

# MAINE STATE LEGISLATURE

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**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**RESOLVES**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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**CHAPTER 23**

H.P. 1197 - L.D. 1664

**Resolve, Authorizing the Commissioner of Corrections to Enter into an Agreement with the Warren Sanitary District and the Camden and Rockland Water Company to Construct a Sewer and Water System for the Warren State Prison and Pay User Fees**

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

Whereas, there is an immediate need to begin work in order to have a new water system available to the Warren State Prison by 1991; and

Whereas, an agreement is necessary before work at the site may begin; and

Whereas, a commitment with the Warren Sanitary District and the Camden and Rockland Water Company is necessary in order to meet the target date; 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

**Commissioner of Corrections shall enter into an agreement with the Warren Sanitary District and the Camden and Rockland Water Company. Resolved:** That the Commissioner of Corrections is authorized to enter into an agreement with the Warren Sanitary District and the Camden and Rockland Water Company for the construction of a sewer and water system for the Warren State Prison and for payment of user fees.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective June 7, 1989.

**CHAPTER 24**

H.P. 1228 - L.D. 1709

**Resolve, to Amend Deadlines for the Study of the Structure and Operations of the Legislature**

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

Whereas, a study of the structure and operation of the Legislature has been authorized by resolve; and

Whereas, deadlines contained in the resolve need to be amended to allow for proper planning for and consideration of proposals to conduct the authorized study; and

Whereas, unless this legislation is enacted as an emergency measure, the current deadlines would occur prior to the expiration of the 90-day period; 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

**Resolve 1989, chapter 15, amended. Resolved:** That Resolve 1989, c. 15, the 5th resolve paragraph, be amended to read:

**Enter into agreements; request for proposal. Resolved:** That the Legislative Council enter into agreements and contracts for the implementation of the study required in this resolve and establish deadlines for completion of the following preliminary activities.

1. ~~Within 30 days following the effective date of this resolve, the~~ The Executive Director shall prepare requests for proposals for the implementation of the study of the structure and operation of the Legislature.

2. The advisory committee shall review the proposed request for proposals and make recommendations concerning this request.

3. Following review and agreement by the advisory committee, the Executive Director shall issue the request for proposals in the same manner the Legislature issues a request for proposals for similar contracts.

4. The advisory committee shall review all responses to the request for proposals and recommend to the Legislative Council the proposal that the advisory committee unanimously supports.

5. The Legislative Council shall adopt the proposal that receives the unanimous approval of the Legislative Council. The Legislative Council shall enter into a contract as provided in this resolve no later than ~~June 4~~ July 15, 1989; and be it further

**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective June 8, 1989.

**CHAPTER 25**

S.P. 70 - L.D. 59

**Resolve, to Direct the Manufactured Housing Board to Provide Information to Purchasers of Manufactured Housing**

**Production of information. Resolved:** That the Manufactured Housing Board shall provide information for purchasers of manufactured housing concerning choosing and purchasing manufactured housing, financing manufactured housing, the installation of manufactured housing and consumers' rights concerning the purchase, financing, installation and ownership of manufactured housing. To fulfill this responsibility, the board may reproduce an existing publication which provides the required information; and be it further

**Distribution. Resolved:** That the board shall provide copies of the information to all manufactured housing dealers licensed in this State. Each dealer shall prominently display a sign which states that the information is available and the dealer will supply a copy to anyone who is interested in purchasing manufactured housing; and be it further

**Dealers to produce and distribute. Resolved:** That after all copies of the information funded by this resolve are distributed, manufactured housing dealers shall continue to print the information and distribute it to anyone who is interested in purchasing manufactured housing. Dealers may charge a fee for copies of the information up to the cost of production; and be it further

**Allocation. Resolved:** That the following funds are allocated from Other Special Revenue to carry out the purposes of this resolve.

	1989-90	1990-91
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PROFESSIONAL AND FINANCIAL  
REGULATION, DEPARTMENT OF

Manufactured Housing Board

All Other	\$5,000	\$5,000
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See title page for effective date.

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**CHAPTER 26**

**H.P. 48 - L.D. 62**

**Resolve, to Require the Manufactured Housing Board to Develop a Manufactured Housing Installation Standard**

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

**Whereas,** the Manufactured Housing Board has not adopted a standard for the installation of mobile homes on lots; and

**Whereas,** some mobile homes have been damaged by improper installation, although there is no information about how many mobile homes have been improperly installed; and

**Whereas,** the Manufactured Housing Board does not have sufficient information to implement a statewide standard at this time; 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

**Standard appropriate for Maine. Resolved:** That the Manufactured Housing Board shall contract with a professional engineer to develop an installation standard for mobile homes that is appropriate for the physical conditions present in Maine. The standard may be an adaptation of existing or proposed national standards. The standard must be specific enough to eliminate ambiguity in what is required, yet flexible enough to cover varying site requirements and to help keep manufactured housing an affordable housing option in Maine. The board shall also consider the need to be able to move a mobile home from one site to another, the issue of exempting current installations from the application of the standard and the interaction of the standard with other state requirements. For the purposes of this resolve, "installation" has the same meaning as provided in the Maine Revised Statutes, Title 10, section 9002, subsection 6, which is the process of affixing or assembling or setting up manufactured housing on foundations or supports at a building site and includes the connection to existing electrical, oil burner, gas, water, sewage and similar systems which are necessary for the use of the house for dwelling or commercial purposes; and be it further

**Preemption. Resolved:** That the Manufactured Housing Board shall review the issue of state preemption as it relates to a state installation standard, specifically examining the desirability and feasibility of a state installation standard that preempts municipal standards either in all cases or only when the municipal standard is less strict or creates a conflict; and be it further

**Report; recommended legislation. Resolved:** That the Manufactured Housing Board shall report to the joint standing committee of the Legislature having jurisdiction over legal affairs by March 1, 1990, concerning the installation standard proposed by the board, the board's recommendation regarding the issue of preemption and any other recommended legislation the board determines necessary; and be it further

**Allocation. Resolved:** That the following funds shall be allocated from Other Special Revenue to carry out the purposes of this resolve.

1988-89

PROFESSIONAL AND FINANCIAL  
REGULATION, DEPARTMENT OF

Manufactured Housing Board

All Other	\$20,000
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