

MAINE STATE LEGISLATURE

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L.D. 1673

Date: 4-6-22

(Filing No. H-939)

MAJORITY

LABOR AND HOUSING

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1244, L.D. 1673, "An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing"

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

'An Act To Establish Fair Housing Goals in Certain Communities in Maine'

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 30-A MRSA §4301, sub-§14-A, as amended by PL 2011, c. 655, Pt. JJ, §14 and affected by §41, is further amended to read:

14-A. Service center community. "Service center community" means a municipality or group of municipalities identified by the department according to a methodology established by rule that includes 4 basic criteria, including level of retail sales, jobs-to-workers ratio, the amount of federally assisted housing and the volume of service sector jobs. Rules adopted pursuant to this subsection are ~~major substantive~~ routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 30-A MRSA §4315 is enacted to read:

§4315. Service center community

Beginning in 2023, and every 5 years thereafter, the department shall classify the service center communities in the State, using the most recent data available, into no less than 4 categories based on a methodology established by rule. The department shall maintain a list of service center communities, by category, and the department and the Department of Economic and Community Development shall post the list on their respective publicly accessible websites.

Sec. 3. 30-A MRSA §4316 is enacted to read:

§4316. Data sharing

COMMITTEE AMENDMENT

1 The department, the Maine State Housing Authority and the Department of Economic
2 and Community Development shall share data useful in assessing and determining growth
3 management policies and standards.

4 **Sec. 4. 30-A MRSA §4326, sub-§3-A, ¶L**, as corrected by RR 2019, c. 1, Pt. A,
5 §41, is amended to read:

6 L. Ensure that land use policies encourage aging in place and appropriate housing
7 options for older residents and address issues of special concern to older adults,
8 including transportation to and accessibility and availability of needed services; ~~and~~

9 **Sec. 5. 30-A MRSA §4326, sub-§3-A, ¶M**, as enacted by PL 2019, c. 145, §9 and
10 reallocated by RR 2019, c. 1, Pt. A, §42, is amended to read:

11 M. Encourage policies that provide for accessory dwelling units; and

12 **Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶N** is enacted to read:

13 N. Notwithstanding paragraph G, ensure that in a service center community at least
14 10% of the housing stock is affordable housing.

15 **Sec. 7. 30-A MRSA §4331, sub-§5**, as amended by PL 2011, c. 655, Pt. JJ, §18
16 and affected by §41, is further amended to read:

17 **5. Periodic reports.** Beginning on January 1, 2015, the department shall report in
18 writing on the results of its evaluation process every 4 years and more frequently if
19 necessary. The department shall submit its report to the joint standing committee of the
20 Legislature having jurisdiction over natural resources matters, the joint standing committee
21 of the Legislature having jurisdiction over housing matters and the joint standing
22 committee of the Legislature having jurisdiction over appropriations and financial affairs.
23 Each committee may report out legislation related to matters reported upon that are within
24 its jurisdiction.

25 **Sec. 8. Report.** By February 15, 2023, the Department of Agriculture, Conservation
26 and Forestry shall submit a report to the joint standing committee of the Legislature having
27 jurisdiction over housing matters detailing where population growth is occurring and
28 projected to occur in the State. The committee may report out legislation on matters related
29 to the report during the First Regular Session of the 131st Legislature.

30 **Sec. 9. Appropriations and allocations.** The following appropriations and
31 allocations are made.

32 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
33 **Geology and Resource Information Z237**

34 Initiative: Provides funding for one Public Service Manager II position, one Senior Planner
35 position and associated All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$211,515
All Other	\$0	\$7,000
GENERAL FUND TOTAL	\$0	\$218,515

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Office of the Commissioner 0401

Initiative: Provides funding for position technology costs and STA-CAP expenses.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$6,494
GENERAL FUND TOTAL	\$0	\$6,494

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$1,174
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,174

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$0	\$225,009
OTHER SPECIAL REVENUE FUNDS	\$0	\$1,174
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$226,183

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

SUMMARY

This amendment replaces the bill and changes the title. The amendment sets a guideline for service center communities to employ in developing a growth management program that at least 10% of the housing stock is affordable housing. The amendment requires the Department of Agriculture, Forestry and Conservation to update the service center community classifications in 2023 and every 5 years thereafter; post the service center community listing on its publicly accessible website; submit a report, by February 15, 2023, to the joint standing committee of the Legislature having jurisdiction over housing matters detailing where population growth is occurring and projected to occur; and submit the periodic evaluation report required to be provided by statute to the joint standing committee of the Legislature having jurisdiction over housing matters. The amendment requires the department, the Maine State Housing Authority and the Department of Economic and Community Development to share data useful in assessing and determining growth management policies and standards.

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 1673

LR 1645(02)

An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing

Fiscal Note for Bill as Amended by Committee Amendment *A(H 939)*

Committee: Labor and Housing

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$225,009	\$235,585	\$246,690
Appropriations/Allocations				
General Fund	\$0	\$225,009	\$235,585	\$246,690
Other Special Revenue Funds	\$0	\$1,174	\$1,174	\$1,174

Fiscal Detail and Notes

This bill requires the Department of Agriculture, Conservation and Forestry (ACF) to update service center community classifications by 2023 and every five years thereafter, post the service center community listing on a publicly accessible website and submit a report by February 15, 2023 that details where growth is occurring and is projected to occur in the State. ACF has indicated that it will require 2 positions to complete these requirements. The bill includes ongoing appropriations of \$225,009 beginning in fiscal year 2022-23 for one Public Service Manager II position, one Senior Planner position and associated costs. The bill also includes ongoing allocations of \$1,174 beginning in fiscal year 2022-23 for technology costs and STA-CAP expenses.

Any additional costs to the Maine State Housing Authority and the Department of Economic and Community Development to implement the requirements of this legislation are anticipated to be minor and can be absorbed within existing budgeted resources.