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LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” 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

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.