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Date: (Filing No. H-)

HOUSING AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1282, L.D. 1921, “An Act to Create a Statewide Housing Resolution Board”

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

'Resolve, to Establish the Commission to Study Pathways to Increase Efficiency in Resolving Legal Disputes Involving Housing Development Projects'

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

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Maine is facing a housing shortage that harms the quality of life and economic prosperity of all Maine residents; and

Whereas, to address this crisis, 84,000 new housing units must be built by 2030, which may only be achieved if annual production of housing units doubles; and

Whereas, production of housing is often delayed by misunderstandings and disputes about the multiple state and local government permitting and application processes required for housing development projects; and

Whereas, these misunderstandings and disputes often lead to litigation, which further delays housing development and often causes a housing development project to become uneconomical for a developer; and

Whereas, this resolve establishes the Commission to Study Pathways to Increase Efficiency in Resolving Legal Disputes Involving Housing Development Projects to determine ways to reduce the costs of and time spent in litigation involving housing development projects; and

Whereas, the study must be initiated before the 90-day period expires so that the study may be completed and a report submitted in time for submission to the next legislative session; and

COMMITTEE AMENDMENT

1 **Whereas**, in the judgment of the Legislature, these facts create an emergency within
2 the meaning of the Constitution of Maine and require the following legislation as
3 immediately necessary for the preservation of the public peace, health and safety; now,
4 therefore, be it

5 **Sec. 1. Commission established. Resolved:** That the Commission to Study
6 Pathways to Increase Efficiency in Resolving Legal Disputes Involving Housing
7 Development Projects, referred to in this resolve as "the commission," is established to
8 identify ways to reduce the cost and time spent on legal challenges to housing development
9 projects such as developments of single-family and multifamily buildings, condominiums,
10 townhouses and manufactured housing communities.

11 **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule
12 353, the commission consists of 14 members as follows:

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

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

18 3. The director of the Maine State Housing Authority, or the director’s designee;

19 4. One member representing the Office of the Governor, designated by the Governor;

20 5. One member representing the Judicial Branch, designated by the Chief Justice of
21 the Supreme Judicial Court;

22 6. Three members of the public, appointed by the President of the Senate, including
23 one member who represents a statewide municipal association, one member who represents
24 a statewide organization that advocates for responsible real estate development and
25 ownership and one member who represents a statewide or regional business association;
26 and

27 7. Four members of the public, appointed by the Speaker of the House, including one
28 member who represents a statewide organization that advocates for affordable housing, one
29 member who represents a regional planning commission established under the Maine
30 Revised Statutes, Title 30-A, section 2321, or a statewide organization that advocates for
31 smart growth policies and projects, one member who represents the real estate industry and
32 one member who represents an organization that advocates for low-income or middle-
33 income renters or homeowners.

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

37 **Sec. 4. Appointments; convening of commission. Resolved:** That all
38 appointments must be made no later than 30 days following the effective date of this
39 resolve. The appointing authorities shall notify the Executive Director of the Legislative
40 Council once all appointments have been completed. After appointment of all members,
41 the chairs shall call and convene the first meeting of the commission. If 30 days or more
42 after the effective date of this resolve a majority of but not all appointments have been

1 made, the chairs may request authority and the Legislative Council may grant authority for
2 the commission to meet and conduct its business.

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

5 1. Collect and review information, data and reports on the housing development
6 dispute resolution process in other states, including housing resolution boards, judicial
7 mechanisms and other approaches used to reduce the cost and time spent in litigation
8 affecting housing development projects;

9 2. Identify the most common legal challenges to housing development projects filed
10 in the State and collect data on these challenges as determined relevant by the commission;
11 and

12 3. Advise and make recommendations to the joint standing committee of the
13 Legislature having jurisdiction over housing matters on ways to reduce the cost and time
14 spent in litigation affecting housing development projects.

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

18 **Sec. 7. Report. Resolved:** That, no later than November 4, 2026, the commission
19 shall submit a report that includes its findings and recommendations, including suggested
20 legislation, to the joint standing committee of the Legislature having jurisdiction over
21 housing matters. The joint standing committee may report out legislation related to the
22 report to the 133rd Legislature in 2027.

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

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

27 **SUMMARY**

28 This amendment, which is the majority report of the committee, replaces the bill with
29 a resolve and adds an emergency preamble and emergency clause. It establishes the
30 Commission to Study Pathways to Increase Efficiency in Resolving Legal Disputes
31 Involving Housing Development Projects to determine ways to reduce the cost of and time
32 spent in litigation involving the development of housing in the State. The commission is
33 authorized to meet 6 times in 2026 and is required to submit a report to the joint standing
34 committee of the Legislature having jurisdiction over housing matters.

35 **FISCAL NOTE REQUIRED**

36 **(See attached)**