

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT
Part I State Government

BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD
1723

AN ACT TO AMEND THE LAWS RELATING TO COMMUNITY
LIVING ARRANGEMENTS

PL 1987
c. 316 .

Sponsor: PRAY, Clark, M., Gauvreau, Carroll
Committee Report: New Draft of LD 450

SUMMARY: LD 450 proposed to expand authority for the location of group homes for the mentally handicapped from single family residential zones only to all residential zones in a municipality in which community or group homes must be permitted. Municipalities could not pass ordinances that would prohibit community or group homes from being located in those zones. Municipalities may enact ordinances that establish standards or conditions for the location of group homes, but these conditions can be no more stringent than the conditions imposed by state law.

Current law requires that community or group homes be allowed in single family residential zones and does not require that these facilities be allowed in other residential zones.

The new draft clarifies the intent of the original bill and resolves problems that have arisen following passage of Public Law 1981, chapter 640. It:

Provides that it is the intent of the Legislature that housing facilities for mentally handicapped and developmentally disabled persons shall not be prohibited by municipalities in residential zones;

Provides that in municipalities which do not have residential zones designated as single-family residential zones, all zones will be considered single-family zones for the purposes of housing for mentally handicapped and developmentally disabled persons;

Changes from 30 to 60 days the time in which a municipality may hold a hearing on the application of a person seeking to establish a community living facility for mentally handicapped and developmentally disabled persons;

Establishes definitions of various terms in the law; and

Specifically prohibits municipalities from repealing single-family residential zone designations and forcing existing community living facilities in the residential zones to meet the criteria for community living facilities in single-family residential zones.