

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 232

7 H.P. 198

House of Representatives, January 29, 1985

8 Reference to the Committee on State Government suggested and ordered
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Gwadosky of Fairfield.

11 Cosponsored by Representative Sproul of Augusta, Representative
Brannigan of Portland and Representative Paradis of Augusta.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Establish the Director
18 of the Maine State Housing Authority as
19 a Nonvoting Commissioner of the State
20 Authority.
21

22 Be it enacted by the People of the State of Maine as
23 follows:

24 30 MRSA §4602, sub-§2, ¶B, as amended by PL 1981,
25 c. 51, is further amended to read:

26 B. The state authority shall have 7 commission-
27 ers, 5 of whom shall be appointed by the Govern-
28 nor, subject to review by the Joint Standing Com-
29 mittee on State Government and to confirmation by
30 the Legislature, and one of whom shall be the
31 Treasurer of State or his designee, ex officio,
32 as a nonvoting member. The designee of the Treas-
33 urer of State shall be the Deputy Treasurer of
34 State. The 7th commissioner shall be the direc-
35 tor of the state authority serving ex officio, as
36 a nonvoting member, who shall be chairman of the

1 commissioners. The director of the state authori-
2 ty shall be appointed by the Governor, subject to
3 review by the Joint Standing Committee on State
4 Government and to confirmation by the Legisla-
5 ture. ~~Said~~ The 5 commissioners shall include, but
6 not be limited to, representatives of bankers and
7 of low income or elderly people. One commission-
8 er shall be a resident of housing which is
9 subsidized or assisted by programs of the United
10 States Department of Housing and Urban Develop-
11 ment or of the Maine State Housing Authority. In
12 making such appointment, the Governor shall give
13 priority consideration to nominations that may be
14 made by tenant associations established in the
15 State.

16 The commissioners shall elect a vice-chairman of
17 the commissioners from among their number. The
18 commissioners of the state authority shall have
19 the power and duty to establish and revise from
20 time to time policies of the authority relative
21 to the following particular matters.

22 (1) Standards of issuing, servicing and re-
23 deemng bonds;

24 (2) Purchase, sale or commitment to pur-
25 chase mortgages or notes;

26 (3) Initiating project construction and ac-
27 cepting properly completed facilities;

28 (4) Setting and establishing selection and
29 evaluation standards, criteria and proce-
30 dures under which it will purchase, sell or
31 agree to purchase loans, notes or obliga-
32 tions, having regard among other things to
33 property values, local economic conditions
34 and expectancy, credit and employment, and
35 to local housing conditions and needs and
36 the availability of credit resources to meet
37 the same relative to similar or competing
38 conditions and needs in other localities in
39 the State;

40 (5) Setting and establishing procedures for
41 the servicing of loans, notes and obliga-

1 tions acquired by it, including the allow-
2 ance of servicing fees to participating
3 lenders to whom the state authority may en-
4 trust such servicing;

5 (6) Setting and establishing procedures for
6 the collection of moneys due from persons
7 liable for the payment of the same, as to
8 any loan, note or obligation held by the
9 state authority, by subrogation or other-
10 wise, and to initiate and maintain any ac-
11 tion at law or in equity, including foreclo-
12 sure proceedings, to enforce such payment;

13 (7) Setting and establishing procedures for
14 the orderly liquidation and disposition of
15 any property acquired by the state authority
16 through foreclosure or otherwise in full or
17 partial satisfaction of any debt or obliga-
18 tion held by it; and

19 (8) Establishing and maintaining out of in-
20 come or otherwise such reserves as the state
21 authority from time to time determines to be
22 necessary and prudent in addition to those
23 specifically required.

24 Following reasonable notice to each commissioner,
25 4 commissioners of the state authority shall con-
26 stitute a quorum for the purpose of conducting
27 its business and exercising its powers and for
28 all other purposes, notwithstanding the existence
29 of any vacancies. Action may be taken by the com-
30 missioners upon a vote of a majority of the com-
31 missioners present, unless its bylaws shall re-
32 quire a larger number.

33 STATEMENT OF FACT

34 The purpose of this bill is to enable the Maine
35 State Housing Authority Board to function as an ob-
36 jective independent governing organization without
37 "pressure" from the staff. There are extremely few
38 boards structured in the manner as the current Maine
39 State Housing Authority Board.

1 The State Lottery Commission and the State Liquor
2 Commission do not include the executive directors of
3 these organizations of voting members. The policy
4 making body, therefore, should be kept separate from
5 the implementing authority.

6

0156010285