



# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1778

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S.P. 615

In Senate, January 19, 2012

### **An Act Relating to the Governance of the Maine State Housing Authority**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator COURTNEY of York.

Cosponsored by Speaker NUTTING of Oakland and

Senators: MARTIN of Kennebec, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, Representatives: MORISSETTE of Winslow, PRESCOTT of Topsham.

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

2 **Sec. 1. 30-A MRSA §4723, sub-§2, ¶C**, as enacted by PL 1987, c. 737, Pt. A, §2  
3 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
4 further amended to read:

5 C. The Maine State Housing Authority ~~shall~~ must have a director, who must be a  
6 person qualified by training and experience to perform the duties of the office. The  
7 Governor shall appoint the director of the Maine State Housing Authority, subject to  
8 review by the joint standing committee of the Legislature having jurisdiction over  
9 economic development, and to confirmation by the Legislature.

10 (1) The director of the Maine State Housing Authority ~~shall serve~~ serves on a  
11 full-time basis ~~for a 4 year term of office, and until a successor has been~~  
12 ~~appointed and qualified.~~ The director does not have a term of office. The  
13 Governor shall establish the rate and amount of compensation of the director.

14 (2) ~~The powers and duties of the Maine State Housing Authority, except those~~  
15 ~~listed in paragraph B, are vested solely in the director of the Maine State Housing~~  
16 ~~Authority.~~ The director of the Maine State Housing Authority or a representative  
17 shall attend all meetings of the advisory board or of the commissioners.

18 (3) The director of the Maine State Housing Authority may act in all personnel  
19 matters and may employ technical or legal experts and any other officers, agents  
20 and employees that the director requires, and shall determine their qualifications,  
21 duties and compensation. The director may delegate to the employees and agents  
22 any powers and duties that the director considers proper.

23 **Sec. 2. 30-A MRSA §4725**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C,  
24 §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further  
25 amended to read:

26 **§4725. Removal of commissioners or director**

27 A commissioner or director may be removed from office for inefficiency, neglect of  
28 duty or misconduct in office after hearing by the legislative body of a city, or by the  
29 selectmen of a town, or by the Governor, in the case of a commissioner of the Maine  
30 State Housing Authority. The commissioner or director must be given a copy of the  
31 charges at least 10 days before the hearing and must be given an opportunity to be heard  
32 in person or to be represented by counsel. If a commissioner or a director is removed, a  
33 record of the proceedings, together with the charges and the findings on the charges, ~~shall~~  
34 must be filed in the office of the clerk or, in the case of a commissioner of the Maine  
35 State Housing Authority, in the office of the Secretary of State. This section does not  
36 apply to the director of the Maine State Housing Authority, who serves at the pleasure of  
37 the commissioners of the Maine State Housing Authority.

38 **SUMMARY**

39 This bill removes the provision of law that provides that the Director of the Maine  
40 State Housing Authority serves a 4-year term of office. The bill provides that the director

1 does not have a term of office and that the director serves at the pleasure of the  
2 commissioners of the Maine State Housing Authority. It also removes the provision of  
3 law that states that the powers and duties of the Maine State Housing Authority, with  
4 certain exceptions, are vested solely in the Director of the Maine State Housing  
5 Authority.