

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 655

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H.P. 474

House of Representatives, February 28, 1995

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**An Act Concerning Municipal Rent Control.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WINSOR of Norway.  
Cosponsored by Representatives: BOUFFARD of Lewiston, CLARK of Millinocket,  
DiPIETRO of South Portland, Senator: STEVENS of Androscoggin.

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

**Sec. 1. 30-A MRSA §3601**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**§3601. Declaration of emergency**

If a serious public housing emergency exists in a municipality ~~which~~ that would result in a shortage of rental housing accommodations and abnormally high rents and will produce serious threats to the public health, safety and general welfare of the citizens of the community unless residential rents are regulated and controlled, a municipality may accept this chapter, with due regard for the rights and responsibilities of its citizens. Prior to accepting this chapter, the municipal officers must conduct an analysis to support their finding that a serious public housing emergency exists. Their analysis must include, but is not limited to, all of the following:

1. Comparative housing costs. A finding that rents within the municipality are abnormally high and that sufficient alternative housing at normal rents does not exist within the municipality nor in surrounding municipalities. The finding must be based upon a comparison of the costs of all competing forms of housing within the municipality and surrounding municipalities;

2. Vacancy rates. A finding that vacancy rates are abnormally low, thus depriving renters of adequate housing alternatives. The finding must be based upon an analysis of vacancy rates in all competing forms of housing within the municipality and surrounding municipalities; and

3. Municipal restrictions. A finding that the housing shortage does not result from land use restrictions imposed by the municipality upon the development of housing. The finding must be based upon an analysis of the effect of the municipality's land use and other regulations on the cost and availability of housing.

**STATEMENT OF FACT**

This bill ensures that municipal officials conduct an objective analysis of housing costs within the municipality and surrounding municipalities prior to adopting municipal rent control. Factors that must be included in their analysis include, but are not limited to, rent levels, vacancy rates and the effect that restrictive land use regulations have on the supply and cost of rental housing.