

# MAINE STATE LEGISLATURE

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New Draft of: S. P. 176, L. D. 1528

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**Legislative Document**

**No. 1528**

S. P. 509

In Senate, April 7, 1961

Reported by Senator Brooks of Cumberland, from Committee on Legal Affairs.  
Printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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**AN ACT Relating to Appointment of Commissioners Under Maine Housing  
Authorities Act.**

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**Emergency Preamble.** Whereas, public housing projects are extremely vital and necessary if communities of the State are to continue to conduct urban renewal and redevelopment projects; and

Whereas, it is financially impossible to construct public housing projects in the State without the aid of federal funds; and

Whereas, applications for funds for such projects must be made to the Federal Government on or before June 1, 1961 if funds are to be secured before the lapse of the current federal appropriation for such projects; and

Whereas, under the Maine Housing Authorities Act local communities must hold a referendum before applications for such funds can be made to the Federal Government; and

Whereas, the present referendum provisions of this act appear not to be uniform with respect to all communities of the State which could conceivably cause difficulty and bring about delays in making applications to the Federal Government; and

Whereas, it is necessary and desirable that an amendment immediately be made to the Maine Housing Authorities Act so that the referendum provisions contained therein can be clarified and made uniform throughout the State to the end that applications for federal funds will not be delayed by such inconsistency; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. R. S., c. 93, § 4, amended.** The first sentence of section 4 of chapter 93 of the Revised Statutes is repealed and the following enacted in place thereof:

**'Each authority shall have 5 commissioners appointed. In the case of a city having a mayor-council form of government, appointment shall be by the mayor with the advice and consent of the council; in the case of a city having a manager-council form of government, appointment shall be by the council; in the case of a town, appointment shall be by the selectmen. No commissioner shall be appointed until the authority is authorized to function as provided in section 3.'**

**Sec. 2. R. S., c. 93, § 17, amended.** The 2nd paragraph of section 17 of chapter 93 of the Revised Statutes, as enacted by section 2 of chapter 351 of the public laws of 1959, is amended to read as follows:

**'No authority of any city in excess of 60,000 population shall enter into any contract for loans, grants, contributions or other financial assistance with the Federal Government for any project unless or until a majority of the voters of such city, voting in a referendum duly held, have voted in favor of the question: "Do you favor the development of approximately . . . . . dwelling units of low-rent housing for persons of low income to be constructed in the . . . . . area, bounded as follows: . . . . ., within the territorial boundaries of the city for which the housing authority of the city may enter into agreements or contracts with the Federal Government for loans, grants, contributions or other financial assistance?"'**

**Sec. 3. R. S., c. 93, § 22, amended.** The 9th paragraph of section 22 of chapter 93 of the Revised Statutes, which relates to the definition of "mayor", is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.