

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST SPECIAL SESSION

---

NINETY - SECOND LEGISLATURE

---

**Legislative Document**

**No. 1205**

H. P. 1500

House of Representatives, July 9, 1946

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland.

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SIX

---

**AN ACT to Provide and Operate Permanent Housing with Preference for  
Veterans.**

---

**Emergency preamble.** Whereas, an acute shortage of housing within the financial reach of servicemen and veterans and their families now exists in many of the municipalities within the state, and on account of such shortage many servicemen and veterans of World War II are unable to obtain shelter for themselves and their families, and this shortage is likely to continue for a substantial period of time; and

Whereas, the Congress of the United States has enacted legislation to make permanent war housing projects available to such persons at low rents; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16, part third, article IV of the constitution of Maine as enacted by article XXXI, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. R. S., c. 80, §§ 89-A-89-F, additional.** Chapter 80 of the revised

statutes is hereby amended by adding thereto 6 new sections, to be numbered 89-A to 89-F, inclusive, to read as follows:

#### **‘Housing Authorities**

**Sec. 89-A. Definitions.** As used in sections 89-A to 89-F, inclusive, unless the context otherwise requires, the following words shall have the following meanings:

I. “Housing project” shall mean any permanent war housing or any part of war housing, that has been duly determined to be useful as permanent housing, constructed and owned by the government;

II. “Government” shall mean the United States of America and any agency thereof, corporate or otherwise;

III. “Municipality” shall refer to both cities and towns;

IV. “Servicemen” shall mean persons in the military or naval forces of the United States who served therein during World War II.

V. “Veterans” shall mean persons who have served in the military or naval forces of the United States during World War II;

**Sec. 89-B. Authorization.** Any housing authority created pursuant to the provisions of chapter 260 of the public laws of 1943 is hereby authorized to acquire and operate any permanent war housing projects within its area of operation, provided that the governing body of the municipality in which the projects are situated shall first have adopted a resolution finding that it is in the best interests of the community or of the families of servicemen and veterans therein to make such housing available as low-rent housing for families of low income.

**Sec. 89-C. Powers.** An authority shall have the power to enter into contract with the government for the acquisition of any such housing project and shall have all the powers necessary or convenient to enable it to comply with the terms of such contract and to perform acts incidental thereto. There are hereby granted to housing authorities, cities, towns and other public bodies in furtherance of the purposes of sections 89-A to 89-F, inclusive, the specific powers granted to them in chapter 260 of the public laws of 1943.

**Sec. 89-D. Veterans’ preference.** Every contract made pursuant to the provisions of sections 89-A to 89-F, inclusive, for the acquisition of a housing project shall require that the housing authority in selecting tenants shall give preference, as between the applicants equally in need and eligible

for occupancy of the dwelling and at the rent involved, to families of servicemen and to families of veterans who have been discharged, other than dishonorably, from, and to families of servicemen who died in, the armed forces of the United States, where application for admission to such housing is made not later than 4 years after the date of the enactment of the General Housing Act of 1946.

Sec. 89-E. Creation of housing authorities. In any municipality in which a permanent housing project exists and in which no housing authority was established pursuant to chapter 260 of the public laws of 1943, there is hereby created a housing authority similar in all respects to housing authorities created by said chapter 260, provided that such authority shall not exercise its powers or transact any business unless and until the governing body of the municipality for such authority, in lieu of adopting the resolution stipulated in section 1 of said chapter 260, makes the finding prescribed in section 89-B.

Sec. 89-F. Appointment and tenure of commissioners. When the governing body of a municipality makes a finding as aforesaid, it shall promptly notify the city manager, or the mayor of a city which has no city manager, or the board of selectmen of the town. Upon receiving such notice, the city manager or mayor, by and with the consent of the city council, or the board of selectmen shall appoint 5 persons as commissioners of the authority to serve for terms of 1, 2, 3, 4 and 5 years respectively from the date of their appointment, shall designate the commissioner to serve as chairman of the authority until the 1st annual meeting of the authority held after the date of such appointment, and thereafter shall appoint 1 commissioner annually for a term of 5 years, except that all vacancies shall be filled for the unexpired term and all commissioners appointed hereunder and under the provisions of chapter 260 of the public laws of 1943 shall hold office until their successors are appointed and duly qualified. Upon appointment, a commissioner shall personally appear before the clerk of the municipality to qualify by taking an oath of office. Upon the taking of such oath, the clerk shall file with his records a certificate of qualification and such certificate shall be conclusive evidence of the due and proper qualification of such commissioner. A commissioner shall receive no compensation for his services to the authority in any capacity, but shall be entitled to necessary expenses, including travel expenses, incurred in the discharge of his duties. At each annual meeting the authority shall select from among its commissioners a chairman and a vice-chairman and it may employ a secretary, who shall be executive director, and may elect or employ such other officers, agents and employees

as it may require and shall determine their qualifications, duties and compensation.'

**Sec. 2. P. L., 1943, c. 260, § 2, amended.** The 2nd sentence of section 2 of chapter 260 of the public laws of 1943 is hereby amended to read as follows:

'An authority may exercise such powers and functions within its area of operation ~~and so long as this act shall remain in effect.~~'

**Sec. 3. P. L., 1943, c. 260, §§ 3 and 4, repealed.** Sections 3 and 4 of chapter 260 of the public laws of 1943 are hereby repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.