

# 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)

SMS  
R OF S

MAJORITY

L.D. 1191

Date: 6/2/15

(Filing No. S-1(2) )

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

127TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 418, L.D. 1191, Bill, "An Act To Remove the Municipal Mandate To Enforce the Maine Uniform Building and Energy Code"

Amend the bill by striking out the title and substituting the following:

'An Act To Modify the Municipal Mandate To Enforce the Maine Uniform Building and Energy Code'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 10 MRSA §9724, sub-§1, as amended by PL 2011, c. 408, §4, is further amended to read:

1. Limitations on home rule authority. This chapter provides express limitations on municipal home rule authority. ~~The Except as provided in subsection 1-C, the~~ Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 4,000 residents and that has adopted any building code by August 1, 2008. ~~Beginning July 1, 2012~~ Except as provided in subsection 1-C, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 4,000 residents and that has not adopted any building code by August 1, 2008. The Maine Uniform Building and Energy Code must be enforced through inspections that comply with Title 25, section 2373.

Sec. 2. 10 MRSA §9724, sub-§1-B, as enacted by PL 2011, c. 505, §1, is amended to read:

1-B. Residents. For the purposes of subsections 1 ~~and~~ 1-A and 1-C, "residents" does not include persons held at a correctional facility, as defined in Title 34-A, section 1001, subsection 6, within the municipality.

Sec. 3. 10 MRSA §9724, sub-§1-C is enacted to read:

1-C. Municipalities between 4,000 and 10,000 residents. Beginning November 1, 2015, a municipality that has more than 4,000 residents but less than 10,000 residents

COMMITTEE AMENDMENT

ROF §

COMMITTEE AMENDMENT "A" to S.P. 418, L.D. 1191

1 may vote under its home rule authority to exempt the municipality from the Maine  
2 Uniform Building and Energy Code enforcement requirements specified under subsection  
3 1 in the manner provided for in Title 30-A, chapter 121.

4 **Sec. 4. 25 MRSA §2373, first ¶**, as amended by PL 2011, c. 408, §6, is further  
5 amended to read:

6 ~~The~~ Except as provided in Title 10, section 9724, subsection 1-C, the code must be  
7 enforced in a municipality that has more than 4,000 residents and that has adopted any  
8 building code by August 1, 2008. ~~Beginning July 1, 2012~~ Except as provided in Title 10,  
9 section 9724, subsection 1-C, the code must be enforced in a municipality that has more  
10 than 4,000 residents and that has not adopted any building code by August 1, 2008. The  
11 code must be enforced through inspections that comply with the code through any of the  
12 following means:'

13 **SUMMARY**

14 This amendment is the majority report of the committee and strikes and replaces the  
15 bill. Beginning on November 1, 2015, it authorizes a municipality that has more than  
16 4,000 but less than 10,000 residents to vote under its home rule authority to exempt the  
17 municipality from the Maine Uniform Building and Energy Code enforcement  
18 requirements pursuant to the municipal voting requirements under the Maine Revised  
19 Statutes, Title 30-A, chapter 121.