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Date: (Filing No. H- )

**INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1237, L.D. 1929, “An Act to Protect Consumers by Licensing Home Building Contractors”

Amend the bill by striking out the title and substituting the following:

**'Resolve, Establishing the Commission to Study the Regulation of Residential Construction Contractors for the Protection of Consumers'**

Amend the bill by striking out everything after the title and inserting the following:

**'Sec. 1. Commission established. Resolved:** That the Commission to Study the Regulation of Residential Construction Contractors for the Protection of Consumers, referred to in this resolve as "the commission," is established.

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 14 members appointed as follows:

- 1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
- 2. Two members of the House of Representatives appointed by the Speaker of the House, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
- 3. The Commissioner of the Department of Professional and Financial Regulation, or the commissioner's designee;
- 4. The following 4 members, appointed by the President of the Senate:
  - A. One residential construction contractor whose contracting business is primarily conducted or offered in an area of the State with a combined population of 1,000 residents or less;
  - B. One residential construction contractor whose contracting business is primarily conducted or offered in an area of the State with a combined population of more than 1,000 residents but not more than 5,000 residents;

**COMMITTEE AMENDMENT**

1 C. One residential construction contractor whose contracting business is primarily  
2 conducted or offered in an area of the State with a combined population of more than  
3 5,000 residents; and

4 D. One municipal code enforcement officer who is engaged in code enforcement in a  
5 rural area of the State; and

6 5. The following 5 members, appointed by the Speaker of the House of  
7 Representatives:

8 A. One residential construction contractor whose contracting business is primarily  
9 conducted or offered in an area of the State with a combined population of 1,000  
10 residents or less;

11 B. One residential construction contractor whose contracting business is primarily  
12 conducted or offered in an area of the State with a combined population of more than  
13 1,000 residents but not more than 5,000 residents;

14 C. One residential construction contractor whose contracting business is primarily  
15 conducted or offered in an area of the State with a combined population of more than  
16 5,000 residents;

17 D. One municipal code enforcement officer who is engaged in code enforcement in an  
18 urban area of the State; and

19 E. An attorney with knowledge of and experience in residential construction litigation.

20 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair  
21 and the first-named House of Representatives member is the House chair of the  
22 commission.

23 **Sec. 4. Appointments; convening of commission. Resolved:** That all  
24 appointments must be made no later than 30 days following the effective date of this  
25 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
26 Council once all appointments have been completed. After appointment of all members,  
27 the chairs shall call and convene the first meeting of the commission. If 30 days or more  
28 after the effective date of this resolve a majority of but not all appointments have been  
29 made, the chairs may request authority and the Legislative Council may grant authority for  
30 the commission to meet and conduct its business.

31 **Sec. 5. Duties. Resolved:** That the commission shall review potential requirements  
32 necessary for and develop recommendations regarding the regulation of residential  
33 construction contractors to effectively protect consumers, including, but not limited to,  
34 consideration of residential construction contractor licensing requirements, registration  
35 requirements and micro-credentialing requirements.

36 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
37 necessary staffing services to the commission, except that Legislative Council staff support  
38 is not authorized when the Legislature is in regular or special session.

39 **Sec. 7. Report. Resolved:** That, notwithstanding Joint Rule 353, no later than  
40 November 6, 2024, the commission shall submit a report that includes its findings and  
41 recommendations, including any suggested legislation, to the Joint Standing Committee on  
42 Innovation, Development, Economic Advancement and Business. After reviewing the

1 report, the committee may report out legislation related to the report to the 132nd  
2 Legislature in 2025.'

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
4 number to read consecutively.

5 **SUMMARY**

6 This amendment, which is a minority report of the committee, replaces the bill with a  
7 resolve. The amendment creates the Commission to Study the Regulation of Residential  
8 Construction Contractors for the Protection of Consumers, which is directed to review  
9 potential requirements necessary for and develop recommendations regarding the  
10 regulation of residential construction contractors to effectively protect consumers,  
11 including, but not limited to, consideration of residential construction contractor licensing  
12 requirements, registration requirements and micro-credentialing requirements. No later  
13 than November 6, 2024, the commission must submit a report that includes its findings and  
14 recommendations, including any suggested legislation, to the Joint Standing Committee on  
15 Innovation, Development, Economic Advancement and Business. After reviewing the  
16 report, the committee may report out legislation related to the report to the 132nd  
17 Legislature in 2025.

18 **FISCAL NOTE REQUIRED**  
19 **(See attached)**