

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 970

H.P. 630

House of Representatives, March 11, 2025

**An Act to Prioritize Affordable Housing by Expediting Reviews for
Affordable Housing Projects Applying for Funding from the Maine
State Housing Authority**

Received by the Clerk of the House on March 7, 2025. Referred to the Committee on Housing and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MALON of Biddeford.
Cosponsored by Senator BENNETT of Oxford and
Representatives: COLLAMORE of Pittsfield, Speaker FECTEAU of Biddeford, GERE of
Kennebunkport, GOLEK of Harpswell, MINGO of Calais, ROBERTS of South Berwick,
YUSUF of Portland, Senator: CURRY of Waldo.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §4103, sub-§3**, as amended by PL 2003, c. 363, §6, is further
3 amended to read:

4 **3. Application; issuance of permit.** An application for a permit must be in writing
5 and shall must be signed by the applicant and directed to the licensing authority. The
6 Except as provided in paragraph E, the failure of the licensing authority to issue a written
7 notice of its decision, directed to the applicant, within 30 days from the date when the
8 application is filed, constitutes a refusal of the permit.

9 A. The licensing authority may not issue any permit for a building or use for which
10 the applicant is required to obtain a license under Title 38, section 413, until the
11 applicant has obtained that license.

12 B. The licensing authority may not issue any permit for a building or use within a
13 subdivision, as defined in section 4401, subsection 4, unless that subdivision has been
14 approved in accordance with chapter 187, subchapter ~~IV~~ 4.

15 C. The licensing authority may not issue a permit for installation of a mobile home
16 previously installed in another municipality until the mobile home owner provides
17 proof of payment of all property taxes on that mobile home in the municipality where
18 the home was formerly located.

19 D. The licensing authority may not issue a permit for a building or use for which the
20 applicant is required to obtain a driveway or entrance or traffic movement permit under
21 Title 23, section 704 or 704-A until the applicant has obtained that permit from the
22 Department of Transportation.

23 E. For a permit application for a building designated as affordable housing for which
24 the applicant is seeking funding or credits from the Maine State Housing Authority, the
25 licensing authority shall notify the applicant within 30 days from the date when the
26 application is filed whether the licensing authority has determined the application is
27 complete. If the application is determined to be incomplete, the licensing authority
28 shall provide notice to the applicant as to the information that is required for the
29 application to be complete and provide sufficient time for the applicant to provide that
30 information. If the licensing authority does not provide notice of a decision on the
31 completeness of the application within 30 days, the application is considered complete.
32 The licensing authority shall approve or disapprove the permit no later than 120 days
33 after the application is complete. If the municipality in which the building designated
34 as affordable housing is located requests information during the 120-day period, the
35 applicant must be afforded reasonable opportunity to provide that information to the
36 licensing authority.

37 **Sec. 2. 38 MRSA §485-A, sub-§1-E** is enacted to read:

38 **1-E. Affordable housing.** Notwithstanding subsection 1, for an application to
39 construct or operate a development designated as affordable housing for which the
40 applicant is seeking funding or credits from the Maine State Housing Authority, the
41 department shall, no later than 30 days after receiving the application, approve the proposed
42 development, setting forth such terms and conditions as are appropriate and reasonable, or
43 disapprove the proposed development, setting forth the reasons for the disapproval. If the

1 department does not approve or disapprove the proposed development as described in this
2 subsection within 30 days, the application is automatically approved.

3

SUMMARY

4 This bill provides time frames within which a municipal licensing authority and the
5 Department of Environmental Protection must make decisions on permit applications for
6 the construction of affordable housing for which funding or credits from the Maine State
7 Housing Authority are being sought. Under the bill, a municipal licensing authority must
8 provide notice to an applicant as to the completeness of the application within 30 days after
9 receipt. If no notice is provided to the applicant, the application is considered complete.
10 Once the application is complete, the municipality must approve or disapprove the
11 application within 120 days. Further, the bill requires the Department of Environmental
12 Protection to approve or disapprove site location of development permits for such
13 affordable housing construction within 30 days after receipt of the permit application.