

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of H. P. 1352, L. D. 1784

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2001

H. P. 1571

House of Representatives, June 4, 1973

Reported by Mr. Cooney from Committee on State Government and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Correct Errors and Inconsistencies in the Maine Housing
Authorities Act.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the Maine State Housing Authority operates an ongoing program of mortgage purchases, the validity of some of which may be called into question because of certain errors and inconsistencies in the Maine Housing Authorities Act; and

Whereas, the expected advent of special revenue sharing will make the role of the Maine State Housing Authority more important than ever before, requiring a completely workable statute; 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., T. 30, § 4552, sub-§ 11, amended. Subsection 11 of section 4552 of Title 30 of the Revised Statutes, as amended by section 4 of chapter 470 of the public laws of 1969, is further amended by adding at the end a new sentence to read as follows:

Financial assistance shall include, but shall not be limited to, the following kinds of assistance; mortgage insurance, interest subsidies, rent subsidies, public assistance payment or services.

Sec. 2. R. S., T. 30, § 4601-A, sub-§ 1, ¶ M, additional. Subsection 1 of section 4601-A of Title 30 of the Revised Statutes, as enacted by section 7 of chapter 470 of the public laws of 1969, is amended by adding a new paragraph M to read as follows:

M. Formulate proposed affirmative housing action plans for submission to regional planning commissions and local planning boards for their consideration.

Sec. 3. R. S., T. 30, § 4760, amended. The first sentence of section 4760 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969 and as repealed and replaced by section 9 of chapter 564 of the public laws of 1969, is amended to read as follows:

The state authority may authorize the issuance of revenue bonds of the authority in the manner and as provided in section 4751 for any of its authorized purposes including the purchase of first mortgage loans or evidences thereof ~~made not more than 6 months prior to such purchase~~, for residential housing in the State of Maine from the financial institutions and other agencies specified in section 4756.

Sec. 4. R. S., T. 30, § 4760, amended. The last paragraph of section 4760 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 and as repealed and replaced by section 9 of chapter 564, both of the public laws of 1969, is repealed and the following enacted in place thereof:

The state authority may not purchase such first mortgage loan or evidence of such loan unless at least a reasonable number of the families or individuals who occupy or will occupy the mortgage premises are persons of low income as defined in this subchapter. The state authority shall insure that the mortgaged premises is continued in use for the originally planned purpose so long as said use is economically and socially reasonable.

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