

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

---

Legislative Document

No. 441

S.P. 142

January 29, 2007

---

### **An Act To Restructure the Board of Commissioners of the Maine State Housing Authority To Closely Match Local Authorities**

---

Reference to the Committee on Business, Research and Economic Development suggested  
and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HOBBS of York.  
Cosponsored by Representative BERUBE of Lisbon and  
Senators: DOW of Lincoln, SCHNEIDER of Penobscot, Representatives: AUSTIN of Gray,  
BEAUDETTE of Biddeford, BEAULIEU of Auburn, RECTOR of Thomaston.

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

2 **Sec. 1. 30-A MRSA §4723, sub-§2, ¶B**, as enacted by PL 1987, c. 737, Pt. A, §2  
3 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
4 further amended to read:

5 B. The Maine State Housing Authority, as authorized by Title 5, chapter 379, ~~shall~~  
6 must have ~~7~~ 9 commissioners, ~~5~~ 7 of whom ~~shall~~ must be appointed by the Governor,  
7 subject to review by the joint standing committee of the Legislature having  
8 jurisdiction over economic development; and to confirmation by the Legislature. The  
9 ~~6th~~ 8th commissioner is the Treasurer of State, who ~~shall serve~~ serves ex officio. The  
10 Treasurer of State may designate the Deputy Treasurer of State to serve in place of  
11 the Treasurer of State. The ~~7th~~ 9th commissioner is the director of the Maine State  
12 Housing Authority, who ~~shall serve~~ serves ex officio, ~~and who is chairman of the~~  
13 ~~commissioners.~~ The Governor shall appoint the chair of the commissioners from  
14 among the 7 commissioners. The ~~5~~ 7 gubernatorial appointments must include, but  
15 are not limited to, representatives of bankers and ~~of low-income or~~ elderly people and  
16 at least 2 representatives of low-income people. One commissioner must be a  
17 resident of housing ~~which~~ that is subsidized or assisted by programs of the United  
18 States Department of Housing and Urban Development or of the Maine State  
19 Housing Authority. In making this appointment, the Governor shall give priority  
20 consideration to nominations that may be made by tenant associations established in  
21 the State.

22 The commissioners shall elect a ~~vice-chairman~~ vice-chair of the commissioners from  
23 among their number. The commissioners of the Maine State Housing Authority shall  
24 establish and revise from time to time policies of the Maine State Housing Authority  
25 relating to the following particular matters:

- 26 (1) Standards of issuing, servicing and redeeming bonds;
- 27 (2) Purchase, sale or commitment to purchase mortgages or notes;
- 28 (3) Initiating project construction and accepting properly completed facilities;
- 29 (4) Setting and establishing selection and evaluation standards, criteria and  
30 procedures under which it will purchase, sell or agree to purchase loans, notes or  
31 obligations, having regard among other things to:
- 32 (a) Property values;
- 33 (b) Local economic conditions and expectancy;
- 34 (c) Credit and employment; and
- 35 (d) Local housing conditions and needs and the availability of credit  
36 resources to meet those needs relative to similar or competing conditions and  
37 needs in other localities in the State;
- 38 (5) Setting and establishing procedures for the servicing of loans, notes and  
39 obligations acquired by it, including the allowance of servicing fees to  
40 participating lenders to whom the Maine State Housing Authority may entrust  
41 such servicing;

1 (6) Setting and establishing procedures for the collection of money due from  
2 persons liable for payment, as to any loan, note or obligation held by the Maine  
3 State Housing Authority, by subrogation or otherwise, and to initiate and  
4 maintain any action at law or in equity, including foreclosure proceedings, to  
5 enforce payment;

6 (7) Setting and establishing procedures for the orderly liquidation and  
7 disposition of any property acquired by the Maine State Housing Authority  
8 through foreclosure or otherwise in full or partial satisfaction of any debt or  
9 obligation held by it; and

10 (8) Establishing and maintaining out of income or otherwise any reserves that  
11 the Maine State Housing Authority from time to time determines to be necessary  
12 and prudent in addition to those specifically required.

13 Following reasonable notice to each commissioner, ~~4~~ 6 commissioners of the Maine  
14 State Housing Authority constitute a quorum for the purpose of conducting its  
15 business, exercising its powers and for all other purposes, notwithstanding the  
16 existence of any vacancies. Action may be taken by the commissioners upon a vote  
17 of a majority of the commissioners present, unless its bylaws require a larger number.

18 **SUMMARY**

19 This bill changes the number of commissioners on the Maine State Housing  
20 Authority appointed by the Governor from 5 to 7, 2 of whom must be representatives of  
21 low-income people, to match the number of commissioners on local authorities. It also  
22 changes the manner in which the chair of the commissioners is chosen.