maine Historic Preservation  
5 Commission, collectively referred to in this resolve as "the agencies," shall develop a plan  
6 for implementing the Maine Model Building Code and the International Existing  
7 Building Code; and be it further

8       **Sec. 2. Duties. Resolved:** That in the development of the plan, the agencies shall  
9 consider the following:

- 10       1. What agency should provide oversight and administration of the codes;
- 11       2. How code updates should be handled;
- 12       3. Outreach, communication and technical assistance to municipalities;
- 13       4. Training and certification of code officers, architects and builders;
- 14       5. Enforcement and appeal procedures;
- 15       6. Estimated costs to implement mandatory codes;
- 16       7. Projected costs for code administration;
- 17       8. Funding options for initial implementation and ongoing administration;
- 18       9. Identification of overlap between codes;
- 19       10. Guidance to municipalities regarding overlap between codes;
- 20       11. If rulemaking or statutory changes are needed to facilitate certain kinds of  
21 development, such as development of historic properties;
- 22       12. Phase-in dates for code adoption by service center communities, nonservice  
23 center communities with codes and towns adopting codes for the first time; and
- 24       13. Funding or incentives to put codes in place; and be it further

25       **Sec. 3. Public participation. Resolved:** That in developing the plan the  
26 agencies shall solicit input from interested parties, including, but not limited to, other  
27 state agencies, the Maine Municipal Association, groups representing Maine building  
28 officials and inspectors, builders, architects, engineers, real estate developers and public  
29 safety officials; and be it further

30       **Sec. 4. Completion date; report. Resolved:** That the agencies shall complete  
31 the development of the implementation plan by January 15, 2008. The report must  
32 include a recommended implementation schedule. The Executive Department, State  
33 Planning Office shall report to the Joint Standing Committee on Business, Research and  
34 Economic Development by February 15, 2008 with the results of the implementation plan

1 development. The Joint Standing Committee on Business, Research and Economic  
2 Development is authorized to submit legislation relating to the report to the Second  
3 Regular Session of the 123rd Legislature.

4

#### **SUMMARY**

5 This resolve is a recommendation of the Community Preservation Advisory  
6 Committee. The bill directs the Executive Department, State Planning Office, with  
7 assistance from the Office of the State Fire Marshal, the Department of Economic and  
8 Community Development and the Maine Historic Preservation Commission, to develop a  
9 plan for implementing the Maine Model Building Code and the International Existing  
10 Building Code.