



132nd MAINE LEGISLATURE

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Legislative Document

No. 1

S.P. 29

In Senate, January 8, 2025

**An Act to Increase Storm Preparedness for Maine's Communities,
Homes and Infrastructure**

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President DAUGHTRY of Cumberland. (GOVERNOR'S BILL)
Cosponsored by Speaker FECTEAU of Biddeford and
Senator: STEWART of Aroostook, Representative: FAULKINGHAM of Winter Harbor.

1 As used in this chapter, unless the context otherwise indicates, the following terms
2 have the following meanings.

3 **1. Administrator.** "Administrator" means the bureau or an entity with which the
4 bureau contracts for the administration of the program.

5 **2. Fund.** "Fund" means the Home Resiliency Fund established in section 7702.

6 **3. Grant.** "Grant" means the award of funds for an approved project.

7 **4. Home resiliency project; project.** "Home resiliency project" or "project" means a
8 project designed to make a home more resistant to damage from severe weather events.

9 **5. Program.** "Program" means the Home Resiliency Program established in section
10 7702.

11 **§7702. Home Resiliency Program**

12 **1. Program established.** The Home Resiliency Program is established within and
13 under the direction of the bureau to provide grants to homeowners for the purpose of
14 performing home resiliency projects.

15 **2. Home Resiliency Fund.** The Home Resiliency Fund is established as a nonlapsing
16 Other Special Revenue Funds account administered by the bureau for the purposes of
17 funding the program. The bureau may transfer available balances from other bureau
18 accounts to the fund, and the fund may receive money from any gift, grant, contribution,
19 legislative appropriation, allocation or transfer or bond proceeds. The money in the fund
20 may be used only for the purpose of awarding grants under the program and paying the
21 costs of the administration of the program.

22 **3. Program administration.** The bureau may contract with other entities for the
23 administration of the program and other services, including, but not limited to:

24 A. Promotion of the program, including the creation and maintenance of a publicly
25 accessible website containing information about the program;

26 B. Development of an application form;

27 C. Verification of applicant eligibility;

28 D. Determination and distribution of grants;

29 E. Establishment of standards for project completion, including contractor approval;

30 F. Verification of project completion;

31 G. Development of a mechanism for the return of unused grant money;

32 H. Development of a list of home resiliency projects that would be eligible for a grant;
33 and

34 I. Development of standards to be used to determine whether a home resiliency project
35 has been completed satisfactorily.

36 **4. Program eligibility.** An individual is eligible for a grant if the individual:

37 A. Has not previously received a grant under the program;

38 B. Submits an application on a form approved by the administrator;

1 C. In the application submitted under paragraph B, designates a home resiliency project
2 from the list approved pursuant to subsection 5 to be performed on a home:

3 (1) Owned by the applicant;

4 (2) In which the applicant resides as the applicant's permanent residence; and

5 (3) That was not the subject of a previous home resiliency project; and

6 D. Submits all information regarding the individual, the individual's home and the
7 proposed home resiliency project as required by the bureau and the administrator.

8 **5. Home resiliency projects; list.** The bureau and the administrator of the project shall
9 approve a list of prospective projects eligible for grants under the program. The
10 administrator shall publish the list of approved prospective home resiliency projects in the
11 promotional materials for the program and on the publicly accessible website maintained
12 to promote the program.

13 **6. Grant determination.** The bureau shall set maximum grant amounts, and the
14 administrator shall make grants under the program to eligible persons. The administrator
15 shall review applications in the order in which they are received. An application is
16 considered received when all required information has been submitted. The administrator
17 shall award grants under the program until funds in the fund are exhausted.

18 **7. Post-grant verification.** The recipient of a grant under the program shall provide
19 to the administrator information that is required by the administrator and that is sufficient
20 to allow the administrator to verify that the home resiliency project has been completed
21 within the standards developed under subsection 3 for home resiliency project completion
22 within 2 years of the grant. The recipient of a grant shall return to the administrator any
23 funds provided to the recipient but not used for the approved project.

24 **8. No private right of action.** This chapter does not provide an express or implied
25 private right of action.

26 **9. Rulemaking.** The superintendent shall adopt rules necessary to implement the
27 program. Rules adopted pursuant to this subsection are routine technical rules as defined
28 in Title 5, chapter 375, subchapter 2-A.

29 **§7703. Date of grants**

30 The bureau and the administrator are not required to award a grant before May 1, 2026.

31 **Sec. A-2. Transfers from available fiscal year 2024-25 Department of**
32 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
33 **Revenue Funds balances to the Department of Professional and Financial**
34 **Regulation, Home Resiliency Fund, Other Special Revenue Funds account.**
35 Notwithstanding any provision of law to the contrary, on or before 90 days following the
36 effective date of this Act, the State Controller shall transfer \$15,000,000 from available
37 balances in the Insurance - Bureau of, Other Special Revenue Funds account within the
38 Department of Professional and Financial Regulation to the Department of Professional
39 and Financial Regulation, Home Resiliency Fund, Other Special Revenue Funds account.

40 **Sec. A-3. Appropriations and allocations.** The following appropriations and
41 allocations are made.

42 **PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

1 **Home Resiliency Fund N964**

2 Initiative: Provides an allocation for the Home Resiliency Fund to provide grants to
3 homeowners to reduce their risks and losses in future storm events, including roof damage
4 prevention, basement flooding risk reduction and targeted interventions that have been
5 proven to reduce risks from storm events.

6 OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
7 All Other	\$15,000,000	\$500
9 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$15,000,000</u>	<u>\$500</u>

10 **PART B**

11 **Sec. B-1. 37-B MRSA §747** is enacted to read:

12 **§747. Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan**
13 **Fund**

14 **1. Fund established.** The Safeguarding Tomorrow through Ongoing Risk Mitigation
15 Revolving Loan Fund, referred to in this section as "the fund," is established as a dedicated,
16 nonlapsing fund administered by the agency for the purpose of providing a state match for
17 United States Department of Homeland Security, Federal Emergency Management Agency
18 disaster and hazard mitigation revolving low-interest loan funds to support municipal and
19 tribal government infrastructure projects that reduce future storm and other hazard risks.

20 **2. Sources of funding.** The fund consists of any money received from the following
21 sources:

22 A. Contributions from private sources;

23 B. Federal funds and grant awards;

24 C. The proceeds of any bonds issued for the purposes for which the fund is established;
25 and

26 D. Any other funds received in support of the purposes for which the fund is
27 established.

28 **3. Disbursements from fund.** The agency shall apply the money in the fund to provide
29 for grants and loans to support municipal and tribal government infrastructure projects that
30 reduce future storm and other hazard risks.

31 **4. Rulemaking.** The agency may adopt rules as necessary to accomplish the purpose
32 of the fund and to meet state and federal requirements for the proper administration of this
33 section. Rules adopted pursuant to this subsection are routine technical rules as defined in
34 Title 5, chapter 375, subchapter 2-A.

35 **Sec. B-2. Transfers from available fiscal year 2024-25 Department of**
36 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
37 **Revenue Funds balances to the Department of Defense, Veterans and**
38 **Emergency Management, Administration - Maine Emergency Management**
39 **Agency, Disaster Recovery Fund Other Special Revenue Funds account.**
40 Notwithstanding any provision of law to the contrary, on or before 90 days following the
41 effective date of this Act, the State Controller shall transfer \$10,000,000 from available

1 balances in the Insurance - Bureau of, Other Special Revenue Funds account within the
2 Department of Professional and Financial Regulation to the Department of Defense,
3 Veterans and Emergency Management, Administration - Maine Emergency Management
4 Agency, Disaster Recovery Fund Other Special Revenue Funds account.

5 **Sec. B-3. Transfers from available fiscal year 2024-25 Department of**
6 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
7 **Revenue Funds balances to the Department of Defense, Veterans and**
8 **Emergency Management, Administration - Maine Emergency Management**
9 **Agency, Other Special Revenue Funds account.** Notwithstanding any provision of
10 law to the contrary, on or before 90 days following the effective date of this Act, the State
11 Controller shall transfer \$477,313 from available balances in the Insurance - Bureau of,
12 Other Special Revenue Funds account within the Department of Professional and Financial
13 Regulation to the Department of Defense, Veterans and Emergency Management,
14 Administration - Maine Emergency Management Agency, Other Special Revenue Funds
15 account.

16 **Sec. B-4. Transfers from available fiscal year 2024-25 Department of**
17 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
18 **Revenue Funds balances to the Department of Defense, Veterans and**
19 **Emergency Management, Administration - Maine Emergency Management**
20 **Agency, Other Special Revenue Funds account.** Notwithstanding any provision of
21 law to the contrary, on or before 90 days following the effective date of this Act, the State
22 Controller shall transfer \$800,000 from available balances in the Insurance - Bureau of,
23 Other Special Revenue Funds account within the Department of Professional and Financial
24 Regulation to the Department of Defense, Veterans and Emergency Management,
25 Administration - Maine Emergency Management Agency, Other Special Revenue Funds
26 account.

27 **Sec. B-5. Transfers from available fiscal year 2024-25 Department of**
28 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
29 **Revenue Funds balances to the Department of Defense, Veterans and**
30 **Emergency Management, Safeguarding Tomorrow through Ongoing Risk**
31 **Mitigation Revolving Loan Fund, Other Special Revenue Funds account.**
32 Notwithstanding any provision of law to the contrary, on or before 90 days following the
33 effective date of this Act, the State Controller shall transfer \$750,000 from available
34 balances in the Insurance - Bureau of, Other Special Revenue Funds account within the
35 Department of Professional and Financial Regulation to the Department of Defense,
36 Veterans and Emergency Management, Safeguarding Tomorrow through Ongoing Risk
37 Mitigation Revolving Loan Fund, Other Special Revenue Funds account.

38 **Sec. B-6. Appropriations and allocations.** The following appropriations and
39 allocations are made.

40 **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT**
41 **OF**

42 **Administration - Maine Emergency Management Agency 0214**

1 Initiative: Establishes one limited-period Contract/Grant Specialist position through June
 2 18, 2027 and provides allocation for related All Other costs to function as the State's first
 3 Safeguarding Tomorrow Revolving Loan Fund administrator and to support communities
 4 in applying for and receiving other United States Department of Homeland Security,
 5 Federal Emergency Management Agency funding sources.

6	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
7	Personal Services	\$96,275	\$103,555
8	All Other	\$7,605	\$7,711
9			
10	OTHER SPECIAL REVENUE FUNDS TOTAL	\$103,880	\$111,266

11 **Administration - Maine Emergency Management Agency 0214**

12 Initiative: Establishes one limited-period Communications System Manager position
 13 through June 18, 2027 and provides allocation for related All Other costs necessary to serve
 14 as the State's integrated public alert and warning coordinator.

15	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
16	Personal Services	\$118,165	\$127,560
17	All Other	\$8,132	\$8,310
18			
19	OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,297	\$135,870

20 **Administration - Maine Emergency Management Agency 0214**

21 Initiative: Provides allocation to support a 2-year initiative to update the Maine Emergency
 22 Management Agency's communications technology and warning systems statewide and
 23 provide for technology purchases, universal language systems, training and education in
 24 all counties to improve communications before, during and after emergency and disaster
 25 events.

26	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
27	All Other	\$800,000	\$500
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	\$800,000	\$500

30 **Administration - Maine Emergency Management Agency 0214**

31 Initiative: Provides one-time funding for the Disaster Recovery Fund to meet state funding
 32 requirements for emergency declarations.

33	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
34	All Other	\$10,000,000	\$500
35			
36	OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000,000	\$500

37 **Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan Fund**
 38 **N500**

39 Initiative: Provides allocation to provide for the state match for a federal grant from the
 40 federal Safeguarding Tomorrow Revolving Loan Fund, which provides capital to states to
 41 establish revolving loan funds that provide hazard mitigation assistance to local
 42 governments to reduce risks from natural hazards and disasters. The loans are meant to

1 complement grant assistance and help advance municipal and tribal projects through low-
2 interest loans.

3	FEDERAL EXPENDITURES FUND	2025-26	2026-27
4	All Other	\$500	\$500
5			
6	FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$500	<hr/> \$500

7			
8	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
9	All Other	\$750,000	\$500
10			
11	OTHER SPECIAL REVENUE FUNDS TOTAL	<hr/> \$750,000	<hr/> \$500

12			
13	DEFENSE, VETERANS AND EMERGENCY		
14	MANAGEMENT, DEPARTMENT OF		
15	DEPARTMENT TOTALS	2025-26	2026-27
16			
17	FEDERAL EXPENDITURES FUND	\$500	\$500
18	OTHER SPECIAL REVENUE FUNDS	\$11,780,177	\$248,636
19			
20	DEPARTMENT TOTAL - ALL FUNDS	<hr/> \$11,780,677	<hr/> \$249,136

21 **PART C**

22 **Sec. C-1. 5 MRSA c. 310-B, sub-c. 1** is enacted by adding before section 3201 the
23 following to read:

24 **SUBCHAPTER 1**

25 **MAINE OFFICE OF COMMUNITY AFFAIRS**

26 **Sec. C-2. 5 MRSA c. 310-B, sub-c. 2** is enacted to read:

27 **SUBCHAPTER 2**

28 **STATE RESILIENCE OFFICE**

29 **§3211. State Resilience Office**

30 **1. Establishment; duties; administration.** The State Resilience Office is established
31 within the office. The State Resilience Office shall coordinate and assist implementation
32 of the State's resilience policies and activities designed to improve resistance to weather-
33 related events; collaborate with state agencies, municipalities, tribal governments and
34 regional councils and other stakeholders to harmonize policy objectives and
35 implementation of resilience policies and activities designed to improve resistance to
36 weather-related events across all levels of government; promote natural hazard risk
37 management across all levels of government; assist communities and regional governments

1 in this State to manage flooding, storm events and other natural hazards through planning,
2 technical assistance and financial support; and prioritize and coordinate projects for federal
3 funding. The office shall administer the State Resilience Office.

4 **2. Report.** Annually, beginning October 1, 2026, the State Resilience Office shall
5 report to the Bureau of Insurance within the Department of Professional and Financial
6 Regulation and the joint standing committee of the Legislature having jurisdiction over
7 insurance matters on the uses, activities and outcomes supported by funds from the transfer
8 made pursuant to Title 24-A, section 606.

9 **3. Rulemaking.** The State Resilience Office may adopt rules as necessary for the
10 proper administration of this subchapter. Rules adopted pursuant to this subsection are
11 routine technical rules as defined in chapter 375, subchapter 2-A.

12 **§3212. State Resilience Fund**

13 **1. Fund established.** The State Resilience Fund, referred to in this section as "the
14 fund," is established as a dedicated, nonlapsing fund administered by the office for the
15 purpose of providing funds for the mitigation of risk to communities, buildings and
16 infrastructure from flooding, extreme storm events and other hazards.

17 **2. Sources of funding.** The fund consists of any money received from the following
18 sources:

19 A. Contributions from private sources;

20 B. Federal funds and grant awards;

21 C. The proceeds of any bonds issued for the purposes for which the fund is established;
22 and

23 D. Any state or other funds received in support of the purposes for which the fund is
24 established.

25 **3. Disbursements from fund.** The office shall apply funds in the fund to support data,
26 planning tools, technical assistance and project funding designed to increase the resilience
27 of communities, state and local infrastructure, businesses and other state entities to natural
28 hazards, storm events and other disasters.

29 **Sec. C-3. 24-A MRSA §606** is enacted to read:

30 **§606. Annual transfer**

31 Annually, beginning with the 2027-28 fiscal year, within 90 days following the end of
32 the immediately prior fiscal year, the State Controller shall transfer \$1,755,000 from
33 available balances in the bureau's Other Special Revenue Funds account to the State
34 Resilience Fund established in Title 5, section 3212.

35 **Sec. C-4. Transfers from available fiscal year 2024-25 Department of**
36 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
37 **Revenue Funds balances to the Maine Office of Community Affairs, State**
38 **Resilience Fund, Other Special Revenue Funds account.** Notwithstanding any
39 provision of law to the contrary, on or before 90 days following the effective date of this
40 Act, the State Controller shall transfer \$9,633,040 from available balances in the Insurance
41 - Bureau of, Other Special Revenue Funds account within the Department of Professional

1 and Financial Regulation to the Maine Office of Community Affairs, State Resilience
2 Fund, Other Special Revenue Funds account.

3 **Sec. C-5. Appropriations and allocations.** The following appropriations and
4 allocations are made.

5 **MAINE OFFICE OF COMMUNITY AFFAIRS**

6 **State Resilience Fund N965**

7 Initiative: Establishes one Public Service Coordinator II position in the State Resilience
8 Office to be the geospatial data science manager and provides allocation for related All
9 Other costs, including data storage costs.

10	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
11	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
12	Personal Services	\$140,255	\$151,265
13	All Other	\$50,000	\$50,000
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$190,255</u>	<u>\$201,265</u>

16 **State Resilience Fund N965**

17 Initiative: Provides one-time Other Special Revenue Funds allocation to the State
18 Resilience Office to develop, as part of a so-called Flood-Ready Maine project, an inland,
19 coastal and riverine hydrologic model, a new online community risk data hub of flood risk
20 and other hazard information for public use and to update flood maps.

21	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
22	All Other	\$5,750,000	\$0
23			
24	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,750,000</u>	<u>\$0</u>

25 **State Resilience Fund N965**

26 Initiative: Establishes one Public Service Coordinator II position in the State Resilience
27 Office to be the coordinator of the certified floodplain regional program and provides
28 allocation for related All Other costs and for the State Resilience Office, in partnership with
29 the Department of Defense, Veterans and Emergency Management, Maine Emergency
30 Management Agency and the Department of Professional and Financial Regulation, Bureau
31 of Insurance, to expand state and regional capacity to assist communities through grants to
32 regional service providers to employ regional certified floodplain managers and to provide
33 technical assistance, public engagement and municipal training to support flood risk
34 reduction, reduced insurance rates and increased participation in the National Flood
35 Insurance Program.

36	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
37	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
38	Personal Services	\$140,255	\$151,265
39	All Other	\$1,600,000	\$1,600,000
40			
41	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,740,255</u>	<u>\$1,751,265</u>

- 1 Legislature having jurisdiction over insurance matters on the uses, activities and outcomes
- 2 supported by funds from that annual transfer of funds.