

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1080

H.P. 747

House of Representatives, March 17, 2009

**Resolve, Establishing the Blue Ribbon Commission To Study
Landlord and Tenant Issues**

(EMERGENCY)

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TUTTLE of Sanford.

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

3 Whereas, the Blue Ribbon Commission To Study Landlord and Tenant Issues is
4 created in this resolve and must issue its findings and report by December 2, 2009; and

5 Whereas, the study must be initiated before the 90-day period expires in order that
6 the study may be completed and a report submitted in time for submission to the next
7 legislative session; and

8 Whereas, in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore, be it

12 **Sec. 1. Commission established. Resolved:** That the Blue Ribbon
13 Commission To Study Landlord and Tenant Issues, referred to in this resolve as "the
14 commission," is established; and be it further

15 **Sec. 2. Commission membership. Resolved:** That the commission consists of
16 13 members appointed as follows:

17 1. Six members appointed by the President of the Senate as follows:

18 A. Three members of the Senate;

19 B. One member from an organization that provides free legal services to low-income
20 persons in the State;

21 C. One member from an organization representing landlords; and

22 D. One member from an organization representing housing managers;

23 2. Six members appointed by the Speaker of the House as follows:

24 A. Four members of the House of Representatives;

25 B. One member representing the Maine State Housing Authority; and

26 C. One member representing the District Court system; and

27 3. The Attorney General or the Attorney General's designee; and be it further

28 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
29 chair and the first-named House of Representatives member is the House chair of the
30 commission; and be it further

31 **Sec. 4. Appointments; convening of commission. Resolved:** That all
32 appointments must be made no later than 30 days following the effective date of this
33 resolve. The appointing authorities shall notify the Executive Director of the Legislative
34 Council once all appointments have been completed. Within 15 days after appointment

1 of all members, the chairs shall call and convene the first meeting of the commission,
2 which must be no later than August 1, 2009; and be it further

3 **Sec. 5. Duties. Resolved:** That the commission shall:

4 1. Study the feasibility of obtaining heating fuel assistance and insulation assistance
5 for landlords who serve low-income tenants in certain economically distressed areas;

6 2. Study how to keep housing units in proper repair;

7 3. Study how to keep tenants in their apartments in the event of a foreclosure; and

8 4. Study any other issues pertaining to landlord and tenant issues that it determines to
9 be relevant; and be it further

10 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
11 necessary staffing services to the commission; and be it further

12 **Sec. 7. Report. Resolved:** That, no later than December 2, 2009, the commission
13 shall submit a report that includes its findings and recommendations, including suggested
14 legislation, for presentation to the Second Regular Session of the 124th Legislature. The
15 Joint Standing Committee on Legal and Veterans Affairs is authorized to introduce a bill
16 related to the subject matter of the report to the Second Regular Session of the 124th
17 Legislature upon receipt of the report.

18 **Emergency clause.** In view of the emergency cited in the preamble, this
19 legislation takes effect when approved.

20

SUMMARY

21 This resolve establishes a blue ribbon commission to conduct a study and make
22 recommendations on landlord and tenant issues and specifically address the feasibility of
23 obtaining heating fuel assistance and insulation assistance for landlords who serve low-
24 income tenants in certain economically distressed areas, how to keep housing units in
25 proper repair, how to keep tenants in their apartments in the event of a foreclosure and
26 other landlord and tenant issues that the commission determines to be relevant. The
27 commission shall make a report and recommendations to the Joint Standing Committee
28 on Legal and Veterans Affairs, which is authorized to introduce a bill on this matter.