

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

work conducted in response to this resolve and any findings and recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 4, 2005; and be it further

**Sec. 6. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,  
DEPARTMENT OF**

**Inland Fisheries and Wildlife – Outdoor  
Heritage Fund Grant 0892**

Initiative: Allocates funds for the cost of conducting a required study.

Other Special Revenue Funds	2003-04	2004-05
All Other	\$50,000	\$0
Other Special Revenue		
Funds Total	\$50,000	\$0

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 9, 2003.

**CHAPTER 72**

**S.P. 583 - L.D. 1628**

**Resolve, Concerning Reauthorization  
of a 1997 Pollution Control Bond  
Issue**

**Preamble.** Whereas, the Treasurer of State may not sell the remaining \$1,000,000 in bonds authorized but not yet issued from the \$13,000,000 pollution control bond issue authorized by the voters in 1997 unless the Legislature reauthorizes the issuance of those bonds; and

**Whereas,** the Department of Environmental Protection requires this \$1,000,000 in bonds to meet its projected plan for the cleanup of remaining large tire stockpiles in 2004 in order to protect public health and safety and the environment; now, therefore, be it

**Sec. 1. Extension for issuing. Resolved:** That, pursuant to the provisions of the Constitution of Maine, Article IX, Section 14, the period for issuance of bonds or of bond anticipation notes authorized but unissued pursuant to Public Law 1997, chapter 561, authorized by the voters in a statewide election held on

November 4, 1997, for the cleanup of tire stockpiles, is further extended for a 5-year period.

See title page for effective date.

**CHAPTER 73**

**H.P. 364 - L.D. 472**

**Resolve, Directing the Community  
Preservation Advisory Committee To  
Study Issues Pertaining to Barriers to  
Affordable Housing in the State**

**Sec. 1. Community Preservation Advisory Committee to study issues pertaining to affordable housing. Resolved:** That the Community Preservation Advisory Committee, as established in the Maine Revised Statutes, Title 30-A, section 4350, referred to in this resolve as "the committee," shall undertake a comprehensive study to identify regulatory or other barriers to the creation of affordable housing in the State. For each barrier identified, the committee shall make recommendations on ways to reduce that barrier and to provide incentives for the creation of affordable housing. The committee's study must include, but is not limited to, a review of and recommendations on methods to remove or reduce barriers to the creation or availability of affordable housing created by:

1. State rules or local regulations that inhibit the construction of new affordable housing units or the renovation of existing buildings for the purpose of creating affordable housing units. The committee's recommendations in this area must be consistent with the legitimate concerns of the State and the local communities for healthy neighborhoods, sound environmental practices, sustainable affordability and inclusive communities;
2. Zoning or zoning practices that create barriers to affordable housing;
3. Laws pertaining to municipal impact fees, as allowed under Title 30-A, section 4354, to the extent those laws create barriers to the creation of affordable housing. In reviewing this issue, the committee shall consider and make recommendations on exempting affordable housing units from such impact fees and applying that exemption only to affordable housing located within a locally designated growth area identified in the municipality's comprehensive land use plan. If the committee recommends such an exemption, its recommendations must include specific recommendations on how an exemption would be calculated and applied and what impact that exemption would have on the ability of a municipality to