

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

**JOINT STANDING COMMITTEE ON BUSINESS, RESEARCH
AND ECONOMIC DEVELOPMENT**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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>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; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</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>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Business, Research and Economic Development

proposals for proposed conflict resolutions for codes and standards referenced in the Maine Revised Statutes, Title 10, section 9725, subsections 2 to 7; proposals to improve the efficiency and effectiveness of those codes and standards; and alternative methods of funding for the board to create an equitable source of revenue. The board, in adopting and amending the Maine Uniform Building and Energy Code, is required to ensure that nontraditional or experimental construction, including straw bale and earth berm construction, and building materials from local sawmills are permissible under the code. The requirements of the code do not apply to post and beam and timber frame construction, nor do they apply to log homes or manufactured housing.

The law also creates the Bureau of Building Codes and Standards as an independent bureau within the Department of Public Safety to provide administrative and technical support to the board. The bureau includes a technical codes coordinator to provide technical support to the board and an office specialist to provide administrative support for the bureau and board.

The law establishes the Uniform Building Codes and Standards Fund within the Department of Public Safety to provide funding for the board, bureau and the State Planning Office for training expenses. Revenue for the fund will be provided from a surcharge on fire and life safety code plan review fees through the Office of State Fire Marshal and standards plan reviews for commercial and public buildings.

LD 2264 An Act To Encourage Energy Conservation by the Maine State Housing Authority Pursuant to the State Government Evaluation Act Review

PUBLIC 645

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-1004

This bill provides the Maine State Housing Authority with the authority to encourage and provide incentives to individuals and entities that conserve energy; support and participate in markets that reward energy conservation and use the proceeds from this participation to support affordable housing programs under its jurisdiction; and create and administer programs that encourage individuals and entities to conserve energy.

Committee Amendment "A" (H-1004)

This amendment clarifies that, in carrying out its authority to support and participate in markets that reward energy conservation, the Maine State Housing Authority may use resources derived from any source except the conservation program fund established by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A, subsection 5.

Enacted Law Summary

Public Law 2007, chapter 645 provides the Maine State Housing Authority with the following authority: (1) to encourage and provide incentives to individuals and entities that conserve energy; (2) to support and participate in markets that reward energy conservation and use the proceeds from this participation to support affordable housing programs under its jurisdiction; and (3) create and administer programs that encourage individuals and entities to conserve energy. The law clarifies that, in carrying out its authority to support and participate in markets that reward energy conservation, the Maine State Housing Authority may use resources derived from any source except the conservation program fund established by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A, subsection 5.