

CHAPTER 202

AFFORDABLE HOUSING PARTNERSHIP

§5001. Title

This chapter shall be known and may be cited as the "Affordable Housing Partnership Act of 1989."
[PL 1989, c. 601, Pt. B, §4 (NEW).]

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW).

SUBCHAPTER 1

ADMINISTRATION AND IMPLEMENTATION

§5002. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1989, c. 601, Pt. B, §4 (NEW).]

1. Advisory committee.

[PL 1993, c. 359, Pt. B, §3 (RP).]

2. Affordable housing. "Affordable housing" means decent, safe and sanitary dwellings, apartments or other living accommodations for low-income and moderate-income households. The Maine State Housing Authority may define "affordable housing" by rule. Affordable housing includes, but is not limited to:

A. Government-assisted housing; [PL 1989, c. 601, Pt. B, §4 (NEW).]

B. Housing for low-income and moderate-income families; [PL 1989, c. 601, Pt. B, §4 (NEW).]

C. Manufactured housing; [PL 1989, c. 601, Pt. B, §4 (NEW).]

D. Multifamily housing; and [PL 1989, c. 601, Pt. B, §4 (NEW).]

E. Group and foster care facilities. [PL 1989, c. 601, Pt. B, §4 (NEW).]
[PL 1991, c. 610, §4 (AMD).]

3. Authority or state authority. "Authority" or "state authority" means the Maine State Housing Authority.

[PL 1989, c. 601, Pt. B, §4 (NEW).]

4. Commissioner.

[PL 1991, c. 610, §5 (RP).]

4-A. Council. "Council" means the Statewide Homeless Council.

[PL 2005, c. 380, Pt. B, §4 (NEW).]

5. Department.

[PL 1991, c. 610, §5 (RP).]

6. Homeless. "Homeless" means:

A. A person or family that lacks, or is in imminent danger of losing legal access to, a fixed, regular and adequate nighttime residence; or [PL 1989, c. 601, Pt. B, §4 (NEW).]

B. A person or family that has a primary nighttime residence that is:

(1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including, but not limited to, welfare hotels, congregate shelters and transitional housing for persons with mental illness or substance use disorder;

(2) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. [PL 2017, c. 407, Pt. A, §121 (AMD).]

[PL 2017, c. 407, Pt. A, §121 (AMD).]

7. Homestead land trust.

[PL 2017, c. 234, §37 (RP).]

8. Housing alliance or alliance.

[PL 1991, c. 610, §6 (RP).]

9. Interagency task force.

[PL 2005, c. 380, Pt. B, §5 (RP).]

10. Land trust.

[PL 2017, c. 234, §37 (RP).]

11. Lower income households. "Lower income households" means low-income and very low-income households as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended. [RR 2017, c. 1, §26 (COR).]

12. Moderate income households. "Moderate income households" means households in which gross income does not exceed 150% of the median income of the county or metropolitan statistical area in which the household is located.

[PL 1989, c. 601, Pt. B, §4 (NEW).]

13. Nonprofit housing corporation.

[PL 2017, c. 234, §37 (RP).]

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1989, c. 875, §§M11,13 (AMD). PL 1991, c. 610, §§3-6 (AMD). PL 1993, c. 359, §B3 (AMD). PL 2005, c. 380, §§B4,5 (AMD). RR 2017, c. 1, §26 (COR). PL 2017, c. 234, §37 (AMD). PL 2017, c. 407, Pt. A, §121 (AMD).

§5003. Findings and purpose

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §7 (AMD). PL 2017, c. 234, §38 (RP).

§5004. Administration and implementation

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §8 (RP).

§5005. Report to the Governor and Legislature

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §8 (RP).

§5006. Coordination and cooperation

All state agencies and independent state agencies shall cooperate with the authority with respect to the implementation of this chapter. Whenever possible, all state agencies and independent state agencies shall coordinate their resources and activities with those of the state authority to address the affordable housing crisis. [PL 1991, c. 610, §9 (AMD).]

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §9 (AMD).

SUBCHAPTER 2

ASSISTANCE TO MUNICIPALITIES

§5011. Administration and implementation

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §9 (AMD). PL 2017, c. 234, §39 (RP).

§5012. Powers

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §§10,11 (AMD). PL 2017, c. 234, §39 (RP).

§5013. Duties

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §§12,13 (AMD). PL 2017, c. 234, §39 (RP).

§5014. Nonlapsing revolving loan fund

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §14 (AMD). PL 2017, c. 234, §39 (RP).

SUBCHAPTER 3

NONPROFIT HOUSING CORPORATIONS AND AFFORDABLE HOUSING

§5021. Program administration

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §15 (AMD). PL 2017, c. 234, §39 (RP).

§5022. Office of Nonprofit Housing

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 2017, c. 234, §39 (RP).

§5023. Powers

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §16 (AMD). PL 2005, c. 380, §B6 (AMD). PL 2017, c. 234, §39 (RP).

§5024. Duties

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 2017, c. 234, §39 (RP).

§5025. Eligibility requirements

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 2017, c. 234, §39 (RP).

SUBCHAPTER 4

LAND ACQUISITION PROGRAM

§5031. Administration and implementation

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §17 (AMD). PL 2005, c. 380, §B7 (AMD). PL 2017, c. 234, §39 (RP).

§5032. Use of money

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 574, §4 (AMD). PL 2017, c. 234, §39 (RP).

§5033. Awards of grants and loans

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §17 (AMD). PL 1991, c. 824, §A62 (AMD). PL 2017, c. 234, §39 (RP).

§5034. Preservation of land for affordable housing

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §17 (AMD). PL 2017, c. 234, §39 (RP).

§5035. Maine Affordable Housing Land Trust Fund

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 574, §5 (AMD). PL 2017, c. 234, §39 (RP).

§5036. Municipal Land Acquisition Revolving Fund

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §17 (AMD). PL 2017, c. 234, §39 (RP).

SUBCHAPTER 5

INTERAGENCY TASK FORCE ON HOMELESSNESS AND HOUSING OPPORTUNITIES

§5041. Task force created

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §17 (AMD). PL 2005, c. 380, §A1 (RP).

§5042. Membership; appointment; terms of office; compensation

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1989, c. 700, §A128 (AMD). PL 1991, c. 610, §18 (AMD). PL 1991, c. 780, §DDD15 (AMD). PL 1993, c. 292, §1 (AMD). PL 1995, c. 560, §K82 (AMD). PL 1995, c. 560, §K83 (AFF). PL 1997, c. 552, §1 (AMD). PL 2001, c. 354, §3 (AMD). PL 2005, c. 380, §A1 (RP).

§5043. Chair

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 2005, c. 380, §A1 (RP).

§5044. Duties

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §19 (AMD). PL 1997, c. 552, §2 (AMD). PL 1997, c. 643, §§XX1-3 (AMD). PL 2001, c. 354, §3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2005, c. 380, §A1 (RP).

§5045. Advisory committee established

(REPEALED)

SECTION HISTORY

RR 1991, c. 1, §42 (COR). PL 1991, c. 610, §20 (NEW).

SUBCHAPTER 5-A

STATEWIDE HOMELESS COUNCIL

§5046. Statewide Homeless Council created

The Statewide Homeless Council, established in accordance with Title 5, chapter 379, shall serve as an advisory committee with respect to the administration and implementation of this chapter to the state authority, the Governor and the Legislature. [PL 2005, c. 380, Pt. A, §2 (NEW).]

SECTION HISTORY

PL 2005, c. 380, §A2 (NEW).

§5047. Membership; appointment; terms of office; chair

1. Membership; chair. The council consists of 14 members appointed as follows:

A. Six members appointed by the Governor, 2 from each of 3 regional homeless councils, based on nominations provided by the 3 regional homeless councils; [PL 2005, c. 380, Pt. A, §2 (NEW).]

B. The Director of the Maine State Housing Authority or the director's designee; [PL 2017, c. 234, §40 (AMD).]

C. Three members appointed jointly by the President of the Senate and the Speaker of the House, one from each of 3 regional homeless councils, based on nominations provided by the 3 regional homeless councils; [PL 2007, c. 600, §2 (AMD).]

D. One member representing the Office of the Governor, who serves as the chair; [PL 2007, c. 600, §2 (AMD).]

E. The Commissioner of Health and Human Services or the commissioner's designee; [PL 2015, c. 465, Pt. B, §1 (AMD).]

F. The Commissioner of Corrections or the commissioner's designee; and [PL 2015, c. 465, Pt. B, §1 (AMD).]

G. The Director of the Maine Bureau of Veterans' Services or the director's designee. [PL 2015, c. 465, Pt. B, §1 (NEW); PL 2019, c. 377, §6 (REV).]
[PL 2017, c. 234, §40 (AMD); PL 2019, c. 377, §6 (REV).]

2. Term of office. Members of the council appointed jointly by the President of the Senate and the Speaker of the House serve 3-year terms and serve at the pleasure of the President of the Senate and the Speaker of the House. Members of the council appointed by the Governor serve 2-year terms and serve at the pleasure of the Governor.

A. Members serve until their successors are appointed and qualified. [PL 2005, c. 380, Pt. A, §2 (NEW).]

B. The appointing authorities shall fill a vacancy for the balance of an unexpired term in the same manner as the appointment was originally filled, except as otherwise provided. [PL 2005, c. 380, Pt. A, §2 (NEW).]
[RR 2013, c. 2, §38 (COR).]

3. Staff. The state authority shall provide staff support to the council.
[PL 2005, c. 380, Pt. A, §2 (NEW).]

SECTION HISTORY

PL 2005, c. 380, §A2 (NEW). PL 2007, c. 600, §2 (AMD). RR 2013, c. 2, §38 (COR). PL 2015, c. 465, Pt. B, §1 (AMD). PL 2017, c. 234, §40 (AMD). PL 2019, c. 377, §6 (REV).

§5048. Duties

The council shall advise the state authority with respect to the implementation of this chapter and the development of affordable housing. The council shall: [PL 2005, c. 380, Pt. A, §2 (NEW).]

1. Provide leadership. Provide leadership in efforts to end homelessness and provide support to the regional homeless councils by ensuring access to senior-level government officials and the Office of the Governor;

[RR 2015, c. 2, §20 (COR).]

2. Educate. Develop and coordinate an education campaign regarding homelessness; [PL 2005, c. 380, Pt. A, §2 (NEW).]

3. Serve as coordinator of information. Serve as a coordinator of information and communication among state agencies and among the state, municipal and private sectors with respect to this chapter. In carrying out this duty, the council shall:

A. Review proposed legislative changes, system changes and resource recommendations from the regional homeless councils and compile the regional reports into a single statewide report; and [PL 2005, c. 380, Pt. A, §2 (NEW).]

B. Serve as a liaison with the federal Interagency Council on Homeless and recommend any necessary changes; [PL 2005, c. 380, Pt. A, §2 (NEW).]

[PL 2005, c. 380, Pt. A, §2 (NEW).]

4. Assess statewide needs. With assistance from regional homeless councils, develop estimates of statewide resource needs;

[PL 2005, c. 380, Pt. A, §2 (NEW).]

5. Identify potential resources. Identify new funding opportunities through private and public sources and assist in disseminating this information to regional homeless councils along with available grant opportunities;

[PL 2005, c. 380, Pt. A, §2 (NEW).]

6. Assistance to homeless. In cooperation with the state authority, identify the resources available to and ways to increase access to services to the homeless and persons with special needs, identify the gaps in delivery services to this population and make recommendations concerning the policies and programs serving this population;

[PL 2007, c. 600, §3 (AMD).]

7. Review, monitor and implement plans. On an annual basis, review and comment on plans submitted pursuant to Title 34-B, section 1221 and propose amendments and updates to and implement a plan to end homelessness;

[PL 2015, c. 465, Pt. B, §2 (AMD).]

8. Advise departments. Advise the Department of Corrections and the Department of Health and Human Services on issues related to homelessness and other issues related to the duties of the council; and

[PL 2015, c. 465, Pt. B, §3 (AMD).]

9. Develop strategic plan regarding homelessness among veterans. Develop strategies to enhance coordination and communication among agencies and organizations that provide services that seek to place veterans in permanent housing and that seek to improve access to services known to support housing stability for veterans who are experiencing homelessness or veterans who are at risk of homelessness. The council shall develop and periodically review a strategic plan that:

A. Establishes a baseline for homelessness in the State from which improvements can be measured. In determining the baseline, the council is not required to use the federal definition of homelessness and may include levels of housing instability or ranges of homelessness; [PL 2015, c. 465, Pt. B, §4 (NEW).]

B. Develops a method of measuring homelessness among veterans in the State to demonstrate whether efforts to reduce the number of homeless veterans in the State have been successful; [PL 2015, c. 465, Pt. B, §4 (NEW).]

C. Identifies specific processes for improving communication among agencies that provide services to veterans, including services unrelated to homelessness, that will facilitate identification of veterans in need of housing assistance or veterans who may be at risk of homelessness and maximize resources available to address homelessness among veterans; and [PL 2015, c. 465, Pt. B, §4 (NEW).]

D. Develops a framework and timeline for determining progress of communication and coordination efforts targeting homelessness among veterans and the effectiveness of those efforts in reducing homelessness among veterans. [PL 2015, c. 465, Pt. B, §4 (NEW).]

The Director of the Maine Bureau of Veterans' Services shall periodically report to the council regarding the progress of implementing the strategies described in this subsection. Beginning February 1, 2018, the director shall report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs on the implementation of the strategic plan. The report must include, but is not limited to, the effect of the strategic plan on homelessness among veterans based on the measurements required to be established by this subsection.

[PL 2015, c. 465, Pt. B, §4 (NEW); PL 2019, c. 377, §6 (REV).]

SECTION HISTORY

PL 2005, c. 380, §A2 (NEW). PL 2007, c. 600, §§3-5 (AMD). PL 2015, c. 465, Pt. B, §§2-4 (AMD). RR 2015, c. 2, §20 (COR). PL 2019, c. 377, §6 (REV).

SUBCHAPTER 6

HOUSING OPPORTUNITY ZONES

§5051. Administration and implementation

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §21 (AMD). PL 2005, c. 380, §B8 (AMD). PL 2017, c. 234, §41 (RP).

§5052. Designation of urban housing zones

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §21 (AMD). PL 2005, c. 380, §B9 (AMD). PL 2017, c. 234, §41 (RP).

§5053. Powers

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §21 (AMD). PL 2005, c. 380, §B10 (AMD). PL 2017, c. 234, §41 (RP).

§5054. Duties of state authority

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). RR 1991, c. 2, §115 (COR). PL 1991, c. 610, §§22,23 (AMD). PL 2005, c. 380, §§B11,12 (AMD). PL 2017, c. 234, §41 (RP).

§5055. Models for urban housing revitalization; evaluation

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 1991, c. 610, §24 (AMD). PL 1991, c. 871, §6 (AMD). PL 2005, c. 380, §B13 (AMD). PL 2017, c. 234, §41 (RP).

§5056. Integrated housing

(REPEALED)

SECTION HISTORY

PL 1989, c. 601, §B4 (NEW). PL 2017, c. 234, §41 (RP).

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