

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 841

H.P. 638

House of Representatives, March 3, 2011

Resolve, To Establish the Blue Ribbon Commission on Affordable Housing

(EMERGENCY)

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative CUSHING of Hampden.
Cosponsored by Senator ALFOND of Cumberland and
Representatives: CAIN of Orono, CAREY of Lewiston, CURTIS of Madison, HAYES of
Buckfield, VOLK of Scarborough, Senator: PLOWMAN of Penobscot.

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,** a 2009 study of the Maine housing market by the Massachusetts Institute
4 of Technology Center for Real Estate concluded 86,000 Maine households, including
5 34,000 elderly households, have severe housing affordability problems; and

6 **Whereas,** in 2009 the United States Census Bureau named Maine the State with the
7 oldest population, which creates a disparity between the State's housing needs and supply,
8 leaving the elderly to try to maintain housing larger than they need and can afford; and

9 **Whereas,** Maine's housing organizations have waiting lists that are often double or
10 more the number of units they manage, meaning today's applicants must wait years for an
11 apartment; and

12 **Whereas,** a 2010 survey found that there are 12,221 Section 8 housing choice
13 vouchers authorized for use by housing agencies in Maine, yet another 12,795 households
14 remain on waiting lists and almost half of those lists are closed to new applicants; and

15 **Whereas,** lack of affordable housing forces 750 to 800 Maine people to emergency
16 homeless shelters each night, with over 7,000 individuals using shelters each year; and

17 **Whereas,** this legislation establishes the Blue Ribbon Commission on Affordable
18 Housing, which is charged with the duty of reviewing the current status of housing in
19 Maine, including its affordability, energy efficiency and impact on the economy;
20 identifying regulatory barriers to affordable housing; and making recommendations to
21 make the most efficient use of available resources supporting affordable housing; and

22 **Whereas,** in order for the appointing authorities to make their appointments and for
23 the commission to have sufficient time to conclude its work, it is necessary for this
24 legislation to take effect immediately; and

25 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
26 the meaning of the Constitution of Maine and require the following legislation as
27 immediately necessary for the preservation of the public peace, health and safety; now,
28 therefore, be it

29 **Sec. 1. Commission established. Resolved:** That the Blue Ribbon
30 Commission on Affordable Housing, referred to in this resolve as "the commission," is
31 established; and be it further

32 **Sec. 2. Commission membership. Resolved:** That the commission consists of
33 the following 16 members appointed as follows:

34 1. Two members from the Senate, appointed by the President of the Senate. In
35 making these appointments, the President shall give preference to a member of the Joint
36 Standing Committee on Labor, Commerce, Research and Economic Development;

1 2. Two members from the House of Representatives, appointed by the Speaker of the
2 House of Representatives. In making these appointments, the Speaker shall give
3 preference to a member of the Joint Standing Committee on Labor, Commerce, Research
4 and Economic Development;

5 3. The Executive Director of the Maine State Housing Authority or the executive
6 director's designee;

7 4. The Commissioner of Economic and Community Development or the
8 commissioner's designee;

9 5. One representative of a statewide group dedicated to providing affordable
10 housing, appointed by the Speaker of the House;

11 6. One representative of a statewide nonprofit group advocating on behalf of seniors,
12 appointed by the Speaker of the House;

13 7. One representative of an organization practicing conservation planning, appointed
14 by the Speaker of the House;

15 8. One representative of a statewide real estate organization, appointed by the
16 Speaker of the House;

17 9. One representative of a developer of affordable housing, appointed by the Speaker
18 of the House;

19 10. One representative of a statewide construction organization, appointed by the
20 President of the Senate;

21 11. One representative who is an advocate for low-income persons, appointed by the
22 President of the Senate;

23 12. One representative of a company producing modular housing, appointed by the
24 President of the Senate;

25 13. One representative of a statewide supportive housing developer, appointed by the
26 President of the Senate; and

27 14. One representative of a provider of services to the homeless, appointed by the
28 President of the Senate.

29 The commission shall invite the state director of the Maine office of the United States
30 Department of Agriculture or the director's designee to participate; and be it further

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

34 **Sec. 4. Appointments; convening of commission. Resolved:** That all
35 appointments must be made no later than 30 days following the effective date of this
36 resolve. The appointing authorities shall notify the Executive Director of the Legislative

1 Council once all appointments have been completed. After appointment of all members,
2 the chairs shall call and convene the first meeting of the commission. If 30 days or more
3 after the effective date of this resolve a majority of but not all appointments have been
4 made, the chairs may request authority and the Legislative Council may grant authority
5 for the commission to meet and conduct its business; and be it further

6 **Sec. 5. Duties. Resolved:** That the commission shall conduct a study of
7 affordable housing policy in this State, review the status of housing in the State and
8 develop a plan to maximize the investment of available resources and best meet the
9 housing needs of the people of this State.

10 1. In conducting its study, the commission shall:

11 A. Review current data and research on affordable housing among the New England
12 states and nationally;

13 B. Assess the economic impact of affordable housing in this State;

14 C. Review innovative affordable housing programs in other states; and

15 D. Identify regulatory barriers to affordable housing.

16 2. The commission shall make recommendations to:

17 A. Make the most effective use of state and federal resources, including leveraging
18 private investment;

19 B. Make the most effective use of the Housing Opportunities for Maine Program as
20 established in the Maine Revised Statutes, Title 30-A, section 4852 to provide access
21 to housing that is decent, safe and sound;

22 C. Improve the economy through a measurable increase in construction of affordable
23 housing;

24 D. Address the housing needs of Maine's elderly;

25 E. Address the severe affordable housing shortage that leaves thousands homeless
26 each year;

27 F. Preserve existing affordable housing, including preserving access to energy
28 efficiency programs; and

29 G. Reduce emergency service expenditures by state and local government by
30 creating permanent supportive housing for the homeless.

31 The recommendations must, to the fullest extent possible, build upon current efforts and
32 include an estimate of the costs associated with implementing them; and be it further

33 **Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, and
34 upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall
35 provide necessary staffing services to the commission; and be it further

36 **Sec. 7. Compensation. Resolved:** That the members of the commission who are
37 Legislators are entitled to the legislative per diem, as defined in the Maine Revised
38 Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their

1 attendance at authorized meetings of the commission. Other members of the commission
2 who are not otherwise compensated by their employers or other entities that they
3 represent are entitled to receive reimbursement of necessary expenses incurred for their
4 attendance at authorized meetings; and be it further

5 **Sec. 8. Report. Resolved:** That the commission shall submit its report, including
6 the recommendations required by section 5, together with any necessary implementing
7 legislation, to the Second Regular Session of the 125th Legislature no later than January
8 17, 2012. The report must be presented to the Joint Standing Committee on Labor,
9 Commerce, Research and Economic Development, which may report out a bill to the
10 Second Regular Session of the 125th Legislature.

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

13 **SUMMARY**

14 This resolve establishes the Blue Ribbon Commission on Affordable Housing. The
15 commission is directed to conduct a study of affordable housing policy, review the status
16 of housing and make recommendations to maximize the investment of available resources
17 and best meet the housing needs of the people of this State. The commission is required
18 to submit a report for presentation to the Joint Standing Committee on Labor, Commerce,
19 Research and Economic Development.