

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## FIRST SPECIAL SESSION - 1989

Legislative Document

No. 1790

H.P. 1297

House of Representatives, August 17, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on August 16, 1989. Referred to the Committee on Housing and Economic Development and 1,400 ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative NADEAU of Lewiston.

Cosponsored by Senator DUTREMBLE of York and Representative BAILEY of Farmington.

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### STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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### An Act to Break the Cycle of Homelessness in Maine.

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(EMERGENCY)



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

4  
6       **Whereas,** it is a tragedy that a significantly increasing  
number of Maine people are becoming homeless; and

8       **Whereas,** there are many full-time working families who  
cannot afford housing in Maine and are homeless or on the verge  
of homelessness; and

10  
12       **Whereas,** homelessness has a substantial negative impact on  
the State; and

14  
16       **Whereas,** the problem of homelessness in Maine will grow more  
serious this winter; and

18       **Whereas,** funds are needed before winter to implement  
programs to prevent persons from becoming homeless and to provide  
support to facilities that offer emergency housing for the  
homeless; and

22  
24       **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,

28  
30       **Be it enacted by the People of the State of Maine as follows:**

32       **Sec. 1. 5 MRSA §1813, sub-§6,** as amended by PL 1987, c. 395,  
Pt. A, §21, is further amended to read:

34       **6. Surplus property.** Providing for transfer of supplies,  
materials and equipment which are surplus from one state  
36 department or agency to another which may need them, and for the  
disposal by private and public sale of supplies, materials and  
38 equipment which are obsolete and unusable; provided, however,  
that if any political subdivision in the State or any educational  
40 institution or homeless shelter sponsor enumerated in section  
1813-A requests to purchase any such obsolete and unusable items,  
42 then the disposal shall be by private sale to that political  
subdivision, homeless shelter sponsor or educational institution;  
44 that equipment to be retained for a period of at least one year  
in a current ongoing program. Any item purchased by a political  
46 subdivision, homeless shelter sponsor or educational institution  
under this section shall not be sold or transferred by that  
48 political subdivision, homeless shelter sponsor or educational  
institution for a period of 6 months from the date of the private  
50 sale and the State reserves the right to refuse to sell  
additional equipment to a political subdivision, homeless shelter  
52 sponsor or educational institution if it is determined that the

political subdivision, homeless shelter sponsor or educational institution has not retained the equipment for the required period of 6 months;

**Sec. 2. 5 MRSA §1813-A**, as amended by PL 1985, c. 785, Pt. A, §74, is repealed and the following enacted in its place:

**§1813-A. Sale of surplus property**

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Educational institution"** means any public elementary or secondary school, any elementary or secondary private school approved for tuition whose school enrollment is at least 60% publicly funded students as determined by the previous school year's October to April average enrollment, any nonpublic post-secondary school or any vocational region.

**B. "Homeless shelter sponsor"** means a public or private nonprofit entity that owns or operates a project or facility for the homeless.

**2. Surplus property.** Pursuant to this chapter and rules promulgated under section 1813, the Department of Administration through the Bureau of Purchases shall allow private sales of surplus property to homeless shelter sponsors and to educational institutions.

**Sec. 3. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1989-90

**MAINE STATE HOUSING AUTHORITY**

**Housing Opportunities for Maine Fund**

All Other \$750,000

Provides funds for temporary assistance for people who need shelter or who are in danger of becoming homeless through eviction or foreclosure. Assistance may include short-term loans or grants for: mortgage payments or other expenses necessary to prevent foreclosure; security deposits; rent arrearages; forward rent payments; or other expenses necessary to prevent eviction or to establish a person in a rental.

2 All Other: and ... \$750,000.

4 Provides funds to establish a system of cost  
6 reimbursement for sponsors of facilities  
8 that provide emergency housing for the  
10 homeless. The funds shall be used to  
12 finance the operating budgets of the  
14 facilities and to allow the sponsors to add  
16 necessary services.

12 MAINE STATE HOUSING AUTHORITY  
14 TOTAL \$1,500,000

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

18 STATEMENT OF FACT

20 This bill provides funding for a program to prevent  
22 homelessness through early financial intervention. It also  
24 provides funding for facilities that provide emergency housing  
26 for the homeless to reimburse them for operating costs. In order  
to have these programs in place and operational before the onset  
of winter, this bill will become effective upon its approval.