
By: Chairman, Economic and Environmental Affairs Committee (Departmental - Housing and Community Dev.)

Introduced and read first time: January 27, 1997

Rule 32(e) suspended

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Housing Policy Commission - Repeal**

3 FOR the purpose of repealing the Maryland Housing Policy Commission; altering the
4 membership of the Board of Trustees of the Maryland Affordable Housing Trust;
5 and generally relating to the Department of Housing and Community Development.

6 BY repealing and reenacting, with amendments,
7 Article 83B - Department of Housing and Community Development
8 Section 1-204, 2-202(b), 2-804, 2-809(a), and 11-103(c)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1996 Supplement)

11 BY repealing
12 Article 83B - Department of Housing and Community Development
13 Section 8-101 through 8-105, inclusive, and the subtitle "Subtitle 1. Commission
14 Established"; and 8-201 through 8-203, inclusive, and the subtitle "Subtitle 2.
15 Functions and Responsibilities" and the title "Title 8. Maryland Housing
16 Policy Commission"
17 Annotated Code of Maryland
18 (1995 Replacement Volume and 1996 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article 83B - Department of Housing and Community Development
21 Section 11-101
22 Annotated Code of Maryland
23 (1995 Replacement Volume and 1996 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article 83B - Department of Housing and Community Development**

2 1-204.

3 (a) The following agencies, boards, commissions, councils, corporations,
4 authorities, trusts, and divisions shall be included within the Department:

5 (1) Division of Development Finance;

6 (2) [Maryland Housing Policy Commission;

7 (3)] Community Development Administration;

8 [(4)] (3) Division of Credit Assurance;

9 [(5)] (4) Maryland Housing Fund;

10 [(6)] (5) Division of Neighborhood Revitalization;

11 [(7)] (6) Division of Historical and Cultural Programs;

12 [(8)] (7) Historic St. Mary's City Commission;

13 [(9)] (8) Commission on African American History and Culture;

14 [(10)] (9) Commission on Indian Affairs; and

15 [(11)] (10) Maryland Historical Trust.

16 (b) The Department shall also include such other agencies, commissions, boards,
17 committees, councils, or units of government as may hereafter pursuant to law be
18 declared to be part of the Department.

19 (c) (1) The Department shall establish the advisory councils, boards, and
20 committees as shall be determined by the Governor and the Secretary.

21 (2) The advisory bodies shall advise and assist the Secretary on matters
22 pertaining to policies, programs, and activities of the Department.

23 (3) The size, qualifications, method of appointment, terms, compensation,
24 manner of removal, and method of filling vacancies shall be as determined by the
25 Governor and the Secretary.

26 2-202.

27 (b) (1) There is a Housing Finance Review Committee of the Department.

28 (2) Upon recommendation of the Secretary, the Governor shall appoint the
29 following persons to serve as the Housing Finance Review Committee:

30 (i) 3 employees of the Department, one of whom may be the
31 Secretary;

32 (ii) 1 employee of the executive branch of State government, who is
33 not employed by the Department; and

34 (iii) 3 members of the public.

3

1 (3) [The public members shall include the chairman of the Maryland
 2 Housing Policy Commission or the designee that the chairman appoints with the advice of
 3 the Secretary.

4 (4) The public members shall serve for a term of 4 years beginning July 1,
 5 1983, provided that a member appointed to fill a vacancy in an unexpired term or to
 6 succeed a member who is holding over serves only for the remainder of the term.

7 [(5)] (4) The Housing Finance Review Committee shall review and make
 8 recommendations to the Secretary on the following:

9 (i) Specific loan requests or categories of loan requests; and

10 (ii) The investment and project financing policies of the
 11 Administration.

12 [(6)] (5) The Secretary may approve a specific loan request without
 13 receiving the recommendation of the Housing Finance Review Committee when the
 14 nature of the request requires urgent action.

15 2-804.

16 (a) In addition to the specific powers granted and duties imposed by this subtitle,
 17 the Administration has the powers and duties set forth in this section.

18 (b) The Administration shall:

19 (1) Manage and supervise the Program;

20 (2) Adopt policies to insure that rental property is made available to
 21 low-income elderly households;

22 (3) Develop regulations [in consultation with the Maryland Housing Policy
 23 Commission] to implement the Program; and

24 (4) Use federal and State programs that complement or facilitate carrying
 25 out the Program.

26 (c) The Administration shall set income guidelines by considering:

27 (1) The median income for the area;

28 (2) Minimum income needed to afford available standard rental units in the
 29 area; and

30 (3) Any other factors the Administration finds relevant.

31 (d) The Administration shall adopt rules and regulations to carry out the Program
 32 in conformance with statutory requirements [and in consultation with the Maryland
 33 Housing Policy Commission].

34 2-809.

35 (a) [In consultation with the Maryland Housing Policy Commission, the] THE
 36 Administration shall adopt regulations regarding applications for moneys from the Fund,

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1 including regulations on the standards of eligibility, terms, and fees and charges which
2 shall be imposed on deferred payment, subordinated loans.

3 [Title 8. Maryland Housing Policy Commission.]

4 [Subtitle 1. Commission Established.]

5 [8-101.

6 There is a Maryland Housing Policy Commission to assist the Secretary in
7 identifying opportunities to increase the housing supply for individuals of low and
8 moderate income and to increase opportunities for the home ownership by those
9 individuals.]

10 [8-102.

11 The Commission shall consist of 15 members who shall be appointed by the
12 Governor from the various regions of the State and shall include:

13 (1) 1 citizen actively engaged in the residential building industry;

14 (2) 1 citizen actively engaged in the banking or mortgage banking industry;

15 (3) 2 local public officials involved with housing and community
16 development activities;

17 (4) 1 citizen who is a resident of government assisted housing;

18 (5) 1 citizen who is a member of a neighborhood organization or civic group
19 concerned with promoting low income housing; and

20 (6) 9 members of the public at large.]

21 [8-103.

22 The Speaker of the House of Delegates or his designee and the President of the
23 State Senate or his designee shall serve as nonvoting members of the Commission.]

24 [8-104.

25 The members of the Commission appointed by the Governor shall serve terms of 4
26 years. The terms of these members are staggered as required by the terms of the members
27 on July 1, 1987. A member appointed to fill a vacancy in an unexpired term or to succeed
28 a member who is holding over serves only for the remainder of the term. A member
29 appointed to serve a term of less than 4 years, for the purpose of implementing staggered
30 terms, may be reappointed to serve a full 4-year term. After serving a full 4-year term, a
31 member may not be reappointed until at least 1 year after the expiration of that member's
32 prior tenure.]

33 [8-105.

34 The Governor shall designate a chairman and a vice-chairman from among the
35 public members of the Commission.]

5

1 [Subtitle 2. Functions and Responsibilities.]

2 [8-201.

3 For the purposes set forth in § 8-101 of this title and under the direction of the
4 Secretary, the Commission shall:

5 (1) Develop, adopt, and annually update a housing plan, policy, and needs
6 statement for the State which shall be consistent with the purposes of § 8-101 of this title,
7 include an assessment of the progress of the Department in implementing the plan,
8 policy, and needs statement, and be presented to the Governor and the General
9 Assembly;

10 (2) Examine, develop, and recommend to the Secretary innovative programs
11 relating to the building, financing, insuring and managing of housing for those families,
12 elderly citizens, and other special populations that cannot be adequately served by the
13 private market;

14 (3) Review federal housing programs and make recommendations to the
15 Secretary on the most effective use of those programs in this State;

16 (4) Appear before federal agencies, Congress, and the General Assembly to
17 advocate the need for housing policies and legislation designed to fulfill the purposes of
18 § 8-101 of this title;

19 (5) Assist the Secretary in developing a public information service designed
20 to bring available housing resources to the attention of populations in need;

21 (6) On an annual basis, review existing housing programs within the
22 Department and make appropriate recommendations for modification to the Secretary;

23 (7) Review departmental proposals for new housing programs and make
24 appropriate recommendations to the Secretary; and

25 (8) Encourage and assist the efforts of local governments to develop mutual
26 and cooperative solutions to common housing problems.]

27 [8-202.

28 The Secretary shall provide staff support to the Commission.]

29 [8-203.

30 Each public member shall serve without compensation but be entitled to
31 reimbursement for expenses under the Standard State Travel Regulations.]

32 11-101.

33 (a) In this title the following words have the meaning indicated.

34 (b) "Award" means money from the Trust used to make grants, loans, deferred
35 payment loans, guarantees of loans from other sources, or any other financial assistance.

36 (c) "Board" means the Board of Trustees of the Trust.

37 (d) "Fund" means the Maryland Affordable Housing Trust Fund.

6

1 (e) "Trust" means the Maryland Affordable Housing Trust.

2 11-103.

3 (c) (1) The Board of Trustees shall include one representative of each of the
4 following:

5 (i) Title companies doing business in the State;

6 (ii) The Maryland Low Income Housing Coalition;

7 (iii) Financial institutions doing business in the State;

8 (iv) Local governments;

9 (v) Nonprofit housing developers;

10 (vi) For profit housing developers;

11 (vii) [The Maryland Housing Policy Commission;

12 (viii)] Public housing authorities; and

13 [(ix)] (VIII) Social services providers.

14 (2) The Board of Trustees shall include [two] THREE representatives of
15 the general public.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 1997.