

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Business, Research and Economic Development*

July 2003

Members:

Sen. Lynn Bromley, Chair

Sen. Christopher G. L. Hall

Sen. Kevin L. Shorey

Rep. Nancy B. Sullivan, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Guy J. Duprey, Jr.

Rep. Edward Pellon

Rep. Nancy E. Smith

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. Christopher Rector

Rep. William T. Rogers, Jr.

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business, Research and Economic Development

LD 401 **An Act To Require the Plumbers' Examining Board To Adopt the Uniform Plumbing Code** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON KAELIN	ONTP	

LD 401 proposed to require the Plumbers' Examining Board to adopt the Uniform Plumbing Code as the new plumbing code for the State.

This bill was worked in conjunction with LD 1025, which concerned adoption of statewide codes and was carried over.

LD 453 **An Act To Promote the Development of Affordable Housing** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	ONTP	

LD 453 proposed to exempt affordable housing as currently defined in statute from municipal building impact fees, moratoria and limits on the number of building permits issued.

This bill was heard and worked in conjunction with LD 472, which concerned similar subject matter.

LD 472 **Resolve, To Establish the Task Force To Study Regulatory Barriers to Affordable Housing** **RESOLVE 73
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM	H-145 H-273 SUSLOVIC S-265 GAGNON

LD 472 proposed to establish the Task Force to Study Regulatory Barriers to Affordable Housing.

Committee Amendment "A" (H-145) proposed to strike the resolve and direct the Community Preservation Advisory Committee to study barriers to affordable housing in the State and to submit a report to the Joint Standing Committee on Business, Research and Economic Development in the Second Regular Session of the 121st Legislature. That amendment proposed that the report include any legislation necessary to implement the recommendations of the advisory committee.

The amendment proposed to require that the advisory committee's study include, without limitation, 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; zoning or zoning practices that create barriers to affordable housing; laws pertaining to municipal impact fees; municipal moratoria on development permits; municipal rate of growth ordinances; barriers to the creation of affordable rental housing, including the unavailability of deposit assistance; barriers to the construction or availability of affordable housing for veterans, seniors, retirees, persons

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with disabilities and homeless persons; and other barriers to the construction or availability of affordable housing identified by the advisory committee or stakeholders.

The amendment proposed that, in conducting its study, the advisory committee consult with a broad range of stakeholders including public and private organizations, elected officials and others involved with affordable housing issues.

The amendment also proposed to authorize the Joint Standing Committee on Business, Research and Economic Development to report out legislation during the Second Regular Session of the 121st Legislature on issues pertaining to barriers to affordable housing.

House Amendment "A" to Committee Amendment "A" (H-273) proposed to remove the emergency preamble and the emergency clause from the committee amendment.

Senate Amendment "A" to Committee Amendment "A" (S-265) proposed to clarify the reporting requirements by mandating that the Community Preservation Advisory Committee's findings and recommendations, including any suggested legislation, be included in the annual report already required by statute and to change the reporting date to December 1, 2003.

Enacted Law Summary

Resolve 2003, chapter 73 directs the Community Preservation Advisory Committee to study barriers to affordable housing in the State. The recommendations of the advisory committee, including suggested legislation, are to be incorporated into the advisory committee's annual report required under Title 30-A, section 4350, subsection 9. A copy of that report must be provided to the Joint Standing Committee on Business, Research and Economic Development no later than December 1, 2003.

In conducting its study, the Community Preservation Advisory Committee must study 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; zoning or zoning practices that create barriers to affordable housing; laws pertaining to municipal impact fees; municipal moratoria on development permits; municipal rate of growth ordinances; barriers to the creation of affordable rental housing, including the unavailability of deposit assistance; barriers to the construction or availability of affordable housing for veterans, seniors, retirees, persons with disabilities and homeless persons; and other barriers to the construction or availability of affordable housing identified by the advisory committee or stakeholders. The resolve also requires that the advisory committee consult with a broad range of stakeholders including public and private organizations, elected officials and others involved with affordable housing issues in conducting its study.

The resolve also authorizes the Joint Standing Committee on Business, Research and Economic Development to report out legislation during the Second Regular Session of the 121st Legislature on issues pertaining to barriers to affordable housing.