

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

CHAPTER 200**H.P. 347 - L.D. 472****An Act To Amend the Statewide Building Code****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 10 MRSA §9701, sub-§2** is enacted to read:**2. International Existing Building Code.** "International Existing Building Code" means the 2003 version of the International Existing Building Code.**Sec. 2. 10 MRSA §9702**, as enacted by PL 2003, c. 580, §1, is amended to read:**§9702. Limitation on code adoption**

A town, city or municipality may not adopt a residential building code or nonresidential building code other than the Maine Model Building Code after the effective date of this chapter. A town, city or municipality that adopts the Maine Model Building Code or the International Existing Building Code may adopt amendments to the code codes at any time, as long as such an amendment does not result in the adoption of all or a significant portion of any code other than the ~~code codes~~ adopted pursuant to this section. This section may not be construed to prevent a town, city or municipality from selectively adopting parts or portions of the Maine Model Building Code ~~or from adopting a building rehabilitation code~~. A town, city or municipality that adopts a building rehabilitation code shall adopt the International Existing Building Code.

Sec. 3. State Planning Office project. The State Planning Office is authorized to obtain public and private funds to conduct a project that would harmonize the codes and standards listed in the Maine Revised Statutes, Title 10, section 9703 with the Maine Model Building Code and the International Existing Building Code within 3 years. The office may use paid consultants, convene a working group and conduct public meetings to complete the project. The project may not be conducted in the absence of adequate funding.

Sec. 4. Reporting date. The State Planning Office shall report back on the status of the project described in section 3 to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2006.

See title page for effective date.

CHAPTER 201**S.P. 184 - L.D. 575****An Act To Amend the Laws Governing the Community Preservation Advisory Committee****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 30-A MRSA §4350, sub-§10** is enacted to read:**10. Legislation.** By January 15th of each odd-numbered year, the committee may submit legislation related to its annual reports under subsection 9, paragraph A.

See title page for effective date.

CHAPTER 202**S.P. 303 - L.D. 895****An Act To Expand the Authority of Maine's Lobster Management Policy Councils****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 12 MRSA §6446, sub-§2**, as repealed and replaced by PL 1995, c. 568, §4, is amended to read:

2. Rules for zones. The commissioner may adopt rules for a zone established under subsection 1 that ~~place limits on lobster and crab fishing license holders who fish in that zone regarding the number of lobster traps fished and the time periods allowed for complying with that number, the number of lobster traps allowed on a trawl and the time of day when lobster fishing may occur~~ are proposed pursuant to section 6447, subsection 5 or section 6447, subsection 5-C only when the rules were proposed by the lobster management policy council established for that zone pursuant to section 6447, subsection 1 and the proposed rules were approved in a referendum pursuant to section 6447, subsection 6. The commissioner may accept the rules proposed by a lobster management policy council as reasonable and adopt those rules or reject the council's proposed rules as unreasonable. The rules adopted under this subsection by the commissioner must accurately reflect the intent of the rules proposed by a lobster management policy council but are not required to be a verbatim rendition of the proposed rules.