

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1522

H. P. 1289

House of Representatives, April 11, 1977

On motion of Mr. Curran of South Portland, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Howe of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Amend the Maine State Housing Authority Statutes so as to
Abolish the Requirement of the Resolution of Consent.**

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

Sec. 1. 30 MRSA § 4552, sub-§ 1, last sentence, as repealed and replaced by PL 1975, c. 625, § 1, is amended to read:

In the case of the state authority, the requirements of coordination and local approval specified in ~~sections~~ **section** 4651, subsection 10 ~~and 4701~~ may be complied with by passage by the local governing body of the following resolution:

Sec. 2. 30 MRSA § 4701, last sentence, as amended by PL 1969, c. 470, § 14, is repealed.

STATEMENT OF FACT

The requirement of the resolution of consent, which must be approved by a municipality before the Maine State Housing Authority can even propose housing activities within that municipality, should be abolished. Given local zoning and subdivision ordinances, plus building permits, municipalities are amply protected from unwanted housing developments. The requirement of the resolution of consent is exclusionary in that a majority of municipal voters can deny federal housing opportunities to the minority by voting down the resolution of consent. Within many of Maine's rural municipalities, poor people are being excluded and forced to move to urban municipalities in order to find housing opportunities. It should be noted that the State Housing Plan, as proposed by the State Planning Office, recommends that the requirement of the resolution of consent be abolished.