

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1103

S. P. 376

In Senate, February 28, 1973

Referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Conley of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT** Relating to Consolidation of Existing Housing  
and Urban Renewal Authorities.

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

R. S., T. 30, c. 239, sub-c. III-A, additional. Chapter 239 of Title 30 of the Revised Statutes is amended by adding a new subchapter III-A, to read as follows:

Subchapter III-A

**CONSOLIDATION OF EXISTING HOUSING  
AND URBAN RENEWAL AUTHORITIES**

§ 485I. Consolidation by agreement of both authorities

1. Resolution. The commissioners of a Housing Authority and the trustees of an Urban Renewal Authority, within a municipality, may by joint resolution agree to consolidate both authorities into a single organization, which is authorized to exercise the powers and perform the duties of each authority. The resolution shall state the name of the proposed consolidated organization and shall contain a basic agreement on the administrative structure and personnel policies and practices of the new consolidated organization. The adopted resolution shall be filed in the office of the Secretary of State.

2. New organization. Unless revoked by either or both authorities, the resolution in subsection 1 shall effect a consolidation of both authorities 30 days after the date of the resolution and the separate existence of each of the constituent authorities shall cease. The new organization shall possess all of the respective rights, privileges, powers, franchises and immunities

and be subject to all the liabilities, restrictions and duties of each of the prior authorities and all property, real, personal and mixed, and all debts due to either constituent authority shall be vested in the consolidated organization.

All property, rights, privileges, powers, franchises and immunities and all and every other interest shall be thereafter as effectively the property of the consolidated organization as they were of both prior constituent authorities. The title to any real estate, whether by deed or otherwise, vested in either constituent authority shall not revert or be in any way impaired by reason of such consolidation. All rights of creditors and all liens upon the property of either constituent authority shall be preserved unimpaired, limited to the property affected by such liens at the time of consolidation, and all debts, liabilities and duties of the respective constituent authorities shall henceforth attach to said consolidated authority and may be enforced against it to the same extent as if said debts, liabilities and duties had been incurred or contracted by it.

3. Board of directors. The commissioners of the prior Housing Authority and the trustees of the prior Urban Renewal Authority shall constitute the board of directors of the consolidated organization. Individual members at the time of consolidation shall serve until the expiration of their respective terms as determined by their appointment to either of the constituent authorities; however, vacancies shall not be filled until necessary to maintain the board at seven members.

4. Policies. The board of directors of the consolidated organization shall be subject to section 4602 and shall at their first meeting held within 7 days after the effective date of consolidation implement the personnel and administrative policies and practices agreed to by joint resolution of the prior constituent authorities.

§ 4852. Alternative procedure; referendum

1. Referendum. Consolidation of existing Housing Authorities and Urban Renewal Authorities may be effected by a favorable vote on the following referendum question:

“Shall the municipality authorize the consolidation of the Housing Authority and Renewal Authority within this municipality into a new organization to be known as . . . . ., pursuant to Revised Statutes, Title 30, Chapter 239, subchapter III-A?”

The question may be presented to the voters of the municipality in accordance with charter or section 2061. The result of the election shall be declared by the municipal officers and a certificate thereof shall be filed by the municipal clerk with the Secretary of State.

2. Effective date. The consolidation shall be effective 30 days after the recording of a favorable vote on the above question in the same manner and effect as stated in section 4851, subsections 2 and 3.

3. Policies. The board of directors of the new organization shall within 30 days after the effective date of consolidation determine the administrative

**structure of and adopt basic personnel policies and practices for the new organization.**

STATEMENT OF FACT

The purpose of this bill is reflected in the title.