

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

~~The~~Except as provided in Title 10, section 9724, subsection 1-C, the 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 Title 10, section 9724, subsection 1-C, the 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 code must be enforced through inspections that comply with the code through any of the following means:'

SUMMARY

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