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)

1			L.D. 1392
2	Date: 5/18/17	Minority	(Filing No. H- 211)
3	LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT		
4	Reproduced and distributed under the direction of the Clerk of the House.		
5	STATE OF MAINE		
6	HOUSE OF REPRESENTATIVES		
7	128TH LEGISLATURE		
8	FIRST REGULAR SESSION		
9 10 11	COMMITTEE AMENDMENT "A" to H.P. 966, L.D. 1392, Bill, "An Act To Allow Municipalities To Opt Not To Enforce the Maine Uniform Building and Energy Code"		
12	Amend the bill by striking out the title and substituting the following:		
13 14	'An Act To Allow Municipalities To Opt Not To Enforce the Maine Uniform Energy Code'		
15 16	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:		
17 18	'Sec. 1. 10 MRSA §9724, sub-§1, as amended by PL 2011, c. 408, §4, is furthe amended to read:		
19 20 21 22 23 24 25 26 27 28 29 30 31	1. Limitations on home rule authority; enforcement of Maine Uniform Building Code or Maine Uniform Building and Energy Code. This chapter provides express limitations on municipal home rule authority. 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, 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 Beginning January 1, 2018 a municipality that has more than 4,000 residents shall enforce the Maine Uniform Building and Energy Code, unless the municipality has adopted the Maine Uniform Building Code, in which case the municipality shall enforce the Maine Uniform Building Code. The municipality shall enforce the code applicable in that municipality through inspections that comply with Title 25, section 2373.		
32 33	Sec. 2. 25 MRSA §2371, sub-§4, as enacted by PL 2007, c. 699, §11, is amende to read:		
34 35	4. Code. "Code" means the Maine Uniform Building Code or the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103		

Page 1 - 128LR0308(02)-1

E OE 2	COMMITTEE AMENDMENT " # to H.P. 966, L.D. 1392	
1 2	Sec. 3. 25 MRSA §2373, first ¶, as amended by PL 2011, c. 408, §6, is further amended to read:	
3	The A code must be enforced in a municipality that has more than 4,000 residents	
4	and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the	
5	code must be enforced in a municipality that has more than 4,000 residents and that has	
6	not adopted any building code by August 1, 2008. The code must be enforced	
7	municipality shall enforce the code required by Title 10, section 9724, subsection 1	
8	through inspections that comply with the code through any of the following means:	
9	9 Sec. 4. Effective date. This Act takes effect January 1, 2018.'	
10	SUMMARY	
11	This amendment, which is the minority report of the committee, replaces the bill and	

Maine Uniform Building Code.

12

13

14

Page 2 - 128LR0308(02)-1

changes the title. The amendment allows a municipality that has more than 4,000

residents to affirmatively opt out of the Maine Uniform Energy Code by adopting the