



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1956

H.P. 1400

House of Representatives, January 8, 2020

**Resolve, To Establish a Commission To Increase Housing
Opportunities in Maine by Studying Zoning and Land Use
Restrictions**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative FECTEAU of Biddeford.
Cosponsored by President JACKSON of Aroostook and
Representatives: BERRY of Bowdoinham, CROCKETT of Portland, DOUDERA of Camden,
FARNSWORTH of Portland, JORGENSEN of Portland, MORALES of South Portland,
STOVER of Boothbay, Senator: LIBBY of Androscoggin.

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

3 **Whereas,** this resolve establishes the Commission To Increase Housing
4 Opportunities in Maine by Studying Zoning and Land Use Restrictions; and

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

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

12 **Sec. 1. Commission established. Resolved:** That the Commission To Increase
13 Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, referred
14 to in this resolve as "the commission," is established.

15 **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule
16 353, the commission consists of 10 members appointed as follows:

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

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

22 3. The Director of the Maine State Housing Authority, or the director's designee;

23 4. One member representing the Office of the Governor, appointed by the Governor;

24 5. Two public members, one representing a statewide municipal association and one
25 representing a statewide organization that advocates for affordable housing, appointed by
26 the President of the Senate; and

27 6. Two public members, one representing a regional planning association and one
28 representing the real estate industry, appointed by the Speaker of the House.

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

32 **Sec. 4. Appointments; convening of commission. Resolved:** That all
33 appointments must be made no later than 30 days following the effective date of this
34 resolve. The appointing authorities shall notify the Executive Director of the Legislative
35 Council once all appointments have been completed. After appointment of all members,
36 the chairs shall call and convene the first meeting of the commission. If 30 days or more

1 after the effective date of this resolve a majority of but not all appointments have been
2 made, the chairs may request authority and the Legislative Council may grant authority
3 for the commission to meet and conduct its business.

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

6 1. Review data on housing shortages in the State for low-income and middle-income
7 households;

8 2. Review state laws that affect the local regulation of housing;

9 3. Review efforts in other states and municipalities to address housing shortages
10 through changes to zoning and land use restrictions; and

11 4. Consider measures that would encourage increased housing options in the State,
12 including but not limited to municipal incentives, state mandates, eliminating or limiting
13 single-family-only zones and allowing greater housing density near transit, jobs, schools
14 or neighborhood centers.

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

18 **Sec. 7. Report. Resolved:** That, no later than November 4, 2020, the
19 commission shall submit a report that includes its findings and recommendations,
20 including suggested legislation, for presentation to the First Regular Session of the 130th
21 Legislature.

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

24 SUMMARY

25 This resolve establishes the Commission To Increase Housing Opportunities in
26 Maine by Studying Zoning and Land Use Restrictions, which is a 10-member
27 commission directed to review data on housing shortages in the State for low-income and
28 middle-income households, state laws that affect the local regulation of housing and
29 efforts in other states and municipalities to address housing shortages and to consider
30 measures that would encourage increased housing options in the State. The commission
31 must, no later than November 4, 2020, submit a report, including suggested legislation,
32 for presentation to the First Regular Session of the 130th Legislature.