

**SUPPLEMENTAL BUDGET MATERIALS FOR  
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT**

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**1:30 PM Thursday, February 19, 2026**

**(Note: Department & Agency testimony will be on all categories within this block before public testimony)**

**To be held in conjunction with the Joint Standing Committee on Housing and Economic Development**

**Economic and Community Development, Department of**

Office of Innovation

Office of Tourism

*Language Parts*

*J This part extends the authority for payments to the Loring Job Increment Financing Fund from 2026 to 2031; and increases from 50% to 100% the amount of the employment tax increment the State Tax Assessor is required to deposit into the Loring Job Increment Financing Fund.*

*EE This part transfers \$700,000 from available balances in the Tourism Marketing Promotion Fund, Other Special Revenue Funds account within the Department of Economic and Community Development to the Department of Economic and Community Development, Municipal Investment Fund, Other Special Revenue Funds account.*

**Finance Authority of Maine**

Maine Health Care Provider Loan Repayment Program

*Language Parts*

*TT This Part extends the date to allow the Finance Authority of Maine to issue revenue obligation securities for energy distribution system projects or energy generating projects that have been issued a certificate of approval by the Authority before January 1, 2040. Additionally, this Part also extends the allowable date by which the Public Utilities Commission may issue a certificate of approval for an electric rate stabilization agreement to July 31, 2040.*

**Housing Authority, Maine State**

Shelter Operating Subsidy

Emergency Housing Relief Fund Program (Part T)

Housing Authority - State (Part T)

*Language Parts*

*F Section F-2 of this Part authorizes that the Governor, during a declared state of emergency, may distribute from the stabilization fund up to \$1,500,000 to Maine State Housing Authority for administration of benefit payments for emergency heating assistance, without charge.*

*T Sections T-15 and T-16 of this Part authorize the State Controller transfer \$55,000,000 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Maine State Housing Authority, Housing Authority - State program, Other Special Revenue Funds account and \$14,000,000 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Emergency Housing Relief Fund Program, Other Special Revenue Funds account.*

**Maine Office of Community Affairs**

Community Resilience Partnership

Division of Building Codes and Standards

Housing Opportunity Program

Maine Climate Corps Program

Maine Floodplain Program

Maine Office of Community Affairs

Municipal Planning Assistance

State Resilience Fund

*Language Parts*

*T Sections T-20 and T-21 authorize the State Controller to transfer \$500,000 in FY2026 and \$500,000 in FY27 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Housing Opportunity program, Other Special Revenue Funds account for a pilot project to provide regionalized building code enforcement.*

*RRR This part transfers the statutory responsibilities for the oversight of manufactured housing manufacturers and manufactured housing communities currently held by the Manufactured Housing Board and administered by the Office of Professional and Occupational Regulation within the Department of Professional and Financial Services to the Maine Office of Community Affairs. It eliminates the Manufactured Housing Board and transfers related accounts and balances to the Maine Office of Community Affairs. It provides transition authority to the Office of Community Affairs to continue administering the related programs of Title 10 Chapter 951 under current rules and authorizes the Maine Office of Community Affairs to develop and implement new rules in replacement. It provides that annual license fees assessed to manufactured housing communities may be expanded to fund legal services provided by the Office of the Attorney General. It also increases the surcharge on plan review fees collected through the Office of the State Fire Marshal to fund the Technical Building Codes and Standards Board with respect to the Maine Uniform Building and Energy Code.*

**Professional and Financial Regulation, Department of**

Manufactured Housing Board

Office of Professional and Occupational Regulation

**OFFICE OF INNOVATION 0995**

**Initiative:** As part of the Governor's AI Commission recommendations, provides funding to the Maine Technology Institute, Maine Entrepreneurial Resource Corps Artificial Intelligence (MERC AI) program to provide curated cybersecurity courses and small grants to eligible Maine businesses and entrepreneurs to access Maine-based consultants with expertise in artificial intelligence and cybersecurity.

**GENERAL FUND**

All Other

	2025-26	2026-27
		200,000
Total	0	200,000

**Summary - GENERAL FUND**

All Other

	2025-26	2026-27
		200,000
Total	0	200,000

**OFFICE OF TOURISM 0577**

**Initiative:** Provides funding to align allocations with projected expenditures and available resources.

**OTHER SPECIAL REVENUE FUNDS**

All Other

	2025-26	2026-27
	615,008	636,532
Total	615,008	636,532

**Summary - OTHER SPECIAL REVENUE FUNDS**

All Other

	2025-26	2026-27
	615,008	636,532
Total	615,008	636,532

**Total Agency/Department**

All Funds

GENERAL FUND

OTHER SPECIAL REVENUE FUNDS

	615,008	836,532
		200,000
	615,008	636,532

DAIRY IMPROVEMENT FUND Z143		
	2025-26	2026-27
Initiative: Provides funding to align allocations with projected expenditures and available resources.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(15,818)	(31,944)
Total	(15,818)	(31,944)
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(15,818)	(31,944)
Total	(15,818)	(31,944)
MAINE HEALTH CARE PROVIDER LOAN REPAYMENT PROGRAM Z330		

	2025-26	2026-27
Initiative: Eliminates allocation in the Maine Health Care Provider Loan Repayment program.		
<b>FEDERAL EXPENDITURES FUND</b>		
All Other	(500)	(500)
Total	(500)	(500)
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(500)	(500)
Total	(500)	(500)
<b>Summary - FEDERAL EXPENDITURES FUND</b>		
All Other	(500)	(500)
Total	(500)	(500)
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(500)	(500)
Total	(500)	(500)
<b>Total Agency/Department</b>		
All Funds	(16,818)	(32,944)
FEDERAL EXPENDITURES FUND	(500)	(500)
OTHER SPECIAL REVENUE FUNDS	(16,318)	(32,444)

**SHELTER OPERATING SUBSIDY 0661**

	2025-26	2026-27
<b>Initiative:</b> Increase in support for emergency homeless shelters in the State through the Maine State Housing Authority's Emergency Shelter and Housing Assistance program.		
<b>GENERAL FUND</b>		
All Other	1,250,000	1,500,000
Total	1,250,000	1,500,000
	<b>2025-26</b>	<b>2026-27</b>
<b>Summary - GENERAL FUND</b>		
All Other	1,250,000	1,500,000
Total	1,250,000	1,500,000
<b><u>Total Agency/Department</u></b>		
All Funds	1,250,000	1,500,000
GENERAL FUND	1,250,000	1,500,000

COMMUNITY RESILIENCE PARTNERSHIP Z412
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**Initiative:** Transfers one Public Service Coordinator II position and All Other costs from the Community Resilience Partnership program to the State Resilience Fund program within the same fund.

**GENERAL FUND**

Positions - LEGISLATIVE COUNT

Personal Services

All Other

	2025-26	2026-27
		-1,000
		(156,306)
		(3,003,660)
Total	0	(3,159,966)

**Summary - GENERAL FUND**

Positions - LEGISLATIVE COUNT

Personal Services

All Other

	2025-26	2026-27
		-1,000
		(156,306)
		(3,003,660)
Total	0	(3,159,966)

## EMERGENCY HOUSING RELIEF FUND PROGRAM Z340

	2025-26	2026-27
<b>Initiative:</b> Provides one-time funding to fund the Community Aging in Place Program (CAIP) for two years. CAIP is an existing, 7-year old program through nonprofit organizations around the state, providing no-cost home safety checks, minor maintenance repairs, and accessibility modifications to eligible low-income elderly and disabled homeowners. These services enable recipients to continue living safely and comfortably at home rather than needing to move.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	2,000,000	
<b>Total</b>	<b>2,000,000</b>	<b>0</b>
<b>Initiative:</b> Provides one-time funding to supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing challenges and support other uses that address housing emergencies in the State. Housing costs continue to cause thousands of Maine people to become homeless every year, while putting thousands more at extreme risk. Shelters around the state are typically full while the costs rise along with the acuity of need for those they are serving. Funds will provide emergency, transitional and permanent housing responses to homelessness.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	12,000,000	
<b>Total</b>	<b>12,000,000</b>	<b>0</b>
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
All Other	14,000,000	
<b>Total</b>	<b>14,000,000</b>	<b>0</b>

## HOUSING AUTHORITY - STATE 0442

	2025-26	2026-27
<b>Initiative:</b> Provides one-time funding for a pilot program supporting the construction of new middle-income housing units, with incentives added for projects that invest in wood fiber insulation and heat pumps, with consideration for those that utilize a modular building approach. This is a new model that would focus on rental housing for households with incomes up to 120% of area median income (AMI) and homeownership housing for households with incomes up to 150% of AMI.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	10,000,000	
<b>Total</b>	<b>10,000,000</b>	<b>0</b>
<b>Initiative:</b> Provides one-time funding to create more than 300 new affordable homes for ownership and rental across the state through the Rural Affordable Rental Housing Program, the federal Low-income Housing Tax Credit Program and the Affordable Homeownership Program, with incentives added for projects that invest in wood fiber insulation and heat pumps, with consideration for those that utilize a modular building approach.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	37,500,000	
<b>Total</b>	<b>37,500,000</b>	<b>0</b>
<b>Initiative:</b> Provides one-time funding for a pilot program supporting the construction of new homes in mobile home parks through infill, expansion or new development, with restrictive covenants on the newly created units to ensure affordability. The modest nature of a subsidy per unit could allow the program to facilitate the creation of as many as 500 new homes. The infill and expansion of new homes at existing parks will allow infrastructure costs to be spread across more households.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	7,500,000	
<b>Total</b>	<b>7,500,000</b>	<b>0</b>
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
All Other	55,000,000	
<b>Total</b>	<b>55,000,000</b>	<b>0</b>
<b>Total Agency/Department</b>		
All Funds	69,000,000	

<u>Total Agency/Department</u>	
OTHER SPECIAL REVENUE FUNDS	69,000,000

HOUSING OPPORTUNITY PROGRAM Z418

	2025-26	2026-27
<b>Initiative:</b> Provides one-time funding for a three-year pilot project to provide regionalized building code enforcement. Well-trained Code Enforcement Officers are essential to timely, predictable permitting of housing and other development. Municipalities are struggling to staff these positions, in part because small communities typically employ CEOs part time on contract, which is an unattractive employment model and does not encourage regular professional education. Regionalization is a more stable model for employing CEOs and there is tremendous interest in establishing multiple pilot locations throughout the state that can form the basis for longer term self-supported regional programs.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	500,000	500,000
<b>Total</b>	<b>500,000</b>	<b>500,000</b>
	<b>2025-26</b>	<b>2026-27</b>
	500,000	500,000
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
All Other	500,000	500,000
<b>Total</b>	<b>500,000</b>	<b>500,000</b>
<b><u>Total Agency/Department</u></b>		
All Funds	500,000	500,000
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>500,000</b>	<b>500,000</b>

## DIVISION OF BUILDING CODES AND STANDARDS Z419

	2025-26	2026-27
<b>Initiative:</b> Establishes one Resource Management Coordinator position and provides funding for training and support for local code enforcement officers.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Positions - LEGISLATIVE COUNT		1,000
Personal Services		122,761
All Other		13,000
<b>Total</b>	<b>0</b>	<b>135,761</b>
<b>Initiative:</b> Provides funding for the approved reclassification of one Public Safety Inspector III position to a Public Safety Inspector Supervisor position retroactive to August 21, 2024 and transfers All Other to Personal Services one-time to fund the retroactive portion of the reclassification. This initiative also provides funding for authorized overtime.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Personal Services	49,842	44,752
All Other	(9,282)	
<b>Total</b>	<b>40,560</b>	<b>44,752</b>
<b>Initiative:</b> Transfers All Other funding related to the Manufactured Housing Board from the the Office of Professional and Occupational Regulation program within the Department of Professional and Financial Regulation to the Housing Opportunity Program within the Maine Office of Community Affairs within the same fund.		
<b>FEDERAL EXPENDITURES FUND</b>		
All Other		22,486
<b>Total</b>	<b>0</b>	<b>22,486</b>
<b>Initiative:</b> Provides funding for an attorney position at the Office of the Maine Attorney General.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other		145,962
<b>Total</b>	<b>0</b>	<b>145,962</b>
<b>Initiative:</b> Transfers one Senior Manufactured Housing Inspector position and one Manufactured Housing Inspector position from the Office of Professional and Occupational Regulation program within the Department of Professional and Financial Regulation to the Division of Building Codes and Standards program within the Maine Office of Community Affairs within the same fund. Two authorized positions and any incumbent personnel as of July 1, 2026 in the Department of Professional and Financial Regulation are transferred to the Maine Office of Community Affairs. All transferred positions, including those currently unclassified, are classified positions at the Maine Office of Community Affairs. The designation of each position as either confidential or bargaining unit is based on the classification of the position. Those employees retain their accrued vacation and sick leave balances.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Positions - LEGISLATIVE COUNT		2,000
Personal Services		255,443
<b>Total</b>	<b>0</b>	<b>255,443</b>
	<b>2025-26</b>	<b>2026-27</b>
<b>Summary - FEDERAL EXPENDITURES FUND</b>		
All Other		22,486
<b>Total</b>	<b>0</b>	<b>22,486</b>
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
Positions - LEGISLATIVE COUNT		3,000
Personal Services	49,842	422,956
All Other	(9,282)	158,962
<b>Total</b>	<b>40,560</b>	<b>581,918</b>

**HOUSING OPPORTUNITY PROGRAM Z418**

**Initiative:** Transfers one Executive Director Manufactured Housing Board position and one Secretary Specialist position from the Office of Professional and Occupational Regulation program within the Department of Professional and Financial Regulation to the Housing Opportunity Program within the Maine Office of Community Affairs within the same fund. Two authorized positions and any incumbent personnel as of July 1, 2026 in the Department of Professional and Financial Regulation are transferred to the Maine Office of Community Affairs. All transferred positions, including those currently unclassified, are classified positions at the Maine Office of Community Affairs. The designation of each position as either confidential or bargaining unit is based on the classification of the position. Those employees retain their accrued vacation and sick leave balances.

**OTHER SPECIAL REVENUE FUNDS**

Positions - LEGISLATIVE COUNT

Personal Services

	2025-26	2026-27
		2,000
		244,057
Total	0	244,057

**Summary - OTHER SPECIAL REVENUE FUNDS**

Positions - LEGISLATIVE COUNT

Personal Services

	2025-26	2026-27
		2,000
		244,057
Total	0	244,057

**MAINE CLIMATE CORPS PROGRAM Z416**

**Initiative:** Reduces Legislative Count for one Senior Planner position that was continued as limited-period through June 19, 2027 in the Department of Education in Public Law 2025, chapter 388, Part A.

**GENERAL FUND**

Positions - LEGISLATIVE COUNT

	2025-26	2026-27
	-1,000	-1,000
Total	-1,000	-1,000

**Initiative:** Provides one-time funding to support the Maine Climate Corps Program pursuant to Public Law 2021, chapter 728.

**OTHER SPECIAL REVENUE FUNDS**

All Other

	24,508	500
Total	24,508	500

**Summary - GENERAL FUND**

Positions - LEGISLATIVE COUNT

	2025-26	2026-27
	-1,000	-1,000
Total	-1,000	-1,000

**Summary - OTHER SPECIAL REVENUE FUNDS**

All Other

	24,508	500
Total	24,508	500

MAINE FLOODPLAIN PROGRAM Z420
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	2025-26	2026-27
<b>Initiative:</b> Transfers one Senior Planner position, one Planner II position and All Other costs from the Maine Floodplain Program to the State Resilience Fund program within the same respective funds.		
<b>GENERAL FUND</b>		
Positions - LEGISLATIVE COUNT		-1,000
Personal Services		(104,710)
All Other		(14,190)
Total	0	(118,900)
<b>FEDERAL EXPENDITURES FUND</b>		
Positions - LEGISLATIVE COUNT		-1,000
Personal Services		(134,251)
All Other		(49,909)
Total	0	(184,160)
	<b>2025-26</b>	<b>2026-27</b>
<b>Summary - GENERAL FUND</b>		
Positions - LEGISLATIVE COUNT		-1,000
Personal Services		(104,710)
All Other		(14,190)
Total	0	(118,900)
<b>Summary - FEDERAL EXPENDITURES FUND</b>		
Positions - LEGISLATIVE COUNT		-1,000
Personal Services		(134,251)
All Other		(49,909)
Total	0	(184,160)

## MAINE OFFICE OF COMMUNITY AFFAIRS Z396

	2025-26	2026-27
<b>Initiative:</b> Transfers one limited-period Public Service Executive II position, 3 limited-period Public Service Manager II positions and related All Other costs from the Maine Office of Community Affairs program to the State Resilience Fund program within the same fund and changes the end date of the positions to September 30, 2029. This initiative also provides funding for All Other costs for a five-year grant received from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration.		
<b>FEDERAL EXPENDITURES FUND</b>		
Personal Services		(598,336)
All Other		(35,652)
Total	0	(633,988)
<b>Initiative:</b> Provides funding for DICAP costs.		
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other		243,296
Total	0	243,296
<b>Initiative:</b> As part of the Governor's AI Commission recommendations, provides ongoing funding for a partnership program supporting municipalities to assess needs and opportunities related to the use of artificial intelligence through grants, technical assistance and information sharing with priority toward expedited permitting for housing development and improved cybersecurity.		
<b>GENERAL FUND</b>		
All Other		350,000
Total	0	350,000
<b>Initiative:</b> Provides funding for the Department's share of the cost for the financial and human resources service center within the Department of Administrative and Financial Services.		
<b>GENERAL FUND</b>		
All Other	47,500	47,500
Total	47,500	47,500
<b>Summary - GENERAL FUND</b>		
All Other	47,500	397,500
Total	47,500	397,500
<b>Summary - FEDERAL EXPENDITURES FUND</b>		
Personal Services		(598,336)
All Other		(35,652)
Total	0	(633,988)
<b>Summary - OTHER SPECIAL REVENUE FUNDS</b>		
All Other		243,296
Total	0	243,296

**MAINE SERVICE FELLOWS PROGRAM Z417**

**Initiative:** Provides funding to align allocations with projected available resources.

**OTHER SPECIAL REVENUE FUNDS**

All Other

	2025-26	2026-27
		10,000
Total	0	10,000

**Initiative:** Provides funding for All Other costs for a five-year grant received from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration.

**FEDERAL EXPENDITURES FUND**

All Other

	2025-26	2026-27
		226,110
Total	0	226,110

**Summary - FEDERAL EXPENDITURES FUND**

All Other

	2025-26	2026-27
		226,110
Total	0	226,110

**Summary - OTHER SPECIAL REVENUE FUNDS**

All Other

	2025-26	2026-27
		10,000
Total	0	10,000

**MUNICIPAL PLANNING ASSISTANCE Z414**

**Initiative:** Reduces Legislative Count for one Senior Planner position that was continued as limited-period through June 19, 2027 in the Department of Agriculture, Conservation and Forestry in Public Law 2025, chapter 388, Part A.

**GENERAL FUND**

Positions - LEGISLATIVE COUNT

	2025-26	2026-27
	-1,000	-1,000
Total	-1,000	-1,000

**Summary - GENERAL FUND**

Positions - LEGISLATIVE COUNT

	2025-26	2026-27
	-1,000	-1,000
Total	-1,000	-1,000

## STATE RESILIENCE FUND Z430

	2025-26	2026-27
<b>Initiative:</b> Transfers one limited-period Public Service Executive II position, 3 limited-period Public Service Manager II positions and related All Other costs from the Maine Office of Community Affairs program to the State Resilience Fund program within the same fund and changes the end date of the positions to September 30, 2029. This Initiative also provides funding for All Other costs for a five-year grant received from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration.		
<b>FEDERAL EXPENDITURES FUND</b>		598,336
Personal Services		4,832,943
All Other		
Total	0	5,431,279
<b>Initiative:</b> Transfers one Public Service Coordinator II position and All Other costs from the Community Resilience Partnership program to the State Resilience Fund program within the same fund.		
<b>GENERAL FUND</b>		1,000
Positions - LEGISLATIVE COUNT		156,306
Personal Services		3,003,660
All Other		
Total	0	3,159,966
<b>Initiative:</b> Transfers one limited-period Public Service Coordinator II position and related All Other costs from the Office of Policy Innovation and the Future program within the Executive Department to the State Resilience Fund program within the Maine Office of Community Affairs, within the same fund, and continues this position through September 30, 2029.		
<b>FEDERAL EXPENDITURES FUND</b>		156,630
Personal Services		8,762
All Other		
Total	0	165,392
<b>Initiative:</b> Transfers one Senior Planner position, one Planner II position and All Other costs from the Maine Floodplain Program to the State Resilience Fund program within the same respective funds.		
<b>GENERAL FUND</b>		1,000
Positions - LEGISLATIVE COUNT		104,710
Personal Services		14,190
All Other		
Total	0	118,900
<b>FEDERAL EXPENDITURES FUND</b>		1,000
Positions - LEGISLATIVE COUNT		134,251
Personal Services		49,909
All Other		
Total	0	184,160
	2025-26	2026-27
<b>Summary - GENERAL FUND</b>		2,000
Positions - LEGISLATIVE COUNT		261,016
Personal Services		3,017,850
All Other		
Total	0	3,278,866
<b>Summary - FEDERAL EXPENDITURES FUND</b>		1,000
Positions - LEGISLATIVE COUNT		889,217
Personal Services		4,891,614
All Other		
Total	0	5,780,831
<b>Total Agency/Department</b>		
All Funds	112,568	6,688,550
GENERAL FUND	47,500	397,500
FEDERAL EXPENDITURES FUND		5,211,279
OTHER SPECIAL REVENUE FUNDS	65,068	1,079,771

**MANUFACTURED HOUSING BOARD 0351**

**Initiative:** Transfers All Other funding related to the Manufactured Housing Board from the the Office of Professional and Occupational Regulation program within the Department of Professional and Financial Regulation to the Housing Opportunity Program within the Maine Office of Community Affairs within the same fund.

**FEDERAL EXPENDITURES FUND**

All Other

	2025-26	2026-27
		(22,486)
<b>Total</b>	<b>0</b>	<b>(22,486)</b>

**Summary - FEDERAL EXPENDITURES FUND**

All Other

	2025-26	2026-27
		(22,486)
<b>Total</b>	<b>0</b>	<b>(22,486)</b>

**OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION 0352**

**Initiative:** Transfers one Senior Manufactured Housing Inspector position and one Manufactured Housing Inspector position from the Office of Professional and Occupational Regulation program within the Department of Professional and Financial Regulation to the Division of Building Codes and Standards program within the Maine Office of Community Affairs within the same fund. Two authorized positions and any incumbent personnel as of July 1, 2026 in the Department of Professional and Financial Regulation are transferred to the Maine Office of Community Affairs. All transferred positions, including those currently unclassified, are classified positions at the Maine Office of Community Affairs. The designation of each position as either confidential or bargaining unit is based on the classification of the position. Those employees retain their accrued vacation and sick leave balances.

**OTHER SPECIAL REVENUE FUNDS**

Positions - LEGISLATIVE COUNT

Personal Services

	2025-26	2026-27
		-2,000
		(255,823)
<b>Total</b>	<b>0</b>	<b>(255,823)</b>

**Initiative:** Transfers one Executive Director Manufactured Housing Board position and one Secretary Specialist position from the Office of Professional and Occupational Regulation program within the Department of Professional and Financial Regulation to the Housing Opportunity Program within the Maine Office of Community Affairs within the same fund. Two authorized positions and any incumbent personnel as of July 1, 2026 in the Department of Professional and Financial Regulation are transferred to the Maine Office of Community Affairs. All transferred positions, including those currently unclassified, are classified positions at the Maine Office of Community Affairs. The designation of each position as either confidential or bargaining unit is based on the classification of the position. Those employees retain their accrued vacation and sick leave balances.

**OTHER SPECIAL REVENUE FUNDS**

Positions - LEGISLATIVE COUNT

Personal Services

	2025-26	2026-27
		-2,000
		(244,437)
<b>Total</b>	<b>0</b>	<b>(244,437)</b>

**Summary - OTHER SPECIAL REVENUE FUNDS**

Positions - LEGISLATIVE COUNT

Personal Services

	2025-26	2026-27
		-4,000
		(500,260)
<b>Total</b>	<b>0</b>	<b>(500,260)</b>

**Total Agency/Department**

All Funds	(522,746)
FEDERAL EXPENDITURES FUND	(22,486)
OTHER SPECIAL REVENUE FUNDS	(500,260)

## PART F

Sec. F-1. 5 MRSA §1532, sub-§9, is amended to read:

**9. Emergency funding for nonprofit food banks.** During a state of emergency declared in accordance with Title 37B, section 742, subsection 1 that exceeds 10 days, the Governor, in accordance with rules adopted by the Commissioner of Agriculture, Conservation and Forestry, may distribute up to \$400,000~~4,000,000~~ from the stabilization fund to nonprofit entities, including food banks, food pantries and soup kitchens, that provide or distribute food to low-income, indigent or unemployed individuals or households without charge. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to prescribe the manner in which the funds distributed under this subsection must be disbursed. The commissioner may leverage funds distributed under this subsection to match any relevant federal funding available for qualifying food programs in the State. Rules adopted pursuant to this subsection are routine technical rules as described in chapter 375, subchapter 2A. The Governor may not suspend under Title 37B, section 742, subsection 1, paragraph C, subparagraph (1) rules adopted under this subsection.

Sec. F-2. 5 MRSA §1532, sub-§10 is enacted to read:

**10. Emergency Heating Assistance.** During a state of emergency declared in accordance with Title 37B, section 742, subsection 1 that exceeds 10 days, the Governor, in coordination with the Maine State Housing Authority, may distribute up to \$1,500,000 from the stabilization fund to the Maine State Housing Authority without charge to be used for administration of benefit payments for emergency heating assistance. Maine State Housing Authority will return any of these funds if later deemed available through federal resources. Any funds returned by Maine State Housing Authority will be deposited to the stabilization fund.

## PART F SUMMARY

This Part changes the amount to \$4,000,000 that the Governor, during a declared state of emergency, in accordance with rules adopted by the Commissioner of Agriculture, Conservation and Forestry, may distribute from the stabilization fund to nonprofit entities, including food banks, food pantries and soup kitchens, that provide or distribute food to low-income, indigent or unemployed individuals or households, without charge. Additionally, this Part authorizes that the Governor, during a declared state of emergency, may distribute from the stabilization fund up to \$1,500,000 to Maine State Housing Authority for administration of benefit payments for emergency heating assistance, without charge.

**PART I  
SUMMARY**

This Part allows state Postal services to be available to the university system, any political subdivision, or educational institution, as defined, in the State or qualifying nonprofit, as defined. This Part also codifies the longstanding State purchasing card program as a component of Central Services.

**PART J**

**Sec. J-1. Sec. 1. 5 MRSA §13080-Q, sub-§2, ¶D**, as amended by PL 2013, c. 413, §1, is further amended to read:

**D.** Payments made to the fund may not be made for tax years beginning on or after July 1, 2026 2031.

**Sec. J-2. 5 MRSA §13080-S, sub-§3**, as amended by PL 2021, c. 18, §1, is further amended to read:

**3. Deposit and payment of revenue.** On or before July 15th of each year, the assessor shall deposit an amount equal to 50% 100% of the employment tax increment for the preceding year into a contingent account established, maintained and administered by the State Controller. On or before July 31st of each year, the assessor shall pay that amount to the fund.

**PART J  
SUMMARY**

This part extends the authority for payments to the Loring Job Increment Financing Fund from 2026 to 2031; and increases from 50% to 100% the amount of the employment tax increment the State Tax Assessor is required to deposit into the Loring Job Increment Financing Fund.

**PART K**

**Sec. K-1. 36 MRSA §111, sub-§1-A**, as amended by PL 2025, c. 432, §1 and affected by PL 2025, c. 432, §2, is further amended to read:

**1-A. Code.** "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2024 2025.

**Office of MaineCare Services 0129**

Initiative: Provides one-time funding for one-time technology adjustments and compliance with new federal legislation, H.R-1 - One Big Beautiful Bill Act, PL 119-21.

<b>FEDERAL FUNDS</b>	<b>2025-2026</b>	<b>2026-2027</b>
All Other	\$206,750	\$1,069,932
<b>FEDERAL EXPENDITURES FUNDS TOTAL</b>	<b>\$206,750</b>	<b>\$1,069,932</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-2026</b>	<b>2026-2027</b>
All Other	\$38,942	\$537,500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$38,942</b>	<b>\$537,500</b>

**Sec. T-15. Transfer from Budget Stabilization Fund unappropriated surplus; Housing Authority - State program.** Notwithstanding any provision of law to the contrary, on or before June 30, 2026, the State Controller shall transfer \$55,000,000 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Maine State Housing Authority, Housing Authority - State program, Other Special Revenue Funds account.

**Sec. T-16. Transfer from Budget Stabilization Fund unappropriated surplus; Housing Authority - State program.** Notwithstanding any provision of law to the contrary, on or before June 30, 2026, the State Controller shall transfer \$14,000,000 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Emergency Housing Relief Fund Program, Other Special Revenue Funds account.

**Sec. T-17. Appropriations and allocations.** The following appropriations and allocations are made.

**MAINE STATE HOUSING AUTHORITY****Housing Authority - State program 0442**

Initiative: Provides one-time funding to create more than 300 new affordable homes for ownership and rental across the state through the Rural Affordable Rental Housing Program, the federal Low-income Housing Tax Credit Program and the Affordable Homeownership Program, with incentives added for projects that invest in wood fiber insulation and heat pumps, with consideration for those that utilize a modular building approach.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-2026</b>	<b>2026-2027</b>
All Other	\$12,322,443	\$13,026,035
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$12,322,443</b>	<b>\$13,026,035</b>

**Sec. T-20. Transfer from Budget Stabilization Fund unappropriated surplus; Housing Opportunity program.** Notwithstanding any provision of law to the contrary, on or before June 30, 2026, the State Controller shall transfer \$500,000 and on or before June 30, 2027, the State Controller shall transfer \$500,000 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Housing Opportunity program, Other Special Revenue Funds account for a pilot project to provide regionalized building code enforcement.

**Sec. T-21. Appropriations and allocations.** The following appropriations and allocations are made.

## **MAINE OFFICE OF COMMUNITY AFFAIRS**

### **Housing Opportunity Program Z336**

Initiative: Provides one-time funding for a three-year pilot project to provide regionalized building code enforcement. Well-trained Code Enforcement Officers are essential to timely, predictable permitting of housing and other development. Municipalities are struggling to staff these positions, in part because small communities typically employ CEOs part time on contract, which is an unattractive employment model and does not encourage regular professional education. Regionalization is a more stable model for employing CEOs and there is tremendous interest in establishing multiple pilot locations throughout the state that can form the basis for longer term self-supported regional programs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-2026</b>	<b>2026-2027</b>
All Other	\$500,000	\$500,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

## **PART T SUMMARY**

This part authorizes the State Controller to transfer funding from the Budget Stabilization Fund to implement a program to provide a one-time Affordability Payment to eligible recipients; implement a program to provide one-time funding to Maine school districts for school bus safety measures including retrofitting buses with crossing arms and anti-pinch door sensors; provide one-

transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

#### **PART DD SUMMARY**

This Part authorizes the Office of the Department of Defense, Veterans and Emergency Management to transfer Personal Services to the All Other line category in order to fund rising electricity costs.

#### **PART EE**

**Sec. EE-1. Transfers from available fiscal year 2026-27 Department of Economic and Community Development, Tourism Marketing Promotion Fund, Other Special Revenue Funds balances to the Department of Economic and Community Development, Municipal Investment Fund, Other Special Revenue Funds account.** Notwithstanding any provision of law to the contrary, on or before 90 days following the effective date of this Act, the State Controller shall transfer \$700,000 from available balances in the Tourism Marketing Promotion Fund, Other Special Revenue Funds account within the Department of Economic and Community Development to the Department of Economic and Community Development, Municipal Investment Fund, Other Special Revenue Funds account.

#### **PART EE SUMMARY**

This part transfers \$700,000 from available balances in the Tourism Marketing Promotion Fund, Other Special Revenue Funds account within the Department of Economic and Community Development to the Department of Economic and Community Development, Municipal Investment Fund, Other Special Revenue Funds account.

#### **PART FF**

**Sec. FF-1. 20-A MRSA §253, sub-§10 is enacted to read:**

**10. Support funding for educational programs and opportunities. The commissioner may raise and expend private funds to support specific educational programs and opportunities.**

## PART TT

**Sec. TT-1. 10 MRSA §962, sub-§2**, as amended by PL 2015, c. 504, §1, is further amended to read:

**2. Revenue obligation securities.** Issue revenue obligation securities to finance eligible projects, except that revenue obligation securities may not be issued for energy distribution system projects or energy generating system projects unless the authority issued a certificate of approval for those eligible projects before January 1, ~~2020~~2040 pursuant to subchapter 3;

**Sec. TT-2. 10 MRSA §1044, sub-§13**, as amended by PL 2015, c. 504, §4, is further amended to read:

**13. Limitation.** The authority may not issue revenue obligation securities for energy distribution system projects or energy generating system projects unless the authority issued a certificate of approval for the energy distribution system project or energy generating system project before January 1, ~~2020~~2040. Notwithstanding this subsection, revenue refunding securities may be issued to refund any outstanding revenue obligation securities.

**Sec. TT-3. 35-A MRSA §3156, last ¶**, as amended by PL 1997, c. 781, §2, is further amended to read:

A certificate may not be issued under this section after July 31, ~~1998~~ 2040.

## PART TT SUMMARY

This Part extends the date to allow the Finance Authority of Maine to issue revenue obligation securities for energy distribution system projects or energy generating projects that have been issued a certificate of approval by the Authority before January 1, 2040. Additionally, this Part also extends the allowable date by which the Public Utilities Commission may issue a certificate of approval for an electric rate stabilization agreement to July 31, 2040.

## PART UU

**Sec. UU-1. Carrying provision; Maine Fire Protection Services Commission, Maine Fire Protection Services Commission.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2025-26, the State Controller shall carry forward any unexpended balance remaining of the \$1,500,000 appropriated in Public Law 2023, chapter 459 in the Maine Fire Protection Services Commission, Maine Fire Protection Services Commission program, General Fund account, All Other line category to the next fiscal year to be used for fire service training facilities.

~~PART QQQ~~  
~~SUMMARY~~

~~This Part repeals outdated language related to tuition waivers and codifies and makes permanent the Maine Free Community College Program.~~

**PART RRR**

**Sec. RRR-1. Title 10 Chapter 951 is amended to read:**

**CHAPTER 951**

**MANUFACTURED HOUSING ACT**

**§9001. Declaration of purpose**

**1. Declaration.** It is found and declared that:

A. The production and utilization of manufactured housing and the use of new and improving technologies, techniques, methods and materials have and will increase the available supply of housing at prices that residents of this State can afford;

B. It is in the interest of the people of this State that that housing be safe from hazardous defects and that its construction and installation include adequate regulation to establish minimum safety standards that can reduce defects, provide uniformity of standards to reduce costs and provide confidence in that housing;

C. The production and use of manufactured housing utilizing production technologies, techniques, methods and materials require the application and enforcement of uniform building codes and installation standards within this State;

D. Manufactured housing may present hazards to the health, life and safety of persons and to the safety of property unless properly manufactured because vital parts, including but not limited to heating, plumbing, electrical and structural systems, are concealed and defects may not be readily ascertainable when inspected by a purchaser. Accordingly, it is the policy and purpose of this State to provide protection to the public against those possible hazards; and

E. As a valued and important component of the housing industry in this State, manufactured housing is recognized as residential property, whether it is real property or personal property, notwithstanding the requirements of Title 29-A, and manufactured housing for which no certificate of title has been issued is considered real property when it has been permanently affixed to real property that is owned by the owner of the manufactured housing.

**2. Intent.** It is therefore declared that the State, with the passage of this chapter, intends:

A. To provide protection to the public against hazards from poorly constructed or installed manufactured housing;

B. To provide and enforce, with respect to its licensees and political subdivisions, uniform performance standards for construction and installation of manufactured housing that ensure durability and safety of manufactured housing;

C. To eliminate all costly, duplicative regulations and to adopt rules that provide for the performance necessary to provide decent, safe and sanitary housing at prices that people of this State can afford and to establish regulations that govern those matters within this State;

~~D. To establish an administrative board for the purpose of administering and enforcing this chapter and applicable warranties;~~

~~E. To require this board to assume responsibilities as consistent with this chapter, including the enforcement of the provisions of this chapter, the administration and enforcement of rules, investigations of complaints and any other acts that are consistent with the purposes of this chapter;~~

~~F. To have this board, in the administration of this chapter, give consideration to economic factors that may result in additional costs to home buyers and eliminate any unnecessary costs that may occur from the enforcement of this chapter or any other Act; and~~

~~G. To grant to this board the investigative and regulatory powers it may reasonably require to accomplish the foregoing purposes and intent and to carry out the provisions of this chapter, including making decisions, in accordance with the Maine Administrative Procedure Act.~~

## **§9002. Definitions**

As used in this chapter, unless the context otherwise indicates, the following words and terms shall have the following meanings.

**1. Board.** ~~"Board" means the Manufactured Housing Board.~~ **Office.** "Office" means the Maine Office of Community Affairs as established in Title 5, Chapter 310-B

**2. Dealer.** "Dealer" means a person engaged in the sale, offering for sale, brokering or distribution of manufactured housing to a licensed dealer, developer dealer or consumer.

**2-A. Developer dealer.** "Developer dealer" means a person who purchases state-certified manufactured housing from a licensed manufacturer or dealer for placement on property owned by the developer dealer and who offers the manufactured housing for sale to the initial purchaser of the manufactured housing. The developer dealer may not install such manufactured housing but may contract with the manufacturer or dealer for the installation of such manufactured housing.

**2-B. Educational facility.** "Educational facility" means an academic institution providing education designed to provide career and technical training to its students through the construction of manufactured homes. "Educational facility" includes but is not limited to career or technical schools, high schools and postsecondary programs.

**3. Federal manufactured home construction and safety standard.** "Federal manufactured home construction and safety standard" means the standard for the construction, design and performance of a manufactured home that meets the needs of the public including the need for quality, durability and safety and that has been duly adopted by the Federal Government pursuant to

the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the Manufactured Housing Improvement Act of 2000, 42 United States Code, Section 5401, et seq.

**4. H.U.D.** "H.U.D." means United States Department of Housing and Urban Development, a federal governmental agency.

**5. Inspection agency.** "Inspection agency" means an approved person or organization, public or private, determined by the board office to be qualified by reason of facilities, personnel and demonstrated ability and independence of judgment to provide for inspection and approval of the design, construction or installation of manufactured housing in compliance with the standards and the rules adopted in accordance with this Act.

**6. Installation.** "Installation" means:

A. The placing of manufactured housing on a foundation or supports at a building site; and

B. The assembly and fastening of structural components of manufactured housing, including the completed roof system, as specified by the manufacturer's installation instructions and in accordance with the rules of the board office.

For manufactured housing as defined in subsection 7, paragraphs A and C, "installation" also includes the connection to existing services, including but not limited to electrical, oil, gas, water, sewage and similar systems that are necessary for the use of the manufactured housing for dwelling purposes.

**6-A. Installer.** "Installer" means a person engaged in the installation or servicing of state-certified manufactured housing.

**7. Manufactured housing.** "Manufactured housing" means a structural unit or units designed to be used as a dwelling or dwellings and constructed in a manufacturing facility and then transported by the use of its own chassis or placement on an independent chassis to a building site. The term includes any type of building that is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and that may be purchased, sold, offered for sale or brokered by a licensee in the interim. For purposes of this Act, 3 types of manufactured housing are included. They are:

A. HUD-code homes, which are those units constructed after June 15, 1976 that the manufacturer certifies are constructed in compliance with the HUD standard, meaning structures, transportable in one or more sections that, in the traveling mode, are 8 body feet or more in width and 40 body feet or more in length or, when erected on site, are 320 or more square feet, and are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 United States Code 5401, et seq;

B. State-certified modular homes, which are those units that the manufacturer certifies are constructed in compliance with this Act and rules, meaning structures, transportable in one or more sections, that are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein. "Manufactured housing" does not include modular homes constructed at an educational facility by students pursuant to rules adopted by the board office;

C. Pre-HUD-code homes, which are those units constructed prior to June 15, 1976, meaning structures, transportable in one or more sections, that are 8 body feet or more in width and are 32 body feet or more in length and are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein.

8. **Manufacturer.** "Manufacturer" means any person engaged in manufacturing or producing manufactured housing and then selling it to a dealer.

9. **Mechanic.** "Mechanic" means an individual engaged in the installation or servicing of HUD-code or pre-HUD-code homes.

10. **Mobile home.**

12. **Person.** "Person" means an individual or entity, including but not limited to a corporation, partnership, firm, organization, company, homeowner, consumer or purchaser.

### **~~§9003. Manufactured Housing Board~~**

~~1. Established.~~ The Manufactured Housing Board, established by Title 5, section 12004 A, subsection 22, consists of 9 members appointed by the Governor.

~~2. Composition of board; terms of members.~~ The members of the board include:

~~B. Three public members, as defined in Title 5, section 12004 A, at least one of whom lives in manufactured housing;~~

~~C. One member who is a professional engineer with demonstrated experience in construction and building technology;~~

~~D. Two members who are dealers;~~

~~F. One member who is an owner or operator of a manufactured housing community;~~

~~G. One member who is a builder of manufactured housing; and~~

~~H. One member with a minimum of 2 years of practical experience in building code administration and enforcement and with current employment as a code enforcement officer.~~

~~The term of office of the members is 4 years. Appointment of a member must comply with section 8009. A member of the board may be removed for cause by the Governor.~~

~~7. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members.~~

#### **~~§9004. Employees~~**

~~1. Executive director. The Commissioner of Professional and Financial Regulation may appoint or remove for cause, with the advice of the board, an executive director who is the principal administrative and supervisory employee of the Department of Professional and Financial Regulation for the board. The executive director shall supervise the personnel employed to carry out the purposes of this chapter.~~

#### **§9005-A. Powers and duties**

The board office shall administer and enforce the provisions of this chapter.

The board office shall propose, revise, adopt and enforce rules necessary to carry out this chapter in accordance with the provisions of Title 5, chapter 375, subchapter 2. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The board office may delegate the enforcement authority to employees or to other entities established by rule.

#### **§9006. Installation standards**

1. **Standards.** The board office shall, by rule, set uniform reasonable standards for the installation of manufactured homes, including, but not limited to, standards for foundations, supports, anchoring, underpinning and skirting of manufactured homes installed in this State.

2. **Exemption.** Manufactured housing which is manufactured, sold, installed or serviced in compliance with this chapter shall be exempt from all state or other political subdivision codes, standards or regulations which regulate the same matters.

#### **§9006-B. Formaldehyde emissions; disclosure**

In addition to requiring that the "Health Notice on Formaldehyde Emissions" set out in 24 Code of Federal Regulations 53280.309 be prominently displayed in each manufactured housing unit sold in the State and provided as part of the Manufactured Home Consumer Manual provided to each purchaser of a new manufactured housing unit, the board office shall require that a copy of that notice be provided to a purchaser of a new manufactured housing unit at the time of execution of the purchase and sales agreement, and that each purchaser sign a certification, provided at the bottom of that notice, that the purchaser has read and understood the contents of the notice before signing the purchase and sales agreement.

### **§9006-C. Warranty seals**

The board office shall issue warranty seals to be attached on manufactured housing sold in this State. The following provisions govern the attachment of warranty seals on manufactured housing.

**1. Manufacturer's warranty seal.** Before manufactured housing may be installed in this State, the manufacturer shall first obtain from the board office a Maine manufacturer's warranty seal. The warranty seal may be issued upon payment of the fee as set pursuant to section 9021, subsection 2-A. The manufacturer must attach the seal to the manufactured housing.

**2. Installer's or mechanic's warranty seal.** Before manufactured housing may be installed in this State, the installer or mechanic must obtain from the board office a Maine installer's or mechanic's warranty seal. The warranty seal may be issued upon payment of the fee as set pursuant to section 9021, subsection 2-A. The installer or mechanic must attach the seal to the manufactured housing.

### **§9006-D. Notice of installation**

**1. Notice of installation.** A manufacturer, dealer, mechanic and installer shall notify the board office every month of the installations completed by that person that month. The notice must include the location of each unit of manufactured housing, the owner of each unit at the time of installation, the type or model of the unit, the manufacturer of the unit, written certification that the installation meets standards that conform to those required by the board office and the name and address of the manufacturer, dealer, mechanic or installer. The information must be submitted within 10 days after the end of each month in the form and manner prescribed by the board office by rule. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

**2. Failure to file.** The board office may require a manufacturer, dealer, mechanic or installer who fails to comply with this section to pay a fine of not less than \$5 and not more than \$100 for each day the notice is late.

### **§9008. Prohibited practices**

**1. Licenses.** A person may not manufacture, sell, broker, distribute, install or service any manufactured housing in this State regardless of the destination of the housing without first obtaining a license from the board office as required in this chapter.

**2. Violation of regulations and standards.** A person may not knowingly manufacture, sell, broker, distribute, install or service manufactured housing in the State that is not in compliance with the regulations and standards authorized under this chapter.

### **§9009. Investigations; suspensions; revocations**

**1. Investigations.** The board office is authorized to conduct, delegate, or administer any inspections and investigations as may be necessary to carry out its responsibilities under this chapter.

Fees for inspection of manufactured housing that must be paid by the manufacturer, dealer, developer dealer, installer or mechanic whose actions or failure to act gave rise to the necessity of the inspection are set pursuant to section 9021, subsection 2-A. The board office is authorized to contract with local governments and private inspection organizations to carry out such inspection functions to the extent not prohibited by federal law, rule or regulation.

**2. Investigation of complaints; revocation or suspension of licenses.**

**3. Remedies for manufacturing and building system defects.** The ~~board-staff~~ board office may investigate any complaints made to the board office of noncompliance with or violation of chapter 213 or a warranty applicable to the sale of manufactured housing. If the board office finds, after hearing, that a manufacturer, dealer or developer dealer has sold, or is making available for sale, manufactured housing that poses a threat to public health or safety or has failed to comply with chapter 213 or an applicable warranty, express or implied, the board office may order the manufacturer, dealer or developer dealer or any combination thereof to take appropriate corrective action. Corrective action may include, but is not limited to, reimbursing consumers for repairs that are covered by warranty and made by the consumer if the consumer notifies the dealer, developer dealer or manufacturer in writing of the defect within a reasonable time prior to undertaking the repairs and the board office finds that the repairs are or were necessary to correct or prevent an imminent threat to health or safety or to the structure of the manufactured housing. The board office may also revoke or suspend the license of the manufacturer, dealer, developer dealer or any combination thereof to prevent any future threat to public health or safety. Notwithstanding the provisions of section 8003, subsection 5-A, revocations ordered by the board office are subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7. This subsection applies to any new manufactured housing that is sold to a consumer after January 1, 1993.

**4. Remedies for installation defects.** The ~~board-staff~~ board office may investigate all complaints made to the board office of noncompliance with or violation of chapter 213 or a warranty applicable to the installation of manufactured housing. If the board office finds, after hearing, that the installation of manufactured housing poses a threat to public health or safety or does not comply with the board office's installation standards, chapter 213 or any applicable warranty, the board office may order the installer to take appropriate corrective action. Corrective action may include, but is not limited to, reimbursing consumers for repairs that are covered by warranty and made by the consumer if the consumer notifies the installer or mechanic in writing of the defect within a reasonable time prior to undertaking the repairs and the board office finds that the repairs are or were necessary to correct or prevent an imminent threat to health or safety or to the structure of manufactured housing. The board office may also revoke or suspend the installer's or mechanic's license to install manufactured housing to prevent any future threat to the public health or safety. ~~Notwithstanding the provisions of Title 10, section 8003, subsection 5-A, r~~ Revocations ordered by the board office are subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7. This subsection applies to any new manufactured housing that is sold to a consumer after January 1, 1993.

### **§9011. Enforcement and penalties**

**1. Inspection of violations.** The board office may, upon complaint or probable cause, inspect the manufactured housing, manufacturing facilities, a licensee's business facilities or such records as may be necessary to verify whether a violation has occurred. If the board office finds that a violation has occurred, it shall proceed pursuant to section 9009.

**2. Petition to initiate legal action.** The board office may petition the Attorney General to initiate legal action in any court of competent jurisdiction for monetary or injunctive relief to enforce this chapter.

**3. Penalties.** Any person found guilty of violation of this chapter may be required to pay a civil penalty of not more than \$1,000 for each such violation, but not more than \$5,000 for an action consisting of separate violations.

**4. Private actions.** The private rights of action created by this subsection are in addition to any rights of enforcement and relief granted to the board office in this chapter. The board office shall notify all claimants of their right to seek remedy.

A. A person damaged as a result of a violation of this chapter also has a cause of action in court against the person responsible for the manufacture, brokering, distribution, sale, lease, installation or service, and the court may award appropriate damages and cost for litigation in its judgment.

B. After exhausting all administrative remedies, a person damaged as a result of a violation of section 9042 also has a cause of action in court against the political subdivision of the State that fails to comply with the provisions of section 9042, and the court may award injunctive relief.

**5. Crime designated.** An individual or a director, officer or agent of a corporation who knowingly and willfully violates section 9008 in a manner that threatens the health or safety of any purchaser commits a Class E crime.

### **§9012. Confidential information**

**1. Reported information.** All information reported to or otherwise obtained by the board office, its director or any of its employees which contains or relates to a trade secret, or which, if disclosed would put the person furnishing the information at a substantial competitive disadvantage, shall be considered confidential, except that the information may be disclosed to other federal, state or local officials concerned with enforcement of this chapter or when relevant in any proceeding under this chapter or any related law, rule or regulation.

**2. Refusal to release information.** In any action brought against a ~~member, officer or employee of the board~~ the office pursuant to Title 1, section 410, for refusal to release information in the custody or control of the board office, it shall be a defense if the defendant refused to release the information in the good faith belief that such information was rendered confidential by the terms of subsection 1.

**3. State not liable.** No action for damages shall accrue against the State or the board office, or the members, officers or employees of the board:

A. For the mistaken release of information rendered confidential by subsection 1.

## **§9021. Licenses**

The board office shall adopt rules governing qualifications for each category of license under its jurisdiction.

**1. Licenses required.** Any person who engages in the business of manufacturing, brokering, distributing, selling, installing or servicing manufactured housing, regardless of the destination of the housing, must first obtain a license issued by the board office. The board office shall, within a reasonable time, issue a license to any person who intends to manufacture, sell, install or service manufactured housing in this State subject to filing and approval of an application. Any person who is licensed to conduct these activities by other state or federal law is exempt from this requirement when the law provides for specific authority to provide a particular service or preempts the requirement for such a license. Active licensees of the Real Estate Commission are exempt from the licensing requirement for selling or brokering used manufactured housing and new manufactured housing if such housing is sold or offered for sale by a licensee of the board office.

**1-A. Initial training.** All licensees and applicants for licensure must obtain initial training, including, but not limited to, the servicing and installation of manufactured housing. Applicants for initial licensure must complete the training before the board office approves the application for licensure.

**2-A. Fees.** The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes including legal services from the Office of the Attorney General. The license fee to operate a manufactured housing community pursuant to subchapter 6 may not exceed a base fee of \$60 plus an additional amount of up to \$6 per manufactured home site. This fee must accompany each license application, including applications for manufactured housing community expansion and license renewal. The review and evaluation fees authorized by section 9083 may not exceed the actual cost of the review or evaluation. The fee for any inspection authorized by this chapter may not exceed the actual cost of the inspection. The fee for each warranty seal required by section 9006 C, subsections 1 and 2 and each new dwelling unit required by section 9045 may not exceed \$200. The fee for any other purpose authorized by this chapter may not exceed \$200 annually. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. License term.** A license expires on the date set by the Commissioner of Professional and Financial Regulation pursuant to section 8003, subsection 4 Director of the office for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and the payment of the renewal fee as set pursuant to subsection 2-A. A license may be renewed up to 90 calendar days after the date of expiration upon payment of a late fee in addition to

the renewal fee. An applicant who submits an application for renewal more than 90 calendar days after the expiration date is subject to all requirements governing new applicants under this chapter.

**4. Renewals.** A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under subsection 2-A. If any licensee fails to renew within 90 days after expiration, that licensee is required to make a new application.

**6. Financial responsibility.** The board office may require bonding or other reasonable methods to ensure that manufacturers, dealers, developer dealers and others licensed under this chapter are financially responsible to fully comply with this chapter.

**8-A. Denial or refusal to renew license; disciplinary action.** ~~In addition to the grounds enumerated in section 8003, subsection 5-A, paragraph A, the board~~ The office may deny a license, refuse to renew a license or ~~impose the disciplinary sanctions authorized by section 8003, subsection 5-A~~ for any of the following reasons:

A. Accepting manufactured housing, directly or indirectly, from a manufacturer not licensed by the State pursuant to this chapter;

B. Selling or delivering, directly or indirectly, manufactured housing to a dealer or developer dealer not licensed by the State pursuant to this chapter; or

C. Violation of any of the provisions of chapter 213.

**9. Proof of sales tax registration.** The board office shall require that an applicant for a manufacturer, dealer or developer dealer license under this subchapter demonstrate that the applicant is registered with the State Tax Assessor for the collection of sales and use tax under Title 36, chapter 211 or that the applicant is not required to register under that chapter.

**10. License by endorsement.** Notwithstanding any provision of this chapter to the contrary, the board office, in accordance with ~~section 8003-H~~ and any applicable rules adopted pursuant to that section, shall establish a process to issue a license by endorsement for each license authorized under this chapter that the board office determines is appropriate for licensure by endorsement. An applicant may submit an application under the process established under this subsection or any other licensure process authorized in this chapter.

## **§9022. Service and installations**

**1. Dealers.** A dealer who is licensed according to this chapter may install or service, or may have the dealer's employees install or service, any manufactured housing in compliance with this chapter, and the dealer and the dealer's employees are exempt from any requirements for trade or mechanic licenses of any other type. The dealer is not exempt from any requirements for a permit that any state or political subdivision may require.

**2. Manufacturers.** A manufacturer may manufacture or sell to dealers and developer dealers when licensed as a manufacturer of manufactured housing and may repair defects and is exempt from any licensing requirements of other state or political subdivisions.

**3. Mechanics.** Licensed mechanics may install or service HUD-code homes and pre-HUD-code homes and are exempt from any other licensing requirements of any state or political subdivisions, but must obtain any permits required.

**4. Installers.** Licensed installers may install and service state-certified modular homes and are exempt from any other licensing requirements of any state or political subdivisions but must obtain any permits required.

#### **§9041. General rules**

The board office shall adopt rules and establish standards as provided by section 9005-A to administer and enforce this subchapter.

For purposes of this subchapter, manufactured housing includes only housing defined in section 9002, subsection 7, paragraph B.

#### **§9042. Standards**

**1. Standards.** The board office shall, by rule, adopt standards in conformance with nationally recognized standards for the construction and the installation of manufactured housing.

**2. Approval.** The board office shall approve for sale or installation all manufactured housing that complies with the rules and standards authorized by this chapter or shall delegate the authority to inspect and approve the manufactured housing by inspection agencies authorized by the board office.

**3. Exemption.** Notwithstanding the provisions of Title 25, section 2357-A and Title 30-A, section 4358, new manufactured housing that is manufactured, brokered, distributed, sold, installed or serviced in compliance with this chapter is exempt from all state or other political subdivision codes, standards, rules or regulations that regulate the same matters. A building permit or certificate of occupancy may not be delayed, denied or withheld on account of any alleged failure of new manufactured housing to comply with any code, standard, rule or regulation from which the new manufactured housing is exempt under this subsection.

**5. Local enforcement.** Except as specifically set forth in this subsection, a certificate of occupancy for any certified manufactured housing may not be denied, delayed or withheld on account of any alleged failure to comply with this chapter or any building code or rule adopted by the board office. For the purposes of this section, "certified manufactured housing" means new manufactured housing to which a label, seal or other device has been affixed, in accordance with rules adopted by the board office, certifying the compliance of the housing with this chapter and all applicable rules.

A. The State or a political subdivision of the State may deny a certificate of occupancy for any certified manufactured housing when, in the exercise of reasonable judgment, the State or the political subdivision of the State determines that an imminent and direct risk of serious physical injury or death would exist in the normal use of the manufactured housing.

B. If a certificate of occupancy for certified manufactured housing is denied, the State or a political subdivision of the State shall promptly provide the applicant for the certificate of occupancy with written notice of the denial. The notice must describe each reason for the denial of the certificate of occupancy in sufficient detail to allow the applicant to correct each deficiency noted. The State or a political subdivision of the State shall simultaneously provide a copy of the notice to the board office.

C. If the code enforcement or other inspection officer of the State or a political subdivision of the State identifies a failure of certified manufactured housing to comply with this chapter or any building code or rule adopted by the board office, the officer may file a complaint with the board office in accordance with section 9051.

D. This chapter may not be construed to impose a duty on a code enforcement or other inspection officer of the State or a political subdivision of the State to inspect any certified manufactured housing for compliance with this chapter or any building code or rule adopted by the board office. Unless a certificate of occupancy has been issued pursuant to the provisions of section 9043, subsection 2, paragraph A, a certificate of occupancy for certified manufactured housing does not constitute a representation by the State or a political subdivision of the State that the manufactured housing meets the standards established under this chapter.

**6. Review of denial; issuance of certificate of occupancy.** Notwithstanding the provisions of Title 25, chapter 313, if a certificate of occupancy for certified manufactured housing is denied on account of any alleged failure of the manufactured housing to comply with this chapter or any building code or rule adopted by the board office or any law, rule, regulation or ordinance from which the manufactured housing is exempt under this chapter, the applicant for the certificate of occupancy may petition the board office to review the denial.

The board office shall issue a certificate of occupancy for the manufactured housing if, after appropriate notice and administrative hearing in accordance with Title 5, chapter 375, subchapter IV, the board office determines that:

A. The manufactured housing has been certified pursuant to the rules adopted by the board office;

B. The certificate of occupancy was not denied pursuant to subsection 5, paragraph A; and

C. The notice of denial issued under subsection 5, paragraph B does not specify any violation of applicable law, rule, regulation or ordinance from which the manufactured housing is not exempted under this chapter.

A certificate of occupancy issued under this subsection has the same validity, force and effect as if issued by the State or a political subdivision of the State in which the manufactured housing is located.

#### **§9043. Approval alternatives**

**1. Inspection agency.** Any manufacturer seeking inspection and approval of manufactured housing subject to the requirements of this subchapter may contract with an inspection agency

authorized by the board office to perform the necessary services in order to obtain approval of the manufactured housing.

**2. Local option.** The provisions of this subchapter must be waived by the board office with respect to manufactured housing that is installed in a municipality that has adopted a building code and has a local building code enforcement agency if:

A. The manufactured housing is found by the local enforcement agency to comply with the applicable local building code; and

B. The local enforcement agency reports the compliance to the board office in such form and detail as the board office may reasonably require.

**3. Program of approval.** The board office may provide a special program of approval to manufacturers who can demonstrate an unreasonable economic hardship resulting from the alternatives in subsections 1 and 2, except that in no case shall a program of unsupervised self-certification be authorized.

**4. Certification.** The manufacturer of that housing, regardless of the approval alternative used, shall certify that the manufactured housing conforms to all applicable standards whether adopted by the board office or local enforcement agency, as the case may be, and that manufacturer's certification must be permanently affixed to the manufactured housing in accordance with such requirements as the board office may by rule prescribe. Affixation of a certificate to manufactured housing signifies the manufacturer's representation and warranty to all purchasers of the housing that the housing was manufactured in accordance with all applicable standards of the board office or the local enforcement agency, as the case may be, in effect on the date of manufacture.

**5. Documentation.** The manufacturer shall provide to an agency in accordance with this section for review and approval any required documents necessary to define the design, assembly and installation of the manufactured housing to be produced, including the quality assurance practices to be applied by the manufacturer.

**6. Inspection and certification.** Manufactured housing produced by a manufacturer approved in subsection 5, shall be inspected by an approval agency in accordance with this section, and certified by that agency as having been constructed in accordance with the standards adopted by the board office or local enforcement agency, as the case may be, provided the approval agency makes that determination.

#### **§9044. Authorized inspection agencies**

**1. Establishment of procedures and standards.** The board office shall, by regulation, establish procedures and standards for the qualification of private or public agencies to perform evaluation and inspection services required by this subchapter. The current edition of the Criteria for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Buildings, ASTM-E 541, as adopted by the American Society of Testing and Materials shall be considered by the board office in adopting these standards and procedures.

**2. Inspection agencies.** The board office shall qualify as inspection agencies only those persons or organizations which it determines to comply with the standards adopted by the board office pursuant to subsection 1. Inspection agencies qualified under this subsection may contract with manufactured housing manufacturers to provide inspection services required by this subchapter.

**3. Suspension of qualification.** Qualification of an inspection agency must be suspended by the board office if, after appropriate notice and administrative hearing, it determines the agency is no longer qualified as meeting the standards adopted pursuant to subsection 1. The board office may request information and documentation and may conduct such reviews and inspections of the work of a qualified agency as the board office determines are necessary to reasonably ensure continuing compliance of the qualified agency with the standards adopted pursuant to subsection 1.

#### **§9045. New unit and inspection fees**

A fee for each new dwelling unit that is installed in the State and fees for inspection of manufactured housing that must be paid by the manufacturer, dealer, developer dealer, installer or mechanic whose actions or failure to act gave rise to the necessity of the inspection are set under section 9021, subsection 2-A.

#### **§9046. Complaint investigation**

Upon complaint by any person concerning an alleged violation of this chapter, the board office may investigate and determine, or may cause to be investigated and determined, whether the unit complies with established rules. The board office shall notify the complainant of the complainant's right to relief under section 9011, subsection 4. If the board office determines the defect occurred in other similar manufactured housing, the board office shall notify all ascertainable purchasers of the housing, in accordance with the records obtained from the manufacturer and dealer of their possible right of action under this subchapter. Failure of the manufacturer, dealer or developer dealer to retain reasonable business records or to provide access to those records in response to a request by the board office pursuant to this subchapter is a violation of this chapter.

#### **§9047. Notification and correction of defects**

**1. Manufacturer.** Every manufacturer of manufactured housing in this State and any manufacturer who offers manufactured housing for sale, lease, delivery, introduction or importation into this State shall furnish notification of any defect in manufactured housing produced by the manufacturer that the manufacturer or the board office determines relates to a standard of the board office that is applicable to the housing or that constitutes a safety hazard to an occupant of the housing. The notification must be accomplished in a manner and within a time the board office by rule prescribes, except that the rules must at least provide the following:

A. Notification by mail to the first purchaser of the manufactured housing, other than a dealer or developer dealer of the manufacturer, and to any subsequent purchaser whose identity the manufacturer knows;

B. Notification by mail or some expeditious means to the dealers and developer dealers of the manufacturer to whom the manufactured housing was delivered; and

C. Notification by mail to the board office.

**2. Dealers.** Any person who sells, leases, delivers or transports manufactured housing that has been certified under this chapter shall notify the board office and any present or prospective purchaser of the housing in writing of any defect resulting from damage or modification to the housing that the person determines relates to a standard of the board office that is applicable to the housing or that constitutes a safety hazard to an occupant of the housing. This requirement does not apply to sales or leases of manufactured housing after the first purchase of the housing by a person for purposes other than resale and does not apply to deliveries or transportations of the manufactured housing that occur after the first installation of the housing on a permanent foundation.

**3. Corrections.** The licensed person responsible for noncompliance with the standards adopted by the board office or for the creation of a safety hazard shall promptly make or cause to be made such repairs and modifications as may be necessary to correct the nonconformance or eliminate the safety hazard. Any licensed person who fails to make these repairs or modifications is subject to section 9009.

#### **§9048. Reciprocity**

**1. Standards.** If the board office finds that the standards for the manufacture and inspection of manufactured housing prescribed by statute or regulation of another state or governmental agency meet the objectives of this chapter and the rules adopted pursuant to this chapter and are enforced satisfactorily by that other state or other governmental agency, or by their agents, the board office may accept manufactured housing that has been certified by that other state or governmental agency as being in compliance with this chapter. The standards of another state are not considered to be satisfactorily enforced unless that other state provides for notification to the board office of suspensions or revocations of approvals issued by that other state in a manner satisfactory to the board office and so notifies the board office. Acceptance of this notification does not remove the board's office's right to pursue remedies outlined in sections 9009 and 9011.

**2. Suspension or revocation.** Notwithstanding Title 5, section 10051, the board office may suspend or revoke the board office acceptance or certification, or both, of manufactured housing certified under the reciprocal provisions of this section, for the following causes:

A. If the board office determines that the standards for the manufacture and inspection of the manufactured housing of another state or governmental agency do not meet the objectives of this chapter and the rules adopted pursuant to this chapter;

B. The board office determines that the standards for manufacture and inspection are not being enforced to the satisfaction of the board office; or

C. The other state or governmental agency suspends or revokes its approval or certification.

**3. Cooperation.** In order to encourage reciprocity, the board office shall cooperate with similar authorities in other jurisdictions, with national standards organizations and with model code

procedures for testing, evaluating, approving and inspecting manufactured housing, and otherwise encouraging their production and acceptance.

**4. Agreement.** The board office shall not grant this reciprocity unless the recipient state enters into an agreement with the board office whereby manufactured housing manufactured within Maine and regulated under the provisions of this chapter shall be deemed approved for sale in that recipient state.

**5. Formal agreements.** The board office, ~~subject to the approval of the Commissioner of Professional and Financial Regulation,~~ may enter into formal agreements with the agencies or authorities of other states, or other governmental agencies, or their agents, to carry out the purpose of this chapter.

#### **§9051. General**

**1. Violation.** The board office may cause to be investigated any complaint of an alleged violation by any licensee or of any rules adopted by the board office, either by its own inspector or any authorized agency to determine the validity of the complaint.

A. Within one year and 10 days after installation, any home buyer of new manufactured housing may file a complaint about any defective construction or installation defect.

B. Any person having knowledge of a violation of this chapter may file a complaint within one year of that violation.

**2. Form.** Complaints may be made in any form, as approved by the board office, as long as the complaint includes all information the board office considers necessary.

**3. Notice for purposes of limitation of actions.** If a consumer files a written complaint with the manufacturer, dealer, developer dealer, installer, mechanic or board the office within one year and 10 days after installation of new manufactured housing, receipt of the written complaint by the manufacturer, dealer, developer dealer, installer, mechanic or board the office tolls the statute of limitations for purposes of bringing an action to enforce any applicable warranty concerning the defect that is the subject of the written complaint.

#### **§9061. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Board.** "Board" means the Manufactured Housing Board **Office.** "Office" means the Maine Office of Community Affairs or its employees.

**2. Commissioner.** "Commissioner" means the ~~Commissioner of Professional and Financial Regulation.~~ **Director.** "Director" means the Director of the Maine Office of Community Affairs.

**3. Dealer.** "Dealer" means any person engaged in the sale, leasing, or distribution of new manufactured homes primarily to persons who in good faith purchase or lease a manufactured home for purposes other than resale.

**4. Department.** ~~"Department" means the Department of Professional and Financial Regulation or its employees.~~

**5. Distributor.** "Distributor" means any person engaged in the sale and distribution of manufactured homes for resale.

**6. Manufacturer.** "Manufacturer" means any person engaged in manufacturing or assembling manufactured homes, regardless of the destination of the homes, including any person engaged in importing homes for resale.

**7. Manufactured housing.** "Manufactured housing" means for the purpose of this subchapter, a structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width, and 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities, including the plumbing, heating, air-conditioning and electrical systems contained therein; except that the term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 United States Code 5401, et seq.

**8. Secretary.** "Secretary" means the Secretary of the United States Department of Housing and Urban Development.

**9. State administrative agency.** "State administrative agency" means the department or office that has been approved or conditionally approved to carry out the state plan for enforcement of the standards pursuant to section 623 of the Housing and Community Development Act of 1974, Public Law 93-383, 42 United States Code, Section 5422 and 24 Code of Federal Regulations, Part 3282, Subpart G.

#### **§9062. Duties**

~~The board shall delegate the responsibility for administering the state administrative agency program to the Commissioner of Professional and Financial Regulation.~~ The ~~commissioner~~ director may delegate or contract out the administration of the program at the ~~commissioner's~~ director's discretion. The ~~board~~ office is vested with the authority upon appropriate notice to discontinue participation in the federal enforcement program as a state administrative agency for this State.

#### **§9063. Rules**

The ~~commissioner~~ director is authorized to issue, amend and revoke rules as necessary to implement all procedures required of a state administrative agency pursuant to 24 Code of Federal Regulations, Paragraph 3282 and 42 United States Code, Sections 5401 to 5426, including the implementation of a consumer complaint handling process and the holding of hearings. In the event of a conflict between this chapter and the National Manufactured Housing Construction and Safety

Standards Act of 1974 involving the state administrative agency program, the National Manufactured Housing Construction and Safety Standards Act of 1974 prevails.

#### **§9064. Standards**

**1. Adoption, administration and enforcement of standards.** The department office is charged with the adoption, administration and enforcement of manufactured housing construction and safety standards. The standards adopted must meet the standards adopted pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 United States Code, Sections 5401 to 5426.

**2. Rules.** The department office may adopt rules necessary to enforce the standards adopted under subsection 1.

#### **§9065. Inspections**

The department office, by authorized representatives, may enter, at reasonable times, any factory, warehouse or establishment in which manufactured housing is manufactured, stored or held for sale for the purpose of ascertaining whether the requirements of the federal manufactured housing construction and safety standards and the rules of the department office department office have been and are being met.

#### **§9065-A. Preoccupancy inspection fee**

The fee for a preoccupancy inspection of manufactured housing, as required pursuant to 24 Code of Federal Regulations, Part 3286, is set pursuant to section 9021, subsection 2-A.

#### **§9066. Civil penalties**

**1. Violations.** A person who violates any of the following provisions relating to manufactured housing or rules adopted by the department office is subject to a civil penalty not to exceed \$1,000 for each violation. Each violation constitutes a separate violation with respect to each manufactured housing unit, except that the maximum penalty may not exceed \$1,000,000 for any related series of violations occurring within one year from the date of the first violation. It is a violation of this chapter for a person:

A. To manufacture for sale, lease, sell, offer for sale or lease or introduce, deliver or import into the State any manufactured housing that is manufactured on or after the effective date of any applicable federal manufactured home construction and safety standard that does not comply with that standard;

B. To fail or refuse to permit access to or copying of records, fail to make reports or provide information or fail or refuse to permit entry or inspection as required by section 9065;

C. To fail to furnish notification of any defect as required by 42 United States Code, Section 5414;

D. To fail to issue a certification required by 42 United States Code, Section 5415 or to issue a certification to the effect that a manufactured home conforms to all applicable federal manufactured home construction and safety standards, if that person in the exercise of due care has reason to know that the certification is false or misleading in a material respect;

E. To fail to establish and maintain records or make such reports and provide information as the ~~department~~ office may reasonably require to enable it to determine whether there is compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974; or fail to permit, upon request of a person duly authorized by the ~~commissioner~~ director, inspection of appropriate books, papers, records and documents relative to determining whether a manufacturer, distributor or dealer has acted or is acting in compliance with this chapter or with the National Manufactured Housing Construction and Safety Standards Act of 1974; or

F. To issue a certification pursuant to 42 United States Code, Section 5403, Paragraph (a), if the person in the exercise of due care has reason to know that the certification is false or misleading in a material respect.

**2. Sale or offer for sale after first purchase.** Subsection 1, paragraph A shall not apply to the sale or the offer for sale of any manufactured home after the first purchase of it in good faith for purposes other than resale.

**3. Persons who did not have reason to know that the home is not in conformity with standards.** Subsection 1, paragraph A does not apply to any person who establishes that the person did not have reason to know in the exercise of due care that the manufactured home is not in conformity with applicable federal manufactured home construction and safety standards or any person who, prior to the first purchase, holds a certificate by the manufacturer or importer of the manufactured home to the effect that the manufactured home conforms to all applicable federal manufactured home construction and safety standards, unless the person knows that the manufactured home does not so conform.

#### **§9067. Criminal penalties**

Any person or officer, director or agent of a corporation, who willfully or knowingly violates any of the provisions enumerated in state law in any manner which threatens the health or safety of any purchaser, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

#### **§9068. Monitoring inspection fees**

The ~~department~~ office shall establish a monitoring inspection fee in an amount established by the Secretary of the United States Department of Housing and Urban Development. This monitoring inspection fee is an amount paid by the manufacturer for each home produced in this State.

The monitoring inspection fee shall be paid by the manufacturer to the Secretary of the United States Department of Housing and Urban Development, who shall distribute the fees collected from all home manufacturers among the approved and conditionally approved states, based

on the number of new homes whose first location after leaving the manufacturing plant is on the premises of a distributor, dealer or purchaser in that state.

#### **§9069. Reports**

Each manufacturer, distributor and dealer of manufactured housing constructed under the federal standards shall establish and maintain the records, make the reports and provide such information as the Secretary of the United States Department of Housing and Urban Development may reasonably require in order for the secretary to be able to determine whether the manufacturer, distributor or dealer has acted or is acting in compliance with this chapter or the National Manufactured Housing Construction and Safety Standards Act of 1974 and shall, upon request of a person duly designated by the secretary, permit the person to inspect appropriate books, papers, records and documents relevant to determining whether the manufacturer, distributor or dealer has acted or is acting in compliance with this chapter or the National Manufactured Housing Construction and Safety Standards Act of 1974.

#### **§9070. Complaints**

All complaints concerning units constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974 shall be handled in compliance with subpart I of the regulation established pursuant to the Act.

#### **§9081. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Manufactured home.** "Manufactured home" means a structure, transportable in one or more sections, that is 8 body feet or more in width and is 32 body feet or more in length and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein.

**2. Manufactured housing community.** "Manufactured housing community" means a parcel or adjoining parcel of land, under single ownership, that has been planned and improved for the placement of 3 or more manufactured homes, but does not include a construction camp.

#### **§9082. License required**

A person may not conduct, control, manage or operate, for compensation, directly or indirectly, any manufactured housing community unless licensed by the board office. Licenses issued must be displayed in a place readily visible to customers or other persons using a licensed establishment.

Any person desiring a license shall submit satisfactory evidence, in a form acceptable to the board office, of that person's ability to comply with the minimum standards of this subchapter and all rules adopted under this subchapter.

An applicant for a license to operate a manufactured housing community shall include the following information with the license application:

1. **Applicant's name.** The applicant's legal name;
2. **Parent or subsidiary corporation.** The legal name of all parent or subsidiary corporations of the applicant and companies owned by the applicant;
3. **Number of sites in manufactured housing community to be licensed.** The number of sites in the manufactured housing community to be licensed;
4. **Number of sites in manufactured housing community occupied.** The number of sites in the manufactured housing community occupied as of the date of the application, if any;
5. **Lot rent.** The minimum and maximum lot rent in effect as of the date of the application, if any;
6. **Age or income requirements.** Age or income requirements for homeowners living in the manufactured housing community;
7. **Seasonal.** Whether the manufactured housing community is seasonal; and
8. **Common expenses.** The most common expenses included in the calculation of rent and fees, such as pet fees, vehicle fees, ground maintenance costs, snow removal costs, trash pickup costs, laundry facility costs and the cost of providing additional storage.

#### **§9083. Fees**

Application and license fees for manufactured housing communities are set under section 9021, subsection 2-A, including applications for manufactured housing community expansion and license renewal. Fees are also set under section 9021, subsection 2-A for manufactured housing community inspections; for the cost of reviewing engineering and site plans; for costs incurred in evaluating an applicant's eligibility for licensure as a manufactured housing community; and for costs incurred in evaluating a licensee's ongoing compliance with the requirements of this subchapter and the rules of the board office. Failure to pay costs billed to an applicant or licensee within 90 days of the billing date constitutes grounds for license revocation, unless an extension for an additional period not to exceed 90 days is granted in writing by the board office. A municipality shall accept a license issued by the board office as evidence a manufactured housing community meets all requirements of this subchapter. A municipality may not charge any additional fees for a manufactured housing community to operate.

#### **§9084. Issuance of licenses**

The board office shall, within 30 days following receipt of application, issue a license to operate any manufactured housing community that is found to comply with this subchapter and the rules adopted by the board office.

When any applicant is found, based upon an inspection by the board office or by municipal inspection made according to section 9088, not in compliance with the requirements of this subchapter or rules adopted and approved pursuant to section 9085 or section 9088, subsection 1, the board office may refuse issuance of the initial license but may issue a conditional license with such terms and conditions as required by the board office except when conditions are found that present a danger to the health and safety of the public. A conditional license may not exceed 90 days. Failure by the conditional licensee to meet the terms and conditions specified permits the board office to void the conditional license.

The conditional license is void when the board office has delivered in hand or by certified mail a written notice to the conditional licensee or, if the licensee cannot be reached for service in hand or by certified mail, has left notice thereof at the facility.

Upon the written request of the board office, the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall provide such technical services as may be required by the board office to assist with inspections and licensing of new manufactured housing communities. The department may assess the manufactured housing community owner a reasonable fee for these services.

A license expires on the date set by the ~~Commissioner of Professional and Financial Regulation~~ Director pursuant to ~~section 8003, subsection 4~~ Director for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and payment of the renewal fee as set under section 9021, subsection 2-A, subject to compliance with rules of the board office and with this subchapter. A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under section 9021, subsection 2-A. An applicant who submits an application for renewal more than 90 calendar days after the expiration date is subject to all requirements governing new applicants under this chapter.

The issuance of the license provided for in this subchapter does not provide exemption from other state or local laws, ordinances or regulations, notwithstanding any other provision of law.

A license issued under this subchapter may not be assigned or transferred.

#### **§9085. Rules**

The board office may make and enforce all necessary rules for the administration of this subchapter, and may repeal or amend such rules from time to time as may be in the public interest, insofar as that action is not in conflict with any of the provisions of this subchapter.

#### **§9086. Right of entry and inspection**

The board office and any duly designated officer or employee thereof may enter upon the premises of any manufactured housing community licensed pursuant to this subchapter at any reasonable time in order to determine the state of compliance with this subchapter and any rules in force pursuant to this subchapter. The right of entry and inspection extends to any premises under its jurisdiction that the board office has reason to believe are being operated or maintained without a license, but no such entry or inspection of any premises may be made without the permission of the owner or person in charge of the premises or, after hearing, upon order of the court.

#### **§9087. Penalties**

Any person who operates any manufactured housing community without first obtaining a license as required by this subchapter is guilty of a Class E crime. Each day any such person operates the manufactured housing community without obtaining a license constitutes a separate offense.

In the event of any violation of this subchapter or any rule adopted under this subchapter the Attorney General may seek to enjoin further violation thereof, in addition to any other remedy.

#### **§9088. Municipal inspections**

Notwithstanding any other provisions of this subchapter, the board office may issue a license to a manufactured housing community on the basis of an inspection performed by an inspector who works for and is compensated by the municipality in which the establishment is located, but only if the following conditions have been met.

1. **Adopted rules; code of standards.** The municipality involved has adopted a set of rules, ordinances or other code of standards for the establishments which has been approved by the board office and which is consistent with the rules used by the board office for the issuance of the licenses in effect at the time of inspection.
2. **Qualified to make inspections.** No municipally employed sanitarians may make inspections under the provisions of this subchapter, unless certified as qualified by the Commissioner of Health and Human Services.
3. **Inspection to ascertain intent.** The board office may from time to time inspect the municipally inspected establishment to ascertain that the intent of these statutes is being followed.
4. **Inspection reports.** The municipalities shall furnish the board office copies of its inspection reports relating to the inspections on a monthly basis.
5. **Charge.** Municipalities may not charge the board office for performing those inspections.
7. **Licenses.** Licenses issued under this section shall be displayed, renewed and in every other way treated the same as licenses issued under this subchapter on the basis of inspection by the board office.

8. **Certification.** Certification of municipally employed sanitarians shall be in accordance with standards set by the Commissioner of Health and Human Services and shall be for a period of 3 years.

**§9089. Denial or refusal to renew license; disciplinary action**

The ~~board office~~ may deny a license, ~~or~~ refuse to renew a license ~~or impose the disciplinary sanctions authorized by section 8003, subsection 5-A for any of the reasons enumerated in section 8003, subsection 5-A, paragraph A~~ noncompliance with any provision of this subchapter.

**§9090. Municipal foreclosure; unlicensed manufactured housing communities**

Notwithstanding any other provision of law, a municipality that, as a result of the nonpayment of property taxes, forecloses and takes possession of real estate on which is located an unlicensed manufactured housing community may, if the municipality determines the manufactured housing community poses a risk to public health, welfare or safety, close the manufactured housing community and, with at least 30 days' prior written notice, evict the inhabitants of the community. A municipality that takes possession of real estate on which is located an unlicensed manufactured housing community does not enter a landlord and tenant relationship with any inhabitant of the community and is not subject to the provisions of chapter 953 or any other laws governing relations between a landlord and tenant. This section does not apply to a municipality that is or becomes the licensed operator of the manufactured housing community.

**§9090-A. Transfer assessment**

1. **Fee payment required.** The purchaser of a manufactured housing community shall pay to the registry of deeds of the county where all or a majority of the acreage of the purchased real property associated with the manufactured housing community is located a fee equal to \$10,000 for each manufactured housing community lot in the manufactured housing community. The money must be paid to the registry of deeds when the deed of the manufactured housing community is offered for recordation.

2. **Exceptions.** The following entities are not required to pay the fee under subsection 1:

- A. The Maine State Housing Authority;
- B. A municipal housing authority as defined in Title 30-A, section 4702, subsection 10-A;
- C. A cooperative or other entity in which membership is limited to manufactured home owners; and
- D. Entities, together with affiliated and related entities, that have a net worth of less than \$50,000,000.

3. **Attestation of net worth.** An entity claiming an exemption under subsection 2, paragraph D shall provide the register of deeds with an attestation of net worth when the deed for the manufactured housing community is offered for recordation and any other information or

documentation as required by the ~~Department of Professional and Financial Regulation~~ office by rule.

**4. Evidence of payment; disposition of fee.** Evidence of the fee payment under subsection 1 or an exception to the fee requirement under subsection 2 must be retained by the registry of deeds of the county where all or a majority of the acreage of the purchased real property associated with the manufactured housing community is located in a manner established by the register of deeds. The register of deeds shall, on or before the 10th day of each month, pay to the Treasurer of State 95% of the fee collected pursuant to this section during the previous month. The remaining 5% must be retained for the county by the register of deeds and accounted for to the county treasurer as reimbursement for services rendered by the registry of deeds in collecting the fee.

**5. Distribution of State's share of proceeds.** The State Controller shall credit all fees received pursuant to this section to the Manufactured Housing Community and Mobile Home Park Preservation and Assistance Fund established in Title 30-A, section 4754-B.

**Sec. RRR-2. Transition Provisions; Manufactured Housing Board.** The following provisions govern the transition of the responsibilities of the Manufactured Housing Board and its supporting services provided by the Office of Professional and Occupational Regulation in the Department of Professional and Financial Regulation to the Maine Office of Community Affairs. 1. The Maine Office of Community Affairs is the successor in every way to the powers, duties and functions of the Manufactured Housing Board. 2. All existing rules, regulations and procedures in effect, in operation or adopted in or by the Manufactured Housing Board or on their behalf by the Office of Professional and Occupational Regulation or any of its administrative units or officers are hereby declared in effect and continue in effect until rescinded, revised or amended by the Maine Office of Community Affairs. 3. All existing contracts, agreements and compacts currently in effect under the authority of the Manufactured Housing Board or on their behalf by the Office of Professional and Occupational Regulation or any of its administrative units or officers continue in effect until supplanted by rules established in the Maine Office of Community Affairs. 4. All records, property and equipment previously belonging to or allocated for the use of the Manufactured Housing Board become, on the effective date of this Part, part of the property of the Maine Office of Community Affairs. 5. All existing forms, licenses, letterheads and similar items bearing the name of or referring to the Manufactured Housing Board may be used by the Maine Office of Community Affairs until existing supplies of those items are exhausted. 6. Notwithstanding any provision of law to the contrary, the State Controller shall transfer any unobligated balances remaining in associated accounts of the Manufactured Housing Board, Other Special Revenue Funds and federal funds to the Maine Office of Community Affairs no later than the effective date of this Part.

**Sec. RRR-3. 25 MRSA §2450-A**, as amended by PL 2025, c. 388, Pt. D, §31, is further amended to read:

In addition to the fees established in section 2450, a surcharge of ~~4¢~~ 6¢ per square foot of occupied space must be levied on the existing fee schedule for new construction, reconstruction,

repairs, renovations or new use for the sole purpose of funding the activities of the Technical Building Codes and Standards Board with respect to the Maine Uniform Building and Energy Code, established pursuant to Title 10, chapter 1103, the activities of the Division of Building Codes and Standards under chapter 314 and the activities of the Maine Office of Community Affairs under Title 30-A, section 4451, subsection 3-A, except that the fee for review of a plan for the renovation of a public school, including the fee established under section 2450, may not exceed \$450. Revenue collected from this surcharge must be deposited into the Uniform Building Codes and Standards Fund established by section 2374.

## **PART RRR SUMMARY**

This part transfers the statutory responsibilities for the oversight of manufactured housing manufacturers and manufactured housing communities currently held by the Manufactured Housing Board and administered by the Office of Professional and Occupational Regulation within the Department of Professional and Financial Services to the Maine Office of Community Affairs. It eliminates the Manufactured Housing Board and transfers related accounts and balances to the Maine Office of Community Affairs. It provides transition authority to the Office of Community Affairs to continue administering the related programs of Title 10 Chapter 951 under current rules and authorizes the Maine Office of Community Affairs to develop and implement new rules in replacement. It provides that annual license fees assessed to manufactured housing communities may be expanded to fund legal services provided by the Office of the Attorney General. It also increases the surcharge on plan review fees collected through the Office of the State Fire Marshal to fund the Technical Building Codes and Standards Board with respect to the Maine Uniform Building and Energy Code.

## **PART SSS**

Sec. SSS-1. 20-A MRSA §13408 is enacted to read:

### **§13408. Minimum salaries beginning in 2027-2028 school year**

1. **School year 2027-2028.** For the school year starting after June 30, 2027, and in each subsequent school year, the minimum salary for certified teachers and career and technical education teachers is \$45,000; and
2. **School year 2028-2029.** For the school year starting after June 30, 2028, the minimum salary for certified teachers and career and technical education teachers is \$47,500; and
3. **School years beginning in or after 2029.** For the school year starting after June 30, 2029, and in each subsequent school year, the minimum salary for certified teachers and career and technical education teachers is \$50,000.