

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.

J.S. McCarthy Company
Augusta, Maine
1989

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

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.

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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Provides funds for consulting fees and other related costs to develop an installation standard.

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

Effective June 12, 1989.

CHAPTER 27

H.P. 1043 - L.D. 1454

Resolve, to Study and Consolidate the Laws and Rules Regulating Campgrounds

Sec. 1. Study of campground regulation. Resolved: That the Commissioner of Conservation in cooperation with the Department of Human Services, Division of Health Engineering, shall undertake a study of all the laws and rules regulating campgrounds with the goal of consolidating campground regulation. The commissioner shall develop proposed legislation to:

1. Assign a sole agency of the State responsible for all regulation of campgrounds; and
2. Ensure that the regulation adequately differentiates between those campgrounds which are open and used year round and those which are purely seasonal or targeted to the tourist industry; and be it further

Sec. 2. Report. Resolved: That the commissioner shall submit a report on this study, including any necessary implementing legislation, to the 114th Legislature by December 1, 1989.

See title page for effective date.

CHAPTER 28

H.P. 1213 - L.D. 1685

Resolve, Authorizing the Conveyance of Certain Public Lands

Director of the Bureau of Public Lands; property conveyed by quitclaim deed. Resolved: That the Director of the Bureau of Public Lands may by quitclaim deed convey the following properties.

1. To the Little Squaw Campowners Association, the land described in a purchase and sale agreement between the State of Maine and the Little Squaw Campowners Association, dated April 12, 1989.
2. To the Town of Gray, the land described in a purchase and sale agreement between the State of Maine and the Town of Gray, dated March 7, 1989.

3. To Frederic C. Thompson and Doreen Thompson, the land described in a purchase and sale agreement between the State of Maine and Frederic C. Thompson and Doreen Thompson, dated March 7, 1989.

4. To Peter Becker, the land described in a purchase and sale agreement between the State of Maine and Peter Becker, dated April 20, 1989.

All money received from the sale of this land shall be deposited in the Public Reserved Lands Acquisition Fund and shall be used to purchase additional land for the public reserved lands system. The State shall not convey any land or interest in any land which comprises a public road or a great pond.

See title page for effective date.

CHAPTER 29

H.P. 1212 - L.D. 1684

Resolve, Authorizing and Directing the Bureau of Public Lands to Convey Title to a Certain Parcel of Land in Augusta to the Maine Veterans' Homes Subject to Certain Conditions

Director of Bureau of Public Lands, authorized and directed to transfer public domain lands, subject to conditions. Resolved: That the Director of the Bureau of Public Lands is authorized and directed to convey to the Maine Veterans' Homes, a public body corporate under the laws of the State of Maine, title to a certain parcel of land in Augusta, 8.9 acres, more or less, on the Cony Road, which parcel is more fully described in Exhibit A attached and incorporated herein and described also on a plan of property dated December 18, 1979, by H. I. and E. C. Jordan Surveyors, on file at the Bureau of Public Lands. The Director of the Bureau of Public Lands shall convey title to the parcel upon the following conditions.

1. The parcel shall be used to provide security for the issuance of bonds to finance the construction of a veterans' home in Aroostook County and a veterans' home in southern Maine, authorized by the Maine Revised Statutes, Title 37-B, section 601.
2. Title to the parcel shall revert to the State when all bonds described in subsection 1 mature and all outstanding principal, interest and premium, if any, on the bonds has been paid to bondholders and any indenture mortgage securing the bonds has been defeased, provided that in the event the parcel is sold at foreclosure or is conveyed by deed in lieu of foreclosure, title to the parcel shall then pass free and clear of any reversionary rights of the State hereunder and these rights shall be automatically terminated upon that conveyance.
3. The Maine Veterans' Homes shall not encumber the parcel with any mortgage, lien or other financial obligation other than that necessary, in the opinion of Maine