

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 1956

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H.P. 1400

House of Representatives, January 8, 2020

**Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FECTEAU of Biddeford.  
Cosponsored by President JACKSON of Aroostook and  
Representatives: BERRY of Bowdoinham, CROCKETT of Portland, DOUDERA of Camden,  
FARNSWORTH of Portland, JORGENSEN of Portland, MORALES of South Portland,  
STOVER of Boothbay, Senator: LIBBY of Androscoggin.

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,** this resolve establishes the Commission To Increase Housing  
4 Opportunities in Maine by Studying Zoning and Land Use Restrictions; 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 Commission To Increase  
13 Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, referred  
14 to in this resolve as "the commission," is established.

15           **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule  
16 353, the commission consists of 10 members appointed as follows:

17           1. Two members of the Senate appointed by the President of the Senate, including a  
18 member from each of the 2 parties holding the largest number of seats in the Legislature;

19           2. Two members of the House of Representatives appointed by the Speaker of the  
20 House, including a member from each of the 2 parties holding the largest number of seats  
21 in the Legislature;

22           3. The Director of the Maine State Housing Authority, or the director's designee;

23           4. One member representing the Office of the Governor, appointed by the Governor;

24           5. Two public members, one representing a statewide municipal association and one  
25 representing a statewide organization that advocates for affordable housing, appointed by  
26 the President of the Senate; and

27           6. Two public members, one representing a regional planning association and one  
28 representing the real estate industry, appointed by the Speaker of the House.

29           **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
30 chair and the first-named House of Representatives member is the House chair of the  
31 commission.

32           **Sec. 4. Appointments; convening of commission. Resolved:** That all  
33 appointments must be made no later than 30 days following the effective date of this  
34 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
35 Council once all appointments have been completed. After appointment of all members,  
36 the chairs shall call and convene the first meeting of the commission. If 30 days or more

1 after the effective date of this resolve a majority of but not all appointments have been  
2 made, the chairs may request authority and the Legislative Council may grant authority  
3 for the commission to meet and conduct its business.

4 **Sec. 5. Duties. Resolved:** That the commission is authorized to meet 6 times and  
5 shall:

6 1. Review data on housing shortages in the State for low-income and middle-income  
7 households;

8 2. Review state laws that affect the local regulation of housing;

9 3. Review efforts in other states and municipalities to address housing shortages  
10 through changes to zoning and land use restrictions; and

11 4. Consider measures that would encourage increased housing options in the State,  
12 including but not limited to municipal incentives, state mandates, eliminating or limiting  
13 single-family-only zones and allowing greater housing density near transit, jobs, schools  
14 or neighborhood centers.

15 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
16 necessary staffing services to the commission, except that Legislative Council staff  
17 support is not authorized when the Legislature is in regular or special session.

18 **Sec. 7. Report. Resolved:** That, no later than November 4, 2020, the  
19 commission shall submit a report that includes its findings and recommendations,  
20 including suggested legislation, for presentation to the First Regular Session of the 130th  
21 Legislature.

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

## 24 SUMMARY

25 This resolve establishes the Commission To Increase Housing Opportunities in  
26 Maine by Studying Zoning and Land Use Restrictions, which is a 10-member  
27 commission directed to review data on housing shortages in the State for low-income and  
28 middle-income households, state laws that affect the local regulation of housing and  
29 efforts in other states and municipalities to address housing shortages and to consider  
30 measures that would encourage increased housing options in the State. The commission  
31 must, no later than November 4, 2020, submit a report, including suggested legislation,  
32 for presentation to the First Regular Session of the 130th Legislature.