

MAINE STATE LEGISLATURE

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Date: 3/31/22

(Filing No. S-492)

MAJORITY

LABOR AND HOUSING

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 408, L.D. 1240, "Resolve, To Review Barriers to Regional Solutions for Housing Choices"

Amend the resolve by striking out the title and substituting the following:

'Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals'

Amend the resolve by striking out everything after the title and inserting the following:

'Sec. 1. Commission established. Resolved: That the Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals, referred to in this resolve as "the commission," is established.

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

- 1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
- 2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
- 3. The Director of the Maine State Housing Authority or the director's designee;
- 4. One member representing the Office of the Governor, appointed by the Governor;
- 5. Five public members, one representing a statewide municipal association, one representing a statewide organization that advocates for affordable housing, one representing statewide agricultural interests, one with expertise in transportation matters and one who is in the building trades, appointed by the President of the Senate; and
- 6. Five public members, one representing a regional planning association or a statewide organization that advocates for smart growth policies and projects, one representing the real estate industry, one who is a residential developer, one representing an organization that advocates for low-income or middle-income renters or homeowners

COMMITTEE AMENDMENT

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1 and one representing a local or statewide organization promoting civil rights that has racial
2 justice or racial equity as its primary mission, appointed by the Speaker of the House.

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

6 **Sec. 4. Appointments; convening of commission. Resolved:** That,
7 notwithstanding Joint Rule 353, all appointments must be made no later than 30 days
8 following the effective date of this resolve. The appointing authorities shall notify the
9 Executive Director of the Legislative Council once all appointments have been completed.
10 After appointment of all members, the chairs shall call and convene the first meeting of the
11 commission. If 30 days or more after the effective date of this resolve a majority of but not
12 all appointments have been made, the chairs may request authority and the Legislative
13 Council may grant authority for the commission to meet and conduct its business. To the
14 greatest extent practicable, the appointing authorities shall appoint the persons they
15 appointed to the Commission To Increase Housing Opportunities in Maine by Studying
16 Zoning and Land Use Restrictions under Resolve 2021, chapter 59.

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

19 1. Review data on housing shortages in the State for low-income and middle-income
20 households and data on the conversion of housing units to short-term rentals in the State;

21 2. Review state laws that affect the local regulation of land use and short-term rentals
22 and consider whether they fulfill the goals set forth in the Maine Revised Statutes, Title
23 30-A, section 4312, subsection 3, including but not limited to the promotion of affordable
24 housing; promotion of an economic climate that increases job opportunities and overall
25 economic well-being; and protection of the State's water resources and other critical natural
26 resources;

27 3. Review efforts in other states and municipalities to address housing shortages
28 through changes to land use restrictions and regulation of short-term rentals; and

29 4. Consider measures that would encourage municipalities to increase available
30 housing, including but not limited to municipal incentives and statewide regulation of
31 short-term rentals.

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

35 **Sec. 7. Report. Resolved:** That, no later than November 2, 2022, the commission
36 shall submit a report that includes its findings and recommendations, including suggested
37 legislation, to the joint standing committee of the Legislature having jurisdiction over
38 housing matters.

39 **Sec. 8. Outside funding. Resolved:** That the commission shall seek funding
40 contributions to fully fund the costs of the study. All funding is subject to approval by the
41 Legislative Council in accordance with its policies. If sufficient contributions to fund the
42 study have not been received within 30 days after the effective date of this resolve, no
43 meetings are authorized and no expenses of any kind may be incurred or reimbursed.

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1 **Sec. 9. Appropriations and allocations. Resolved:** That the following
2 appropriations and allocations are made.

3 **LEGISLATURE**

4 **Study Commissions - Funding 0444**

5 Initiative: Allocates funds for the costs to the Legislature of the Commission To Increase
6 Housing Opportunities in Maine by Studying Land Use Regulations and Short-term
7 Rentals.

8 OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
9 Personal Services	\$0	\$880
10 All Other	\$0	\$1,370
11		
12 OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,250
13		

14 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or
15 section number to read consecutively.

16 **SUMMARY**

17 This amendment replaces the resolve. The amendment establishes the Commission To
18 Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-
19 term Rentals, which is a 16-member commission directed to review data on housing
20 shortages in the State for low-income and middle-income households and data on the
21 conversion of housing units to short-term rentals in the State; review state laws that affect
22 the local regulation of land use and short-term rentals and consider whether they fulfill the
23 goals set forth in the Maine Revised Statutes, Title 30-A, section 4312, subsection 3,
24 including but not limited to the promotion of affordable housing, the promotion of an
25 economic climate that increases job opportunities and overall economic well-being and the
26 protection of the State's water resources and other critical natural resources; review efforts
27 in other states and municipalities to address housing shortages through changes to land use
28 restrictions and regulation of short-term rentals; and consider measures that would
29 encourage municipalities to increase available housing, including but not limited to
30 municipal incentives and statewide regulation of short-term rentals.

31 The commission must, no later than November 2, 2022, submit a report, including
32 suggested legislation, to the joint standing committee of the Legislature having jurisdiction
33 over housing matters.

34 The amendment also adds an appropriations and allocations section.

35 **FISCAL NOTE REQUIRED**
36 **(See attached)**



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LD 1240

LR 934(02)

Resolve, To Review Barriers to Regional Solutions for Housing Choices

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-492)
Committee: Labor and Housing
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$2,250	\$0	\$0

Legislative Cost/Study

The general operating expenses of this study are projected to be \$2,250 in fiscal year 2022-23. The Commission is required to seek outside funding to fully fund the cost of the study and therefore an Other Special Revenue Funds allocation of \$2,250 in fiscal year 2022-23 to the Legislature is provided in the bill. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Additional costs to the Maine State Housing Authority for the Director or the director's designee and to the Office of the Governor for its representative to serve on the commission can be absorbed within existing budgeted resources.