

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

R. G. S.

L.D. 1453

DATE: 3/25/94

(Filing No. S- 530 )

**LEGAL AFFAIRS**

Reported by: Senator Hall of Piscataquis

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453, Bill, "An Act to Make Changes in the Manufactured Housing Laws"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Manufactured Housing Board lacks the authority to enforce warranties that protect consumers, and many consumers are not receiving relief from improper manufacturing or installation of manufactured homes; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 10 MRSA c. 213, first 2 lines are repealed and the following enacted in their place:**

**COMMITTEE AMENDMENT**

CHAPTER 213

MANUFACTURED HOUSING WARRANTIES

2  
4       **Sec. 2. 10 MRSA §1401**, as repealed and replaced by PL 1989,  
6 c. 805, §1, is amended to read:

8       **§1401. Scope**

10       All new ~~mobile~~ manufactured homes sold by a dealer are  
12 covered by the ~~warranty~~ warranties established by this chapter.

14       **Sec. 3. 10 MRSA §1402, sub-§1**, as amended by PL 1989, c. 878,  
Pt. H, §1 and affected by §2, is further amended to read:

16       1. **Dealer.** "Dealer" includes a person who customarily  
18 sells a ~~mobile-home~~ manufactured housing to consumers and is  
subject to the jurisdiction of this State under Title 14, section  
20 704-A.

22       **Sec. 4. 10 MRSA §1402, sub-§2**, as repealed and replaced by PL  
1975, c. 252, §1, is repealed.

24       **Sec. 5. 10 MRSA §1402, sub-§§3 and 4** are enacted to read:

26       3. Installer. "Installer" means any person, including but  
28 not limited to a dealer or mechanic, who installs or sets up  
manufactured housing for a buyer.

30       4. Manufactured housing. "Manufactured housing" has the  
32 same meaning as set forth in section 9002, subsection 7,  
paragraphs A and B.

34       **Sec. 6. 10 MRSA §1403**, as repealed and replaced by PL 1989,  
36 c. 805, §3, is repealed and the following enacted in its place:

38       **§1403. Application**

40       1. Warranty on housing. The warranty established in  
section 1404 applies to:

42       A. The manufacturer of manufactured housing;

44       B. The dealer who sells manufactured housing to the buyer;  
46 and

48       C. A person who, in the ordinary course of business and  
under contract with or as an employee or agent of a dealer  
located in another state, transports manufactured housing  
50 into the State or installs manufactured housing transported  
into the State.

2           2. Warranty on installation. The warranty established in  
4           section 1404-A applies to the installer of manufactured housing.  
6           When the dealer subcontracts with an installer for the  
8           installation of manufactured housing in the State, the dealer and  
          the installer are jointly and severally liable for the warranty  
          established in section 1404-A.

10           Sec. 7. 10 MRSA §1404-A is enacted to read:

12           §1404-A. Installation warranty

14           The installer or the installer and the dealer, when the  
16           dealer is responsible for the installation, shall provide a  
18           written warranty with each new manufactured housing unit  
          installed for a buyer. The installer shall deliver the written  
          warranty to the buyer at the time of the installation. The  
          warranty must contain the following:

20           1. Materials and workmanship. That the installation is  
22           free from any substantial defects in materials or workmanship;

24           2. Corrective action. That the installer or the installer  
26           and the dealer, when the dealer is responsible for the  
28           installation, shall take appropriate corrective action at the  
30           site of the manufactured housing in instances of substantial  
32           defects in materials or workmanship that become evident within  
34           one year from the date of the installation of the manufactured  
          housing if the buyer or the buyer's transferee gives written  
          notice of the defects to the installer or the installer and the  
          dealer, when the dealer is responsible for installation, at the  
          installer's or the installer's and the dealer's business  
          addresses no later than one year and 10 days after the date of  
          installation;

36           3. Liability. That the installer or the installer and the  
38           dealer, when the dealer is responsible for the installation, are  
40           liable to the buyer for the fulfillment of the terms of the  
          warranty; and

42           4. Name, address and phone number of installer. The name,  
44           address and phone number of the installer or the installer and  
46           the dealer, when the dealer is responsible for the installation,  
          to whom written notice of defects must be mailed or delivered by  
          the buyer.

48           Sec. 8. 10 MRSA §9001, as amended by PL 1981, c. 152, §1, is  
          further amended to read:

§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 has have and will increase the available supply of housing at prices which that residents of this State can afford;

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

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

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 such as heating, plumbing and electrical 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.

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

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

B. To provide and enforce uniform performance standards for construction and installation of manufactured housing which encourage--the--use--of--new--and--improved--technologies, techniques, methods and materials throughout the State that ensure durability and safety of manufactured housing;

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

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

6 E. To require this board to assume such responsibilities as  
8 are consistent with this Act chapter, including  
administration and enforcement of regulations rules,  
10 investigations of complaints and any other acts which that  
are consistent with the purposes of this Act, ~~including all~~  
12 ~~responsibilities of the Maine State Housing Authority under~~  
~~the Industrialized Housing Law, Title 30, chapter 239,~~  
14 ~~subchapter II, article 7, as heretofore enacted and modified;~~

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

22 G. To grant to such this board the investigative and  
regulatory powers it may reasonably require to accomplish  
24 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.

26 **Sec. 9. 10 MRSA §9002, sub-§6-A is enacted to read:**

28 6-A. Installer. "Installer" means any person, including  
30 but not limited to a dealer or mechanic, who installs or sets up  
manufactured housing for a buyer.

32 **Sec. 10. 10 MRSA §9003, as amended by PL 1991, c. 391, §1, is**  
34 **further amended to read:**

36 **§9003. Manufactured Housing Board**

38 1. **Established.** The Manufactured Housing Board,  
established by Title 5, section 12004-A, subsection 22 and  
40 located in within the Department of Professional and Financial  
Regulation ~~shall have,~~ has the responsibility of administering  
42 and enforcing this chapter. The board ~~shall consist~~ consists of 9  
44 members appointed by the Governor.

46 2. **Composition of board; terms of members.** The members of  
the board ~~shall~~ must include:

48 A. ~~A representative~~ One member who is a manufactured  
housing owner, and whose home manufactured housing unit is  
50 not located in a mobile home park or similar rental  
community;

R.018

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

2 B. Two ~~representatives~~ members who are manufactured housing  
4 owners, and the manufactured housing units in which the  
6 owners live are located on lots, within mobile home parks or  
similar rental communities ~~which,~~ that the manufactured  
housing owners do not own;

8 C. ~~--A--representative~~ One member who is a professional  
10 engineer with demonstrated experience in construction and  
building technology;

12 D. ~~-A--representative~~ One member who is a dealer;

14 E. ~~-A--representative~~ One member who is an owner or operator  
16 of a mobile home park with 15 or fewer lots;

18 F. ~~-A--representative~~ One member who is an owner or operator  
of a mobile home park with more than 15 lots;

20 G. ~~--A--representative~~ One member who is a builder of  
22 manufactured housing; and

24 H. ~~-A--representative~~ One member with a minimum of 2 years  
of practical experience in building code administration and  
26 enforcement and who is currently employed as a code  
enforcement officer.

28 The term of office of the members is 4 years. Members may be  
30 appointed to successive terms. Members shall serve for their  
appointed terms and until their successors are appointed and duly  
32 qualified, except that any member of the board may be removed for  
cause by the Governor. No A board member may not serve more than  
34 2 consecutive terms.

36 **3. Vacancies.** If, by virtue of death, removal, resignation  
or otherwise, a vacancy occurs prior to the expiration of a term  
38 or appointment, the Governor shall appoint a successor to serve  
the balance of the unexpired term. The Governor may appoint a  
40 temporary member to fill any vacancy occurring on the board; such  
a temporary member may serve for a period of not exceeding 120  
42 days from the date of such that appointment.

44 **4. Duties.** The board shall administer and enforce this Act  
chapter.

46 **5. Compensation.** The appointed members of the board shall  
48 be-compensated are entitled to compensation as provided in Title  
5, chapter 379.

2 6. **Organization.** The members of the board shall annually,  
in the month of January, elect one of its members as a chairman  
4 chair and one of its members as a vice-chairman vice-chair. The  
e chairman chair, or in his the chair's absence the vice-chairman  
6 vice-chair, shall call and preside at all meetings and hearings.

8 7. **Meetings.** Five members of the board constitute a  
quorum. The board shall meet at the written request of the  
10 director or of a majority of the members of the board. The board  
shall determine the time and place of meetings. At least 6  
12 meetings per calendar year must be held.

14 8. **Administration.** Not later than August 1st of each year,  
the board shall submit to the Commissioner of Professional and  
16 Financial Regulation for the preceding fiscal year ending June  
30th an annual report of its operations and financial position,  
together with such comments and recommendations as the board  
18 deems considers essential.

20 9. **Federal funds and other funding sources.** The board shall  
22 ~~have authority to~~ may seek and receive funds from the Federal  
Government and other public or private ~~funds from the Federal~~  
24 ~~Government and other public or private~~ sources to further its  
activities under this chapter, subject to the approval of the  
26 commissioner.

28 10. **Manufactured Housing Fund.** All ~~fees~~ Fees collected  
under this chapter shall must be paid by the board to the  
30 Treasurer of State with a detailed statement thereof and shall  
constitute a fund ~~to be~~ known as the "Manufactured Housing  
32 Fund." The fund shall must be kept as a separate account by the  
Treasurer of State, who shall pay ~~therefrom~~ from that account all  
34 costs and expenditures incurred by the board in carrying out its  
responsibilities under this chapter. Any ~~moneys~~ money remaining  
36 in the Manufactured Housing Fund at the end of the fiscal year  
shall must be carried forward to the credit of that fund for the  
38 succeeding year.

40 **Sec. 11. 10 MRSA §9004**, as amended by PL 1987, c. 395, Pt. A,  
§37, is further amended to read:

42 **§9004. Employees**

44 1. **Executive director.** The commissioner may appoint or  
remove, for cause, with the advice of the board, an executive  
46 director who shall ~~be~~ is the principal administrative and  
supervisory employee of the board. He The executive director  
48 shall attend meetings of the board, keep records of the  
proceedings of the board and direct and supervise the personnel  
50 employed to carry out the purposes of this chapter.



R 0 8

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

2           2. **Employees.** The executive director, with the advice of  
4 the board and the commissioner, may employ, subject to the Civil  
6 Service Law, persons necessary to carry out this chapter. Any  
8 person so employed ~~shall be~~ is an employee of the Department of  
Professional and Financial Regulation, except that ~~they shall be~~  
that employee is under the direction and supervision of the  
executive director of the board.

10           **Sec. 12. 10 MRSA §9005, sub-§1,** as enacted by PL 1977, c. 550,  
12 §1, is amended to read:

14           1. **Rulemaking.** The board shall propose, revise, adopt and  
16 enforce rules and ~~regulations~~ necessary to carry out this  
chapter. The board may delegate the enforcement authority to  
employees.

18           **Sec. 13. 10 MRSA §9006, sub-§1,** as repealed and replaced by PL  
20 1981, c. 152, §8, is amended to read:

22           1. **Standards.** The board may ~~shall~~, by ~~regulation rule,~~  
~~adopt a nationally recognized standard, where available and not~~  
~~incompatible with local needs,~~ set uniform reasonable standards  
24 for the installation of manufactured housing homes, including,  
but not limited to, standards for foundations, supports,  
26 anchoring and underpinning of manufactured homes installed in  
this State.

28           **Sec. 14. 10 MRSA §9006-A, sub-§1,** as enacted by PL 1989, c.  
30 271, §3, is amended to read:

32           1. **Notice of installation.** ~~All dealers and mechanics~~ An  
installer shall notify the Manufactured Housing Board every month  
34 of the installations completed by that ~~dealer or mechanic~~  
installer that month. The notice must include the location of  
36 each unit of manufactured housing, the owner of each unit at the  
time of installation, the type or model of unit and the  
38 manufacturer of that unit, written certification that the  
installation meets standards that conform to those required by  
40 the board and the name and address of the ~~dealer or mechanic who~~  
~~installed the unit~~ installer. The information must be submitted  
42 within 10 days after the end of each month in the form and manner  
prescribed by the board by rule.

44           **Sec. 15. 10 MRSA §9006-C** is enacted to read:

46           §9006-C. Warranty seals

48           The board shall issue warranty seals to be attached on  
50 manufactured housing sold in this State. The following

ROS

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

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 a Maine manufacturer's warranty seal and attach the seal to the manufactured housing. The fee to the manufacturer for the warranty seal may not exceed \$50.

2. Installer's warranty seal. Before manufactured housing may be installed in this State, the installer shall obtain from the board a Maine installer's warranty seal and attach the seal to the manufactured housing. The fee to the installer for the warranty seal may not exceed \$25.

Sec. 16. 10 MRSA §9009, sub-§2, as repealed and replaced by PL 1977, c. 694, §196, is amended to read:

2. Investigation of complaints; revocation or suspension of licenses. The board shall investigate or cause to be investigated all complaints made to ~~it~~ the board and all cases of noncompliance with or violation of this chapter or of a warranty applicable to the manufacture or installation of manufactured housing. ~~If~~ Notwithstanding Title 5, section 10051, if the board after notice and a hearing finds ~~reason-to-believe~~ that the manufacturer, dealer, installer or mechanic has violated this chapter, ~~or~~ the rules and ~~regulations~~ ~~promulgated~~ adopted pursuant to this chapter or an applicable warranty, ~~it~~ the board may file a complaint with the Administrative Court to revoke or suspend the license or approval of the manufacturer, dealer, installer or mechanic. If the board does not find reasonable grounds to believe that a violation of this chapter or breach of an applicable warranty has occurred, the board shall enter an order so finding and dismiss the proceeding. The board, for reasons it ~~may-deem~~ considers sufficient, may reissue a license to any person whose license has been revoked, ~~providing if~~ 3 or more members of the board vote in favor of this reissuance.

Sec. 17. 10 MRSA §9009, sub-§2-A is enacted to read:

2-A. Notice of violation. When the board staff finds a violation of this chapter or any rule adopted pursuant to this chapter, the board shall issue a notice of violation to the person alleged to have violated the provision. The notice of violation must set forth the alleged violation and specify the corrective action that must be taken and the time within which the action must be taken.

Sec. 18. 10 MRSA §9009, sub-§3, as enacted by PL 1989, c. 690, §1, is amended to read:

**COMMITTEE AMENDMENT**

2           3. Remedies for manufacturing defects. The board staff  
3 shall investigate all complaints made to ~~it~~ the board of  
4 noncompliance with or violation of chapter 213 or a warranty  
5 applicable to the sale of manufactured housing. If the board  
6 finds, after hearing, that a manufacturer or dealer has sold, or  
7 is making available for sale, ~~mobile-homes~~ manufactured housing  
8 that ~~pose~~ poses a threat to public health or safety or has  
9 intentionally failed to comply with chapter 213 or an applicable  
10 warranty, express or implied, the board may ~~petition the Attorney~~  
11 ~~General to initiate legal~~ order the manufacturer or dealer or  
12 both to take appropriate corrective action in Superior Court to  
13 enjoin the sale of mobile-homes by that manufacturer or dealer.  
14 ~~If the court finds that the manufacturer or dealer sold, or is~~  
15 ~~making available for sale, mobile-homes that pose a threat to~~  
16 ~~public health or safety or has intentionally failed to comply~~  
17 ~~with chapter 213, the court may enjoin the sale of mobile-homes~~  
18 ~~by that manufacturer or dealer.~~ Corrective action may include,  
19 but is not limited to, reimbursing consumers for repairs that are  
20 covered by warranty and made by the consumer if the consumer  
21 notifies the dealer or manufacturer in writing of the defect  
22 within a reasonable time prior to undertaking the repairs and the  
23 board finds that the repairs are or were necessary to correct or  
24 prevent an imminent threat to health or safety or to the  
25 structure of the manufactured housing. Notwithstanding Title 5,  
26 section 10051, the board may also revoke or suspend the license  
27 of the manufacturer or dealer or both to prevent any future  
28 threat to public health or safety. This subsection applies to  
29 any new manufactured housing that is sold to a consumer after  
30 January 1, 1993.

32           Sec. 19. 10 MRSA §9009, sub-§4 is enacted to read:

34           4. Remedies for installation defects. The board staff  
35 shall investigate all complaints made to the board of  
36 noncompliance with or violation of chapter 213 or a warranty  
37 applicable to the installation of manufactured housing. If the  
38 board finds, after hearing, that the installation of manufactured  
39 housing poses a threat to public health or safety or does not  
40 comply with the board's installation standards, chapter 213 or  
41 any applicable warranty, the board may order the installer to  
42 take appropriate corrective action. Corrective action may  
43 include, but is not limited to, reimbursing consumers for repairs  
44 that are covered by warranty and made by the consumer if the  
45 consumer notifies the installer in writing of the defect within a  
46 reasonable time prior to undertaking the repairs and the board  
47 finds that the repairs are or were necessary to correct or  
48 prevent an imminent threat to health or safety or to the  
49 structure of manufactured housing. Notwithstanding Title 5,  
50 section 10051, the board may also revoke or suspend the

2 installer's license to install manufactured housing to prevent  
4 any future threat to the public health or safety. This  
6 subsection applies to any new manufactured housing that is sold  
8 to a consumer after January 1, 1993.

6 **Sec. 20. 10 MRSA §9010**, as repealed and replaced by PL 1977,  
8 c. 694, §197, is amended to read:

10 **§9010. Hearings and appeals**

12 ~~Judicial-review~~ All board hearings and appeals of any final  
14 action of the board shall ~~must~~ be in accordance with the Maine  
16 Administrative Procedure Act, Title 5, chapter 375, ~~subchapter~~  
18 subchapters IV and VII, respectively, unless indicated otherwise.

16 **Sec. 21. 10 MRSA §9011, sub-§§2, 4 and 5**, as enacted by PL 1977,  
18 c. 550, §1, are amended to read:

20 **2. Petition to initiate legal action.** The board may  
22 petition the Attorney General to initiate legal action in ~~the~~  
24 ~~Superior--Court~~ any court of competent jurisdiction for  
26 ~~appropriate~~ monetary or injunctive relief to enforce this chapter.

28 **4. Private actions.** Any person damaged as a result of a  
30 violation of this chapter shall also have has a cause of action  
32 in ~~the--Superior--Court~~ court against the person responsible for  
34 the manufacture, sale, lease, installation or service, and the  
36 court may award appropriate damages and cost for litigation in  
38 its judgment. The board shall notify all claimants of their  
40 right to seek remedy.

32 **5. Crime designated.** An individual or a director, officer  
34 or agent of a corporation who knowingly and willfully violates  
36 section 9008 in a manner ~~which~~ that threatens the health or  
38 safety of any purchaser ~~shall-be-guilty-of~~ commits a Class E  
40 crime.

38 **Sec. 22. 10 MRSA §9021**, as amended by PL 1991, c. 391, §§2 to  
40 4, is further amended by adding a first paragraph to read:

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

44 **Sec. 23. 10 MRSA §9021, sub-§1**, as repealed and replaced by PL  
46 1981, c. 152, §13, is amended to read:

48 **1. Licenses required.** Any person who engages in the  
50 business of manufacturing, selling, installing or servicing  
manufactured housing shall first obtain a license issued by the  
board. The board shall, within a reasonable time, issue a license

2 to any person who intends to manufacture, sell, install or  
3 service manufactured housing in this State subject to filing and  
4 approval of an application provided by the board. Any person who  
5 is licensed to conduct these activities by other state or federal  
6 law is exempt from this requirement when the law provides for  
7 specific authority to provide a particular service or preempts  
8 the requirement for such a license. Active licensees of the Real  
9 Estate Commission shall--be are exempt from the licensing  
10 requirement for selling or brokering used manufactured housing  
11 but not from the requirements of this chapter.

12 **Sec. 24. 10 MRSA §9021, sub-§2,** as amended by PL 1991, c. 391,  
13 §§2 and 3, is further amended to read:

14  
15 **2. License fees.** The board may establish and collect the  
16 following fees. All fees collected shall must be paid to the  
17 Treasurer of State for deposit in the Manufactured Housing Fund.

18  
19 A. The license fee for manufacturers of manufactured  
20 housing who deliver or sell manufactured housing may not  
21 exceed \$200 annually. Each manufacturing plant that  
22 delivers or sells manufactured housing in the State must  
23 obtain a separate license.

24  
25 B. The license fee for dealers who are engaged in the  
26 retail selling, offering for sale, brokering, or  
27 distribution of any manufactured homes housing may not  
28 exceed \$200 annually.

29  
30 C. The license fee for mechanics who service or install  
31 manufactured housing, as defined in section 9002, subsection  
32 7, paragraphs A and C, may not exceed \$200 annually.

33  
34 D. The additional license fee for dealers or mechanics who  
35 have more than one business location may not exceed \$50  
36 annually per additional location.

37  
38 **Sec. 25. 10 MRSA §9021, sub-§§6 to 8** are enacted to read:

39  
40 **6. Financial responsibility.** The board may require bonding  
41 or other reasonable methods to ensure that manufacturers, dealers  
42 and others licensed under this chapter are financially  
43 responsible to fully comply with this chapter.

44  
45 **7. Service of process.** In order to obtain a license under  
46 this chapter, a person who is not a resident of this State shall  
47 designate the executive director of the board as the person's  
48 agent for service of process in this State. The following  
49 provisions govern this requirement.

2 A. A person who applies for a license shall file with the  
4 executive director, in a form prescribed by rule, an  
6 irrevocable consent appointing the executive director to be  
8 that person's agent to receive service of any lawful process  
10 in any civil proceeding against that person, a successor or  
12 a personal representative that arises under this chapter or  
14 any rule or order of the board after consent has been filed,  
16 and that service of process has the same force and validity  
18 as if served on the person who filed the consent.

20 B. If a person engages in conduct prohibited by this  
22 chapter or any rule or order of the board and that person  
24 has not filed a consent to service of process under  
26 paragraph A, the executive director is automatically  
28 appointed as the person's agent to receive service of any  
30 lawful process in a civil proceeding against that person, a  
32 successor or a personal representative that results because  
34 of the person's conduct under this chapter or any rule or  
36 order of the board, and that service of process has the same  
38 force and validity as if served on the person.

40 C. Service under paragraphs A and B may be made by leaving  
42 a copy of the process in the office of the executive  
44 director but is not effective unless:

46 (1) The plaintiff, who may be the executive director  
48 or the board, immediately sends notice of the service  
50 and a copy of the process by registered or certified  
52 mail, return receipt requested, to the defendant or the  
54 respondent at the address last known to the executive  
56 director; and

58 (2) The plaintiff files an affidavit of compliance  
60 with this paragraph in the proceeding on or before the  
62 return date of the process, if any, or within any  
64 further time the court, or the board in a proceeding  
66 before the board, allows.

68 D. Service as provided in paragraph C may be used in any  
70 proceeding before the board or by the executive director in  
72 any proceeding in which the executive director is the moving  
74 party.

76 E. When the process is served under paragraph C, the court  
78 or the board shall order continuances as necessary to afford  
80 the defendant or the respondent reasonable opportunity to  
82 defend.

84 8. Licensing penalties. The board may suspend, revoke or  
86 refuse to renew the license under this chapter of any person who  
88 is found to have:

R of S

2 A. Committed fraud, misrepresentation or deception in  
4 obtaining a license;

6 B. Accepted manufactured housing, directly or indirectly,  
8 from a manufacturer not licensed by the State pursuant to  
10 this chapter;

12 C. Sold or delivered, directly or indirectly, manufactured  
14 housing to a dealer not licensed by the State pursuant to  
16 this chapter; or

18 D. Violated any provision of or rules adopted under this  
20 chapter or any other applicable warranties.

22 **Sec. 26. 10 MRSA §9041**, as amended by PL 1991, c. 714, §4, is  
24 further amended to read:

26 **§9041. General rules**

28 The board shall adopt rules and establish standards as  
30 provided by section 9005 to administer and enforce this  
32 subchapter.

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

40 **Sec. 27. 10 MRSA §9042**, as repealed and replaced by PL 1981,  
42 c. 152, §14, is amended to read:

44 **§9042. Standards**

46 **1. Standards.** The board shall, by ~~regulation rule~~, adopt a  
48 standards in conformance with nationally recognized standard,  
50 ~~where-available-and-not-incompatible-with-local-needs,~~ standards  
for the construction and the installation of new manufactured  
housing.

**2. Approval.** The board shall approve for sale or  
installation all new manufactured housing which that complies  
with the ~~regulations~~ 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.

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

2           **Sec. 28. 10 MRSA §9047, sub-§§1 and 2**, as enacted by PL 1981,  
4           c. 152, §14, are amended to read:

6           **1. Manufacturer.** Every manufacturer ~~ex~~ of manufactured  
8           housing in this State and any manufacturer who offers  
10           manufactured housing for sale, lease, delivery, introduction or  
12           importation into this State shall furnish notification of any  
14           defect in manufactured housing produced by the manufacturer ~~which~~  
16           that the manufacturer or the board determines, ~~--in-good-faith,~~  
            relates to a standard of the board ~~which~~ that is applicable to  
            the housing or ~~which~~ that constitutes a safety hazard to an  
            occupant of the housing. The notification shall ~~shall~~ must be  
            accomplished in such a manner and within such a time as the board  
            may by ~~regulation--prescribe~~ rule prescribes, except that the  
            ~~regulations--shall~~ rules must at least provide the following:

18           A. Notification by mail to the first purchaser of the  
20           manufactured housing, other than a dealer of the  
22           manufacturer, and to any subsequent purchaser ~~the~~ whose  
            identity ~~of-whom~~ the manufacturer ~~is-aware~~ knows;

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

28           C. Notification by mail to the board.

30           **2. Dealers.** Any person who sells, leases, delivers or  
32           transports manufactured housing ~~which~~ that has been certified  
34           under this chapter shall notify the board and any present or  
36           prospective ~~purchase~~ purchaser of the housing in writing of any  
38           defect resulting from damage or modification to the housing ~~which~~  
40           that the person determines, ~~--in-good-faith,~~ relates to a standard  
42           of the board ~~which~~ that is applicable to the housing or ~~which~~  
            that constitutes a safety hazard to an occupant of the housing.  
            This requirement shall ~~shall~~ 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 shall ~~shall~~ does not apply to  
            deliveries or transportations of the manufactured housing ~~which~~  
            that occur after the first installation of the housing on a  
            permanent foundation.

44           **Sec. 29. 10 MRSA §9048, sub-§§1 and 2**, as enacted by PL 1981,  
46           c. 152, §14, are amended to read:

48           **1. Standards.** If the board finds that the standards for the  
50           manufacture and inspection of manufactured housing prescribed by  
            statute or regulation of another state, or ~~ether~~ governmental  
            agency, meet the objectives of this chapter and the ~~regulations~~



R of S

2 ~~promulgated rules adopted~~ pursuant hereto, to this chapter and  
are enforced satisfactorily by that other state, or other  
4 governmental agency, or by their agents, the board may accept  
manufactured housing which that has been certified by that other  
6 state or governmental agency as being in compliance with this  
chapter. The standards of another state shall are not be deemed  
considered to be satisfactorily enforced, unless that other state  
8 provides for notification to the board of suspensions or  
revocations of approvals issued by that other state in a manner  
10 satisfactory to the board and so notifies the board. Acceptance  
of this notification does not remove the board's right to pursue  
12 remedies outlined in sections 9009 and 9011.

14 **2. Suspension or revocation.** The Notwithstanding Title 5,  
section 10051, the board may file--a--complaint--with--the  
16 Administrative Court--to suspend or revoke the board's acceptance  
or certification, or both, of manufactured housing certified  
18 under the reciprocal provisions of this section, for the  
following causes:

20 A. If the board determines that the standards for the  
22 manufacture and inspection of the manufactured housing of  
another state or governmental agency do not meet the  
24 objectives of this chapter and the rules and ~~regulations~~  
promulgated adopted pursuant hereto to this chapter;

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

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

34 **Sec. 30. 10 MRSA §9051, sub-§3** is enacted to read:

36 **3. Notice for purposes of limitation of actions.** If a  
consumer files a written complaint with the manufacturer, dealer,  
38 installer or board within one year and 10 days after installation  
of new manufactured housing, receipt of the written complaint by  
40 the manufacturer, dealer, installer or board tolls the statute of  
42 limitations for purposes of bringing an action to enforce any  
applicable warranty.

44 **Sec. 31. 10 MRSA §9061, sub-§9,** as enacted by PL 1981, c. 152,  
§16, is amended to read:

46 **9. State administrative agency.** "State Administrative  
48 Agency administrative agency" means this the department which  
that has been approved or conditionally approved to carry out the  
50 state plan for enforcement of the standards pursuant to section

623 of the Housing and Community Development Act of 1974, PL  
Public Law 93-383, 42 United States Code, Section 5422 and 24  
Code of Federal Regulations, Part 3282, Subpart G.

Sec. 32. 10 MRSA §9063, as enacted by PL 1981, c. 152, §16,  
is amended to read:

§9063. Rules

The ~~commissioner~~ board is authorized to issue, amend and  
revoke ~~such regulations~~ rules as ~~is~~ deemed 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, Section 5401 et seq., including the implementation  
of a consumer complaint handling process and the holding of  
hearings. In the event of a conflict between ~~the Manufactured  
Housing Act~~ 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 shall  
~~prevail~~ prevails.

Sec. 33. 10 MRSA §9064, as amended by PL 1987, c. 395, Pt. A,  
§40, is further amended to read:

§9064. Standards

1. Adoption, administration and enforcement of standards.  
The ~~Department of Professional and Financial Regulation~~ board is  
charged with the adoption, administration and enforcement of  
manufactured home housing construction and safety standards. The  
standards adopted ~~shall be identical to~~ must meet the standards  
~~promulgated~~ adopted pursuant to the National Manufactured Housing  
Construction and Safety Standards Act of 1974, 42 United States  
Code, Section 5401 et seq. ~~The Department of Professional and  
Financial Regulation shall discharge this duty consistent with  
rules and regulations promulgated by the United States Department  
of Housing and Urban Development.~~

2. Rules. The ~~Department of Professional and Financial  
Regulation~~ board may adopt such rules as are necessary to enforce  
the standards ~~promulgated~~ adopted under subsection 1.

Sec. 34. 10 MRSA §9065, as enacted by PL 1981, c. 152, §16,  
is amended to read:

§9065. Inspections

The department board, by its authorized representatives, may  
enter, at reasonable times, any factory, warehouse or

R. G. S.

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

2 establishment, in which manufactured homes--are housing is  
3 manufactured, stored or held for sale, for the purpose of  
4 ascertaining whether the requirements of the federal manufactured  
5 housing construction and safety standards and the regulations  
6 rules of ~~this department~~ the board have been and are being met.

7 **Sec. 35. 10 MRSA §9066, sub-§1**, as corrected by RR 1993, c. 1,  
8 §28, is amended to read:

9  
10 **1. Violations.** Any A person who violates any of the  
11 following provisions relating to manufactured homes housing or  
12 ~~regulations promulgated rules adopted~~ by the department--~~shall be~~  
13 ~~liable--for board is subject to~~ a civil penalty not to exceed  
14 \$1,000 for each violation. Each violation ~~shall--constitute~~  
15 constitutes a separate violation with respect to each  
16 manufactured home housing unit, except that the maximum penalty  
17 shall may not exceed \$1,000,000 for any related series of  
18 violations occurring within one year from the date of the first  
19 violation. ~~No person may~~ it is a violation of this chapter for a  
20 person:

21  
22 A. ~~Manufacture~~ To manufacture for sale, lease, sell, offer  
23 for sale or lease, or introduce ~~or~~ deliver, or import into  
24 the State any manufactured home--~~which~~ housing that is  
25 manufactured on or after the effective date of any  
26 applicable federal manufactured housing construction and  
27 safety standard ~~which~~ that does not comply with that  
28 standard;

29  
30 B. ~~Fail~~ To fail or refuse to permit access to or copying of  
31 records, ~~or~~ fail to make reports or provide information, or  
32 fail or refuse to permit entry or inspection as required by  
33 section 9065;

34  
35 C. ~~Fail~~ To fail to furnish notification of any defect as  
36 required by 42 United States Code, Section 5414;

37  
38 D. ~~Fail~~ To fail to issue a certification required by 42  
39 United States Code, Section 5415 or to issue a certification  
40 to the effect that a manufactured home conforms to all  
41 applicable federal manufactured housing construction and  
42 safety standards, if that person in the exercise of due care  
43 has reason to know that the certification is false or  
44 misleading in a material respect;

45  
46 E. ~~Fail~~ To fail to establish and maintain ~~such~~ records,  
47 make such reports and provide ~~such~~ information as the  
48 ~~Department--of--Professional--and--Financial--Regulation~~ board  
49 may reasonably require, to enable ~~it~~ the board to determine  
50 whether there is compliance with the National Manufactured

R.d.S.

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

2 Housing Construction and Safety Standards Act of 1974; or  
3 fail to permit, upon request of a person duly authorized by  
4 the ~~commissioner~~ board, inspection of appropriate books,  
5 papers, records and documents relative to determining  
6 whether a manufacturer, distributor or dealer has acted or  
7 is acting in compliance with this Act chapter or with the  
8 National Manufactured Housing Construction and Safety  
Standards Act of 1974; or

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

14 **Sec. 36. 10 MRSA §9068, first ¶**, as enacted by PL 1981, c. 152,  
15 §16, is amended to read:

16 The ~~department~~ board shall establish a monitoring inspection  
17 fee in an amount established by the Secretary of the United  
18 States Department of Housing and Urban Development. This  
19 monitoring inspection fee ~~shall--be~~ is an amount paid by the  
20 manufacturer for each home produced in ~~Maine~~ this State.

21 **Sec. 37. 10 MRSA §9071**, as enacted by PL 1981, c. 152, §16,  
22 is amended to read:

23 **§9071. Revenue**

24 The fees received by the ~~commissioner~~ board under the State  
25 Administrative Agency Program ~~shall~~ must be paid by the Treasurer  
26 of State to be used for carrying out the duties of the program.  
27 Any balance of these fees ~~shall~~ may not lapse but ~~shall~~ must be  
28 carried forward as a continuing account to be expended for the  
29 same purpose in the following fiscal years.

30 **Sec. 38. 10 MRSA §9084, 2nd and 5th ¶¶**, as enacted by PL 1983,  
31 c. 553, §17, are amended to read:

32 When any applicant is found, based upon an inspection by the  
33 board or by municipal inspection made according to section 9088,  
34 not in compliance with the requirements of this subchapter or  
35 rules adopted and approved pursuant to section 9085 or section  
36 9088, subsection 1, the board may refuse issuance of the initial  
37 license, but shall issue a conditional license, except when  
38 conditions are found which that present a ~~serious~~ danger to the  
39 health and safety of the public. A conditional license ~~shall~~ may  
40 not exceed 90 days. Failure by the conditional licensee to meet  
41 the conditions specified ~~shall--permit~~ permits the board to void  
42 the conditional license.

50

**COMMITTEE AMENDMENT**

R.S.

All mobile home park licenses shall expire annually on a date established by the ~~commissioner~~ board. Licenses may be renewed upon application ~~therefor~~ and upon payment of the prescribed fee, subject to compliance with ~~regulations~~ rules of the board and with this subchapter. The board shall provide licensees with notice of the renewal date and necessary forms no less than 30 days prior to the expiration of the license.

Sec. 39. 10 MRSA §9094, sub-§2, ¶B-2 is enacted to read:

B-2. At the time of sale or change in the principal occupant of a mobile home, the mobile home park owner or operator may require the owner of the home, if built before June 15, 1976, to provide evidence that the home meets the Manufactured Housing Board's standard for used manufactured housing. The mobile home owner may demonstrate compliance with the standard by providing the park owner or operator with a report signed by the following persons and indicating that the home complies with the standard's specifications regarding those aspects of the home inspected:

(1) A licensed electrician who inspected the home's electrical system;

(2) A person licensed to repair the home's heating system who inspected the home's heating system; and

(3) A certified professional engineer who inspected the home for safety and structural soundness.

Signature of the report may not be construed for any purpose as an endorsement that the home meets provisions of the standard other than those for which the inspection was conducted. A park owner who receives a signed report indicating that the home complies may not require removal of a home under this section on the basis of fire safety or the safety of the home.

Sec. 40. 11 MRSA §9-402, sub-§(1), as amended by PL 1977, c. 696, §144, is further amended to read:

(1) A financing statement is sufficient, if it gives the names of the debtors and the secured party, is signed by the debtor, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral; provided except that, for purposes of this section, if the collateral is a mobile home as ~~defined in Title 10, section 1402, subsection 2,~~ the description of collateral shall must include the location designated by the debtor in the security agreement

2 as the place at which the mobile home is, or is to be, located.  
3 A financing statement may be filed before a security interest  
4 otherwise attaches. When the financing statement covers timber  
5 to be cut ~~or covers~~; minerals or the like, including oil and gas,  
6 or accounts subject to section 9-103, subsection (5),~~;~~ or ~~covers~~  
7 crops growing or to be grown, or when the financing statement is  
8 filed as a fixture filing, section 9-313, and the collateral is  
9 goods ~~which~~ that are or are to become fixtures, the statement  
10 must comply with subsection (5). A copy of the security  
11 agreement is sufficient as a financing statement, if it contains  
12 the above information and is signed by the debtor. A legible  
13 carbon, photographic or other reproduction of a security  
14 agreement or a financing statement is sufficient as a financing  
15 statement if the security agreement so provides or if the  
16 original has been filed in this State.

17 **Sec. 41. Review board composition and functions.** The  
18 Manufactured Housing Board shall review the educational and  
19 professional qualifications necessary to be a board member, the  
20 size and structure of the board and the effectiveness of the  
21 board in carrying out its duties. The board shall report its  
22 findings and any recommendations for change in board composition  
23 or function to the joint standing committee of the Legislature  
24 having jurisdiction over legal affairs and the joint standing  
25 committee of the Legislature having jurisdiction over housing and  
26 economic development matters no later than March 1, 1995.

27 **Sec. 42. Review consumer protection issues.** The Manufactured  
28 Housing Board shall review the recommendations from the Report of  
29 the National Manufactured Housing Commission and shall review and  
30 evaluate all federally proposed, pending legislation and current  
31 laws for national consumer protection, including the  
32 establishment of a national recovery fund. The board shall also  
33 investigate whether the current state plan approved by the  
34 Department of Housing and Urban Development could be amended to  
35 better serve this State's consumers. The board shall report its  
36 findings and any recommendations for change to the joint standing  
37 committee of the Legislature having jurisdiction over legal  
38 affairs and the joint standing committee of the Legislature  
39 having jurisdiction over housing and economic development matters  
40 no later than January 1, 1996.

41 **Sec. 43. Allocation.** The following funds are allocated from  
42 Other Special Revenue to carry out the purposes of this Act.

43  
44  
45 **1994-95**

46  
47  
48 **ATTORNEY GENERAL,  
DEPARTMENT OF THE**

R of S.

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

2	<b>Administration - Attorney General</b>	
4	Positions	(0.5)
	Personal Services	\$29,926
6	All Other	1,250
	Capital Expenditures	500
8		
10	Provides for the allocation of funds for one additional 1/2-time Assistant Attorney General position and general operating expenses to meet the need of the Manufactured Housing Board for additional legal services.	
12		
14		
16	<b>DEPARTMENT OF THE ATTORNEY GENERAL</b>	
18	<b>TOTAL</b>	<u>\$31,676</u>
20	<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</b>	
22	<b>Manufactured Housing Board</b>	
24		
26	All Other	\$51,676
28	Provides for the allocation of funds for increased legal services from the Department of the Attorney General and the cost of certain additional public hearings.	
30		
32	<b>DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION</b>	
34	<b>TOTAL</b>	<u>\$51,676</u>
36	<b>TOTAL ALLOCATIONS</b>	<u>\$83,352</u>
38	<b>Emergency clause.</b> In view of the emergency cited in the preamble, this Act takes effect when approved.	
40		
42	Further amend the bill by inserting at the end before the statement of fact the following:	
44		
46		<b>1994-95</b>
48	<b>APPROPRIATIONS/ALLOCATIONS</b>	
50	Other Funds	\$83,352

2 **REVENUES**

4 Other Funds \$81,676

6 The Department of the Attorney General will require an  
8 additional Other Special Revenue allocation of \$31,676 in fiscal  
10 year 1994-95 for a part-time Assistant Attorney General position  
12 and general operating expenses to provide legal assistance with  
14 the enforcement of manufactured housing warranties. The  
department will realize additional dedicated revenue of the same  
amount from payments for legal services by the Manufactured  
Housing Board.

16 The Manufactured Housing Board will require an additional  
18 Other Special Revenue allocation of \$51,676 in fiscal year  
20 1994-95 to pay for the additional services provided by the  
Department of the Attorney General and to pay for increased  
hearing costs resulting from the strengthened enforcement of  
manufactured housing warranties.

22 The installer's and manufacturer's warranty seal requirement  
24 will increase fee collections. The estimated increase of  
dedicated revenue to the Manufactured Housing Board is \$50,000 in  
fiscal year 1994-95.

26 The Judicial Department may realize some minor savings from  
28 reductions of workload and administrative costs associated with  
30 the minimal number of cases that will no longer be filed in the  
court system.'

32  
34 **STATEMENT OF FACT**

36 This amendment replaces the original bill and makes the  
38 following changes to the manufactured housing laws:

40 1. Amends the laws dealing with mobile home warranties by  
42 defining manufactured homes to include mobile homes and all other  
types of manufactured housing;

44 2. Defines "installer" and creates a new warranty for the  
installation of manufactured homes;

46 3. Enables the Manufactured Housing Board to enforce  
48 Maine's explicit manufactured housing warranty law and the  
implied warranty of merchantability;



RCS

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

- 2 4. Requires the Manufactured Housing Board to set uniform  
reasonable standards for the proper installation of manufactured  
homes;
- 4
- 6 5. Requires the installer, who already notifies the State  
when a manufactured home is installed, to include notification of  
the type of home installed and indicate that installation  
standards have been met;
- 8
- 10 6. Requires that manufacturers and installers obtain from  
the Manufactured Housing Board warranty seals that must first be  
attached to a manufactured home before it may be installed in the  
State;
- 12
- 14
- 16 7. Clarifies the Manufactured Housing Board's procedures  
for investigation of complaints and revocation or suspension of  
licenses, including notices of violation;
- 18
- 20 8. Defines remedies for consumers for manufacturing defects  
and installation defects in manufactured homes;
- 22
- 24 9. Requires the Manufactured Housing Board to notify all  
claimants of a claimant's right to seek remedy through a court  
proceeding;
- 26
- 28 10. Requires the Manufactured Housing Board to adopt rules  
governing qualifications for each category of license under its  
jurisdiction;
- 30
- 32 11. Allows the Manufactured Housing Board to require  
bonding or other reasonable methods to ensure that the  
manufacturers, dealers and others licensed under the Maine  
Revised Statutes, Title 10, chapter 951 are financially  
responsible to fully comply with the law;
- 34
- 36 12. Requires as a condition of licensure that an  
out-of-state company designate the executive director of the  
Manufactured Housing Board as the out-of-state company's agent to  
receive service of process;
- 38
- 40
- 42 13. Clarifies when the Manufactured Housing Board may  
suspend, revoke or refuse to renew a license;
- 44
- 46 14. Specifies that if a consumer files a written complaint  
with the manufacturer, dealer, installer or Manufactured Housing  
Board within one year and 10 days after the installation of a new  
manufactured home, receipt of the written complaint by the  
manufacturer, dealer, installer or Manufactured Housing Board  
tolls the statute of limitations for purposes of bringing an  
action to enforce an applicable warranty;
- 50

RCS

COMMITTEE AMENDMENT "A" to S.P. 461, L.D. 1453

2           15. Requires the Manufactured Housing Board to review the  
4 board's composition and function and to make recommendations for  
6 changes to the joint standing committee of the Legislature having  
8 jurisdiction over legal affairs and the joint standing committee  
of the Legislature having jurisdiction over housing and economic  
development matters no later than March 1, 1995; and

10           16. Requires the Manufactured Housing Board to review the  
12 Report of the National Manufactured Housing Commission and any  
14 federal legislation or law dealing with consumer protection,  
16 including but not limited to a national recovery fund. The board  
shall report its findings and any recommendations to the joint  
standing committee of the Legislature having jurisdiction over  
legal affairs and the joint standing committee of the Legislature  
having jurisdiction over housing and economic development matters  
no later than January 1, 1996.

18           The amendment also adds an allocation section and a fiscal  
20 note and conforms existing law to current drafting standards.

**COMMITTEE AMENDMENT**