1	L.D. 97
2	Date: (Filing No. H-
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	126TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 691, L.D. 977, Bill, "An Act To Restore Uniformity to the Maine Uniform Building and Energy Code"
11 12	Amend the bill by inserting after the enacting clause and before section 1 the following:
13 14	'Sec. 1. 10 MRSA §9721, sub-§§3 and 4, as corrected by RR 2011, c. 1, §9, are repealed.
15 16	Sec. 2. 10 MRSA §9722, sub-§6, ¶K, as corrected by RR 2011, c. 1, §10, is amended to read:
17 18 19	K. In the adoption and amendment of the Maine Uniform Building and Energy Code ensure that building materials from local sawmills, including but not limited to nongraded lumber, are permissible under the code; and
20 21	Sec. 3. 10 MRSA §9722, sub-§6, ¶L, as corrected by RR 2011, c. 1, §11, is amended to read:
22 23 24 25	L. In the adoption and amendment of the Maine Uniform Building and Energy Code adopt the standards for residential basement wall insulation under the 2006 edition of the International Energy Conservation Code published by the International Code Council; and.
26 27	Sec. 4. 10 MRSA §9722, sub-§6, ¶M, as reallocated by RR 2011, c. 1, §12, is repealed.'
28 29	Amend the bill by striking out all of section 2 (page 1, lines 14 to 23 in L.D.) and inserting the following:
30 31	'Sec. 2. 10 MRSA §9724, sub-§1-A, as enacted by PL 2011, c. 408, §5, is repealed.
32 33	Sec. 3. 10 MRSA §9724, sub-§1-B, as enacted by PL 2011, c. 505, §1, is amended to read:

1 2 3	1-B. Residents. For the purposes of subsections subsection 1 and 1-A, "residents" does not include persons held at a correctional facility, as defined in Title 34-A, section 1001, subsection 6, within the municipality.
4	Sec. 4. 10 MRSA §9724, sub-§1-C is enacted to read:
5 6 7	1-C. Application. The Maine Uniform Building and Energy Code applies statewide. A municipality, regardless of size, may not adopt or enforce a building code other than the Maine Uniform Building and Energy Code.
8 9	Sec. 5. 10 MRSA §9724, sub-§5, as amended by PL 2011, c. 582, §1, is further amended to read:
10 11 12 13 14 15 16 17 18	5. Exception. This section does not prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. If such an ordinance does not provide for a process to appeal decisions made by building officials administering and enforcing the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code, an appeal may be taken in the same manner as provided under Title 30-A, section 4103, subsection 5. This section does not prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth the swimming pool fencing standards, without amendment, contained in Appendix G of the 2nd edition of the 2009 International Residential Code.
20 21	A. The requirements of the Maine Uniform Building and Energy Code do not apply to:
22	(1) Log homes or manufactured housing as defined in chapter 951;
23	(2) Post and beam or timber frame construction; or
24	(3) Warehouses or silos used to store harvested crops.
25 26	Sec. 6. 10 MRSA §9724, sub-§6, as enacted by PL 2011, c. 582, §2, is amended to read:
27 28 29	6. Adoption by reference. The Maine Uniform Building Code, the Maine Uniform Energy Code and the Maine Uniform Building and Energy Code may be adopted by reference by a municipality as specified in Title 30-A, section 3003.'
30 31	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
32	SUMMARY
33 34 35 36	This amendment is the majority report of the committee. This amendment provides that the Maine Uniform Building and Energy Code applies statewide and is the only building code that may be adopted or enforced in this State. As in the bill, a municipality of 2,000 or fewer residents is exempt from adopting or enforcing the Maine Uniform

Building and Energy Code, but if such a municipality adopts a building code, it must be

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COMMITTEE AMENDMENT " to H.P. 691, L.D. 977

1 2 3	the Maine Uniform Building and Energy Code. This amendment repeals the current law that defines a separate uniform building code and uniform energy code and removes references to those separate codes.
4	FISCAL NOTE REQUIRED
5	(See attached)