

STATE OF MAINE
131ST LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

JOINT SELECT COMMITTEE ON HOUSING

June 2024

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Joint Select Committee on Housing

SUBJECT INDEX

Eviction

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|--------------------|---------|--|--------------|
| Not Enacted | LD 1540 | Resolve, to Establish an Eviction Prevention Pilot Program | CARRIED OVER |
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Homelessness Prevention

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|--------------------|---------|--|--------------|
| Enacted | LD 1721 | Resolve, to Establish a Plan to Provide Transitional Housing and to Support the Growth of Maine's Workforce | RESOLVE 136 |
| Not Enacted | LD 1422 | An Act to End Homelessness and Assist Students Who Are Homeless by Establishing a Rental Subsidy Program | CARRIED OVER |
| | LD 1540 | Resolve, to Establish an Eviction Prevention Pilot Program | CARRIED OVER |
| | LD 2136 | An Act to Provide Financial Support for Shelters for Unhoused Individuals and Establish a Stakeholder Group to Develop a 10-year Plan to Address the Root Causes of Homelessness | CARRIED OVER |
| | LD 2138 | Resolve, to Improve Funding for Homeless Shelters | ONTP |

Housing Administration

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|--------------------|---------|--|--|
| Enacted | LD 1505 | An Act to Amend the Maine Cooperative Affordable Housing Ownership Act | PUBLIC 513 |
| | LD 2209 | An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State | PUBLIC 559 |
| Not Enacted | LD 314 | An Act to Establish the Permanent Commission on the Status of Housing in Maine | Leave to Withdraw Pursuant to Joint Rule 310 |
| | LD 602 | An Act to Provide Regional Support to Deliver State and Federal Programs to Municipalities in the State | CARRIED OVER |
| | LD 1672 | An Act to Establish an Affordable Housing Permitting Process | ONTP |

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|---------|--|--------------|
| LD 1752 | Resolve, to Prepare Preapproved Building Types | CARRIED OVER |
| LD 1867 | An Act to Establish the Community Housing Production Program | CARRIED OVER |

Housing Supply

Enacted

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|---------|--|-------------|
| LD 1721 | Resolve, to Establish a Plan to Provide Transitional Housing and to Support the Growth of Maine's Workforce | RESOLVE 136 |
| LD 2169 | Resolve, Directing the Office of Policy Innovation and the Future to Recommend Proposals to Support the Development of Attainable Housing | RESOLVE 162 |
| LD 2277 | Resolve, Authorizing the Commissioner of Administrative and Financial Services to Convey by Sale the Interests of the State in 3 Properties Located in Biddeford, Sanford and York | RESOLVE 166 |

Not Enacted

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|---------|--|--|
| LD 226 | An Act to Address Maine's Affordable Housing Crisis | CARRIED OVER |
| LD 721 | An Act to Preserve Historic Buildings and Promote Affordable Housing | Leave to Withdraw Pursuant to Joint Rule 310 |
| LD 1257 | An Act to Increase Housing Capacity and Protect the Municipal Tax Base and Working Lands | ONTP |
| LD 1864 | An Act to Increase Maine's Housing Supply by Prohibiting Certain Zoning Requirements in Areas Where Public Sewer and Water Infrastructure Are Available and in Designated Growth Areas | ONTP |
| LD 1867 | An Act to Establish the Community Housing Production Program | CARRIED OVER |

Land Use and Zoning

Enacted

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|---------|---|------------|
| LD 492 | An Act to Repurpose Vacant Shopping Mall and Retail Space to Mixed-use Housing and Retail | PUBLIC 490 |
| LD 772 | An Act to Limit Retroactive Application of Land Use Ordinances to Pending Permit Applications That Propose Housing | PUBLIC 598 |
| LD 1294 | An Act Regarding the Ordinances Governing Residential Units Located in Buildings in a Location Zoned for Commercial Use | PUBLIC 536 |

Housing

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|--------------------|---------|---|------------------|
| | LD 1673 | Resolve, Establishing a Working Group to Coordinate Collaboration Among State Agencies for the Purpose of Promoting Smart Growth and Development in High-use Corridors | RESOLVE 156 |
| Not Enacted | LD 602 | An Act to Provide Regional Support to Deliver State and Federal Programs to Municipalities in the State | CARRIED OVER |
| | LD 1134 | An Act to Improve Housing Affordability by Amending the Definition of "Subdivision" Under the Site Location of Development Laws | ONTP |
| | LD 1672 | An Act to Establish an Affordable Housing Permitting Process | ONTP |
| | LD 1787 | Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Statutes | HELD BY GOVERNOR |
| | LD 1940 | An Act to Promote Consistent Policies within Growth Management Programs in Order to Increase Food Security and Economic Resiliency in Local Communities | ONTP |
| | LD 1976 | An Act to Update the Growth Management Program Laws | HELD BY GOVERNOR |

Landlord Incentives and Rental Assistance

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|--------------------|---------|--|--|
| Enacted | LD 2158 | Resolve, to Improve the Housing Voucher System and Reduce the Number of Voucher Expirations | RESOLVE 159 |
| Not Enacted | LD 387 | An Act to Promote Affordable Housing by Providing a Tax Exemption for Housing Choice Vouchers | Leave to Withdraw Pursuant to Joint Rule 310 |
| | LD 1710 | Resolve, to Establish the Commission to Improve Tenant-Landlord Relationships and Maximize the Use of Housing Vouchers | HELD BY GOVERNOR |

Manufactured Housing

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|--------------------|--------|---|------------|
| Enacted | LD 337 | An Act to Amend the Law Governing the Regulation of Manufactured Housing to Increase Affordable Housing | PUBLIC 552 |
| Not Enacted | LD 887 | An Act to Amend the Regulation of Mobile Home Parks | ONTP |

Miscellaneous

| | | | |
|--------------------|---------|---|--------------|
| Enacted | LD 1505 | An Act to Amend the Maine Cooperative Affordable Housing Ownership Act | PUBLIC 513 |
| Not Enacted | LD 853 | RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to Housing | CARRIED OVER |

DIGEST OF BILLS
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

Joint Select Committee on Housing

| Comm | LD | Title | Committee Action | Date of last Comm Action | Disposition upon R2 Adjournment | Law | Ch | Analyst Note? |
|------|-----|--|------------------|--------------------------|--|-----|-----|---------------|
| HOU | 226 | An Act to Address Maine's Affordable Housing Crisis | OTP-AM | 6/21/2023 | | | | |
| HOU | 314 | An Act to Establish the Permanent Commission on the Status of Housing in Maine | LTW | 1/9/2024 | Leave to Withdraw Pursuant to Joint Rule 310 | | | |
| HOU | 337 | An Act to Amend the Law Governing the Regulation of Manufactured Housing to Increase Affordable Housing | OTP-AM | 2/29/2024 | Enacted | PL | 552 | |
| HOU | 387 | An Act to Promote Affordable Housing by Providing a Tax Exemption for Housing Choice Vouchers | LTW | 1/16/2024 | Leave to Withdraw Pursuant to Joint Rule 310 | | | |
| HOU | 492 | An Act to Repurpose Vacant Shopping Mall and Retail Space to Mixed-use Housing and Retail | OTP-AM | 6/15/2023 | Enacted | PL | 490 | |
| HOU | 602 | An Act to Provide Regional Support to Deliver State and Federal Programs to Municipalities in the State | OTP-AM/ONTP | 2/29/2024 | | | | |
| HOU | 721 | An Act to Preserve Historic Buildings and Promote Affordable Housing | LTW | 1/9/2024 | Leave to Withdraw Pursuant to Joint Rule 310 | | | |
| HOU | 772 | An Act to Limit Retroactive Application of Land Use Ordinances to Pending Permit Applications That Propose Housing | OTP-AM | 3/22/2024 | Enacted | PL | 598 | |
| HOU | 853 | RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to Housing | ONTP/OTP-AM | 3/19/2024 | | | | |
| HOU | 887 | An Act to Amend the Regulation of Mobile Home Parks | ONTP | 1/18/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |

DIGEST OF BILLS
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| Comm | LD | Title | Committee Action | Date of last Comm Action | Disposition upon R2 Adjournment | Law | Ch | Analyst Note? |
|------|------|--|------------------|--------------------------|--|-------|-----|---------------|
| HOU | 1134 | An Act to Improve Housing Affordability by Amending the Definition of "Subdivision" Under the Site Location of Development Laws | ONTP | 2/2/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |
| HOU | 1257 | An Act to Increase Housing Capacity and Protect the Municipal Tax Base and Working Lands | ONTP | 2/2/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |
| HOU | 1294 | An Act Regarding the Ordinances Governing Residential Units Located in Buildings in a Location Zoned for Commercial Use | OTP-AM | 2/27/2024 | Enacted | PL | 536 | |
| HOU | 1422 | An Act to End Homelessness and Assist Students Who Are Homeless by Establishing a Rental Subsidy Program | OTP-AM | 5/25/2023 | | | | v |
| HOU | 1505 | An Act to Amend the Maine Cooperative Affordable Housing Ownership Act | OTP-AM | 1/31/2024 | Enacted | PL | 513 | |
| HOU | 1540 | Resolve, to Establish an Eviction Prevention Pilot Program | OTP-AM/OTP-AM | 6/16/2023 | | | | v |
| HOU | 1672 | An Act to Establish an Affordable Housing Permitting Process | ONTP | 3/25/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |
| HOU | 1673 | Resolve, Establishing a Working Group to Coordinate Collaboration Among State Agencies for the Purpose of Promoting Smart Growth and Development in High-use Corridors | OTP-AM | 2/29/2024 | Finally Passed | RESLV | 156 | |
| HOU | 1710 | Resolve, to Establish the Commission to Improve Tenant-Landlord Relationships and Maximize the Use of Housing Vouchers | OTP-AM/ONTP | 3/12/2024 | Held by Governor | | | |
| HOU | 1721 | Resolve, to Establish a Plan to Provide Transitional Housing and to Support the Growth of Maine's Workforce | OTP-AM/ONTP | 2/13/2024 | Finally Passed | RESLV | 136 | |
| HOU | 1752 | Resolve, to Prepare Preapproved Building Types | OTP-AM | 3/18/2024 | | | | |

DIGEST OF BILLS
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| Comm | LD | Title | Committee Action | Date of last Comm Action | Disposition upon R2 Adjournment | Law | Ch | Analyst Note? |
|------|------|---|------------------|--------------------------|--|-------|-----|---------------|
| HOU | 1787 | Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Statutes | OTP-AM | 2/29/2024 | Held by Governor | | | |
| HOU | 1864 | An Act to Increase Maine's Housing Supply by Prohibiting Certain Zoning Requirements in Areas Where Public Sewer and Water Infrastructure Are Available and in Designated Growth Areas | ONTP | 2/2/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |
| HOU | 1867 | An Act to Establish the Community Housing Production Program | OTP-AM/ONTP | 2/15/2024 | | | | |
| HOU | 1940 | An Act to Promote Consistent Policies within Growth Management Programs in Order to Increase Food Security and Economic Resiliency in Local Communities | ONTP | 1/18/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |
| HOU | 1976 | An Act to Update the Growth Management Program Laws | OTP-AM/ONTP | 4/11/2024 | Held by Governor | | | |
| HOU | 2136 | An Act to Provide Financial Support for Shelters for Unhoused Individuals and Establish a Stakeholder Group to Develop a 10-year Plan to Address the Root Causes of Homelessness | OTP-AM | 3/25/2024 | | | | v |
| HOU | 2138 | Resolve, to Improve Funding for Homeless Shelters | ONTP | 2/6/2024 | Ought Not to Pass Pursuant to Joint Rule 310 | | | |
| HOU | 2158 | Resolve, to Improve the Housing Voucher System and Reduce the Number of Voucher Expirations | OTP-AM | 3/22/2024 | Finally Passed | RESLV | 159 | |
| HOU | 2169 | Resolve, Directing the Office of Policy Innovation and the Future to Recommend Proposals to Support the Development of Attainable Housing | OTP-AM | 3/22/2024 | Finally Passed | RESLV | 162 | |
| HOU | 2209 | An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State | OTP-AM | 2/29/2024 | Enacted | PL | 559 | |

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131ST LEGISLATURE SECOND REGULAR SESSION - 2024

| Comm | LD | Title | Committee Action | Date of last Comm Action | Disposition upon R2 Adjournment | Law | Ch | Analyst Note? |
|------|------|--|------------------|--------------------------|---------------------------------|-------|-----|---------------|
| HOU | 2277 | Resolve, Authorizing the Commissioner of Administrative and Financial Services to Convey by Sale the Interests of the State in 3 Properties Located in Biddeford, Sanford and York | OTP-AM/OTP-AM | 4/1/2024 | Finally Passed | RESLV | 166 | |

JOINT SELECT COMMITTEE ON HOUSING

LD 337 An Act to Amend the Law Governing the Regulation of Manufactured Housing to Increase Affordable Housing

ENACTED LAW SUMMARY

Public Law 2023, chapter 552 amends the law governing land use ordinances by requiring a municipality to allow manufactured housing wherever single-family dwellings are allowed, subject to the same design criteria as the municipality may establish for single-family dwellings.

LD 492 An Act to Repurpose Vacant Shopping Mall and Retail Space to Mixed-use Housing and Retail

ENACTED LAW SUMMARY

Public Law 2023, chapter 490 adds a requirement that, as necessary to meet statewide regional housing production goals, a municipality is required to adopt ordinances to allow the establishment of residential units in buildings on property zoned for commercial use including vacant or partially vacant retail space.

Public Law 2023, chapter 490 was finally enacted in both the House and Senate prior to the adjournment sine die of the First Special Session in 2023 but was not signed by the Governor. Pursuant to the Constitution of Maine, Public Law 2023, chapter 490 became law without the Governor's signature on January 7, 2024.

LD 772 An Act to Limit Retroactive Application of Land Use Ordinances to Pending Permit Applications That Propose Housing

ENACTED LAW SUMMARY

Public Law 2023, chapter 598 provides that a municipality or municipal reviewing authority may not apply a land use ordinance retroactively with regard to a permit application for a development that includes residential housing if the ordinance was proposed after the permit was submitted and deemed complete for processing.

LD 1294 An Act Regarding the Ordinances Governing Residential Units Located in Buildings in a Location Zoned for Commercial Use

ENACTED LAW SUMMARY

Public Law 2023, chapter 536 amends the law authorizing a municipality, as necessary to achieve statewide and regional housing production goals, to adopt ordinances to allow residential units within buildings located in an area zoned for commercial use and, if adopted by a municipality,

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requires that such an ordinance establishing a limit on the number of residential units within a building in a location zoned for commercial use be proportional to the space available for residential units in that building. Public Law 2023, chapter 536 removes that requirement and makes the proportional limit optional.

LD 1505 An Act to Amend the Maine Cooperative Affordable Housing Ownership Act

ENACTED LAW SUMMARY

Public Law 2023, chapter 513 makes changes to the Maine Cooperative Affordable Housing Ownership Act. The law adds definitions for the terms, “housing assistance programs,” “housing cooperative,” and “group equity cooperative” and describes the components that make a housing cooperative a group equity cooperative under the Maine Cooperative Affordable Housing Ownership Act.

Public Law 2023, chapter 513 requires that housing assistance programs administered by the state or a municipality be made reasonably available to residents of housing cooperatives. The law provides that administrators of those housing assistance programs may develop specific policies that govern the treatment of program applicants who reside in housing cooperatives. For those housing assistance programs that do not include policies specific to housing cooperatives, applicants belonging to housing cooperatives must be treated as homeowners, except that:

1. A program applicant who belongs to a group equity housing cooperative is classified as a renter or a tenant in rental property and the group equity cooperative itself is considered the landlord or property owner; and
2. A program applicant who is a resident of housing cooperative that is not a member of that cooperative is a tenant and the respective cooperative is the landlord or property.

Under Public Law 2023, chapter 513, when a housing cooperative is classified as a property owner, the cooperative has the right to apply for multifamily owner assistance programs.

LD 1673 Resolve, Establishing a Working Group to Coordinate Collaboration Among State Agencies for the Purpose of Promoting Smart Growth and Development in High-use Corridors

ENACTED LAW SUMMARY

Resolve 2023, chapter 156 directs the Director of the Office of Policy Innovation and the Future to convene a working group consisting of the Commissioner of Transportation, the Commissioner of Environmental Protection, the Commissioner of Agriculture, Conservation and Forestry, the Commissioner of Economic and Community Development and the director of the Maine State Housing Authority to design a plan for agency coordination to maximize state resources and

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promote smart growth in high-use corridors and to propose a plan for technical assistance grants to municipalities. The law requires the Director of the Office of Policy Innovation and the Future, no later than January 15, 2025, to submit a report to the joint standing and joint select committees of the Legislature having jurisdiction over housing matters regarding the working group's findings and recommendations. A joint standing or joint select committee that receives the report may submit legislation related to the report to the 132nd Legislature in 2025.

LD 1721 Resolve, to Establish a Plan to Provide Transitional Housing and to Support the Growth of Maine's Workforce

ENACTED LAW SUMMARY

Resolve 2023, chapter 136 directs the Office of Policy Innovation and the Future to propose a plan to provide transitional housing and support services to persons seeking federal work permits and submit a report to the joint standing committee or the joint select committee of the Legislature having jurisdiction over housing matters no later than January 15, 2025.

LD 2158 Resolve, to Improve the Housing Voucher System and Reduce the Number of Voucher Expirations

ENACTED LAW SUMMARY

Resolve 2023, chapter 159 directs the Maine State Housing Authority to convene a stakeholder group to gather information about the use of housing vouchers and income-based rental assistance and consider ways to maximize the use of housing vouchers by outlining the process for local housing authorities to request fair market rent waivers from the United States Department of Housing and Urban Development, making changes to the rules governing the expiration of housing vouchers and the area of the State in which a housing voucher can be used and educating landlords to increase the number of landlords who accept tenants who use housing vouchers or other income-based rental assistance. The authority is directed to submit a report to the joint standing or joint select committee of the Legislature having jurisdiction over housing matters by January 15, 2025.

LD 2169 Resolve, Directing the Office of Policy Innovation and the Future to Recommend Proposals to Support the Development of Attainable Housing

ENACTED LAW SUMMARY

Resolve 2023, chapter 162 directs the Director of the Office of Policy Innovation and the Future to develop proposals for potential financial assistance programs to support the development of rental housing for persons making 80% to 150% of the area median income and programs to support homeownership by persons making 120% to 180% of the area median income. The office is required to seek input from entities familiar with programs that assist with the development of

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affordable housing as well as commercial real estate developers, the Maine State Chamber of Commerce and the Maine State Housing Authority. The office is directed to submit a report to the joint standing or joint select committee of the Legislature having jurisdiction over housing matters by January 15, 2025.

LD 2209 An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State

ENACTED LAW SUMMARY

Public Law 2023, chapter 559 increases the cap on mortgage purchase bonds authorized to be issued by the Maine State Housing Authority to align with current housing production needs in the State.

LD 2277 Resolve, Authorizing the Commissioner of Administrative and Financial Services to Convey by Sale the Interests of the State in 3 Properties Located in Biddeford, Sanford and York

ENACTED LAW SUMMARY

Resolve 2023, chapter 166 authorizes the Commissioner of Administrative and Financial Services to convey the State's interests in three former courthouses located in the City of Biddeford, the City of Sanford and the Town of York, pursuant to the procedures set out in the Maine Revised Statutes, Title 30-A, section 4754-A, for use as residential housing. If any of the three parcels comprising the state property is not transferred to the Maine State Housing Authority or a local public housing authority for residential housing under an option to purchase, however, the parcel is required to be sold using a competitive process via sale or auction.

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ANALYST NOTES

This section includes additional information relating to certain LDs as noted in a committee digest. This is information staff found useful and may provide useful information to users of this Digest; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance.

LD 1422 An Act to End Homelessness and Assist Students Who are Homeless by Establishing a Rental Subsidy Program

Although this bill was not enacted, a provision authorizing the Maine State Housing Authority to establish a rental subsidy program for homeless students in consultation with the Department of Education and the Department of Health and Human Services was incorporated into Public Law 2023, chapter 643, the supplemental budget bill enacted in the Second Regular Session. The program must incorporate elements to provide housing subsidies to homeless students who have not attained 18 years of age who do not have adult family members or guardians to secure housing for them. Under this provision, the authority is required to report on the progress of the program's development to the committee having jurisdiction over housing matters no later than January 15, 2025. See Appropriations and Financial Affairs, Enacted Law Summary, LD 2214, Part KKKK.

LD 1540 Resolve, to Establish an Eviction Prevention Pilot Program

Although this bill was not enacted, a provision directing the Maine State Housing Authority to establish a pilot program designed to support eviction prevention was incorporated into Public Law 2023, chapter 643, the supplemental budget bill enacted in the Second Regular Session. The program must be designed to provide eligible persons with up to \$800 per month in rental assistance paid directly to the person's landlord for a period up to 24 months. Under this provision, the authority or an entity delegated to administer the pilot program is required to submit a report to the committee having jurisdiction over housing matters no later than February 2, 2025. See Appropriations and Financial Affairs, Enacted Law Summary, LD 2214, Part KKKK.

LD 2136 An Act to Provide Financial Support for Shelters for Unhoused Individuals and Establish a Stakeholder Group to Develop a 10-year Plan to Address the Root Causes of Homelessness

Although this bill was not enacted, funding for emergency housing relief was incorporated into Public Law 2023, chapter 643, the supplemental budget bill in the Second Regular Session. See Appropriations and Financial Affairs, Enacted Law Summary, LD 2214, Part HH.

