

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1738

H.P. 1117

House of Representatives, April 20, 2023

An Act to Create Lodging for Legislators

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.
Cosponsored by Representatives: CARLOW of Buxton, FAULKINGHAM of Winter Harbor,
PERRY of Bangor, TERRY of Gorham, THERIAULT of Fort Kent, Senators: President
JACKSON of Aroostook, VITELLI of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 3 MRSA c. 39** is enacted to read:

3 **CHAPTER 39**

4 **LODGING FOR LEGISLATORS AUTHORITY**

5 **§1111. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Authority.** "Authority" means the Lodging for Legislators Authority established
9 under section 1112.

10 **2. Board.** "Board" means the Lodging for Legislators Board under section 1113.

11 **3. Lodging facility.** "Lodging facility" means a hotel or other lodging facility,
12 including but not limited to a facility with studio apartments, located near the State House,
13 that is suitable for providing temporary lodging for Legislators. A lodging facility may
14 include space within the facility that provides food or beverages or other services to persons
15 lodging in the facility.

16 **§1112. Authority**

17 The Lodging for Legislators Authority is established as a public body corporate and
18 politic and an instrumentality of the State to develop and manage a lodging facility.

19 **1. Powers and duties.** The authority shall develop and manage a lodging facility in
20 accordance with this chapter. In carrying out this responsibility, the authority may:

21 A. Sue and be sued;

22 B. Have a seal and alter it at the authority's pleasure;

23 C. Construct, maintain or otherwise manage lodging facilities for members of the
24 Legislature;

25 D. Make and execute contracts and other instruments necessary or convenient for
26 carrying out the purposes of this chapter;

27 E. Borrow money necessary or convenient for carrying out the purposes of this chapter.
28 Any notes, obligations or liabilities of the authority are not a debt of the State or a
29 pledge of the faith and credit of the State but are payable exclusively from funds
30 provided to or obtained by the authority pursuant to this chapter;

31 F. Purchase, sell, mortgage, lease or rent property necessary or convenient for carrying
32 out the purposes of this chapter;

33 G. Exercise any other powers necessary or convenient for carrying out the purposes of
34 this chapter; and

35 H. Adopt, amend and repeal bylaws not inconsistent with this chapter to carry into
36 effect the powers and purposes of the authority.

37 **§1113. Administration**

1 1. Board. The authority is governed by the Lodging for Legislators Board, as
2 established in Title 5, section 12004-F, subsection 19.

3 A. The board consists of the following 7 members:

4 (1) The State Treasurer;

5 (2) Three members appointed by the President of the Senate; and

6 (3) Three members appointed by the Speaker of the House.

7 B. Appointed members of the board serve 4-year terms and may be reappointed.

8 C. Four members of the board constitute a quorum.

9 2. Director. The board shall appoint, using a full and competitive search process, a
10 qualified full-time director of the authority. The director serves at the pleasure of the board.
11 The director must have demonstrated experience relevant to the purposes of the authority.
12 The board shall establish the rate and amount of compensation of the director and all other
13 employees of the authority. The director:

14 A. Serves as the president of the authority;

15 B. Is responsible for:

16 (1) Establishing an office for the authority;

17 (2) Hiring and organizing staff for the authority and determining their
18 qualifications and duties; and

19 (3) Managing the authority's work and performing other duties as the board
20 considers appropriate; and

21 C. May delegate to employees of the authority any powers and duties that the director
22 considers proper.

23 **§1114. Lodging for Legislators**

24 The authority shall develop and manage a lodging facility in accordance with this
25 section.

26 1. Development. To the extent of available funding, the authority shall develop a
27 cost-effective lodging facility with a goal of making the facility available for members of
28 the Legislature by January 2025.

29 2. Rents. The rental fee for Legislators at the lodging facility must be equal to the
30 housing allowance under section 2. The rental rate for any other person must be a market
31 rate. All rental proceeds must be deposited in the fund.

32 3. Lease. The authority may lease space in the lodging facility to other entities to
33 provide food or beverages or other services to persons lodging in the facility. All lease
34 payments must be deposited in the fund.

35 4. Fund. The Lodging Fund, referred to in this section as "the fund," is established
36 within the authority. The fund is nonlapsing and receives all appropriations or allocations
37 made to the fund and all other revenue received by the authority, including but not limited
38 to the proceeds of loans and all lease and rental fees.

39 **Sec. 2. 5 MRSA §12004-F, sub-§19** is enacted to read:

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Lodging for Legislators Board Expenses Only 3 MRSA §1113

Sec. 3. Evaluation. The Lodging for Legislators Board shall evaluate the costs of various options for developing a lodging facility pursuant to the Maine Revised Statutes, Title 3, chapter 39, including but not limited to by purchasing, leasing or renovating an existing facility. The board shall evaluate the costs of the options over a 30-year period relative to the costs to the State of the housing allowance paid to Legislators over the same time period under Title 3, section 2 and shall adopt a plan for implementing the option the board finds to be most cost-effective. The authority shall make a report of its findings to the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 2024, including an estimate of the amount of funding necessary to proceed with the option the authority has chosen.

SUMMARY

This bill establishes the Lodging for Legislators Authority to develop and implement a plan for providing adequate and convenient lodging for Legislators near the State House complex.