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Date: (Filing No. S-)

HOUSING AND ECONOMIC DEVELOPMENT

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

**STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 29, L.D. 1, “An Act to Increase Storm Preparedness for Maine's Communities, Homes and Infrastructure”

Amend the bill in the emergency preamble in the 3rd indented paragraph in the 2nd line (page 1, line 7 in L.D.) by striking out the following: "weather-related" and inserting the following: 'extreme weather'

Amend the bill in the emergency preamble in the 6th indented paragraph in the 4th line (page 1, line 21 in L.D.) by striking out the following: "weather-related" and inserting the following: 'extreme weather'

Amend the bill in the emergency preamble in the 7th indented paragraph in the first and 2nd lines (page 1, lines 22 and 23 in L.D.) by striking out the following: "municipal leaders, regional planners, emergency managers and state agencies" and inserting the following: 'county, municipal and tribal leaders, regional planners, state agencies and emergency managers at the state, county and local level'

Amend the bill in Part A in section 1 in c. 101 in §7701 in subsection 4 in the last line (page 2, line 8 in L.D.) by striking out the following: "severe" and inserting the following: 'extreme'

Amend the bill in Part A in section 1 in c. 101 in §7702 in subsection 6 in the first line (page 3, line 13 in L.D.) by striking out the following: "The bureau shall set maximum grant amounts, and the" and inserting the following: 'The bureau may establish 2 or more tiers of eligibility based on factors that reflect the income or financial means of the applicant. The bureau shall set maximum grant amounts and, if income or financial means tiers are established, shall set the maximum grant amounts for each tier. The'

Amend the bill in Part A in section 1 in c. 101 in §7702 in subsection 9 in the first line (page 3, line 26 in L.D.) by striking out the following: "shall" and inserting the following: 'may'

Amend the bill in Part A by striking out all of section 3 and inserting the following:

COMMITTEE AMENDMENT

1 **'Sec. A-3. Appropriations and allocations.** The following appropriations and
 2 allocations are made.

3 **PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**
 4 **Home Resiliency Fund N964**

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

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

13 '

14 Amend the bill in Part B in section 1 in §747 in subsection 1 in the 5th line (page 4,
 15 line 18 in L.D.) by inserting after the following: "support" the following: 'county,'

16 Amend the bill in Part B in section 1 in §747 in subsection 1 in the last line (page 4,
 17 line 19 in L.D.) by striking out the following: "future storm and other hazard risks" and
 18 inserting the following: 'risks from extreme weather events and other natural hazards such
 19 as flooding and damaging winds to the extent allowed by federal laws and regulations'

20 Amend the bill in Part B in section 1 in §747 in subsection 3 in the last line (page 4,
 21 line 30 in L.D.) by striking out the following: "future storm and other hazard risks" and
 22 inserting the following: 'risks from extreme weather events and other natural hazards such
 23 as flooding and damaging winds to the extent allowed by federal laws and regulations'

24 Amend the bill in Part B by striking out all of section 6 and inserting the following:

25 **'Sec. B-6. Appropriations and allocations.** The following appropriations and
 26 allocations are made.

27 **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT**
 28 **OF**

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

30 Initiative: Establishes one limited-period Contract/Grant Specialist position through June
 31 18, 2027 and provides allocation for related All Other costs to function as the State's first
 32 Safeguarding Tomorrow Revolving Loan Fund administrator and to support county,
 33 municipal and tribal governments in applying for and receiving other United States
 34 Department of Homeland Security, Federal Emergency Management Agency funding
 35 sources.

36	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
37	Personal Services	\$96,275	\$103,555
38	All Other	\$7,605	\$7,711
39			
40	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$103,880</u>	<u>\$111,266</u>

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

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

4	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
5	Personal Services	\$118,165	\$127,560
6	All Other	\$8,132	\$8,310
7			
8	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$126,297</u>	<u>\$135,870</u>

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

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

15	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
16	All Other	\$800,000	\$500
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$800,000</u>	<u>\$500</u>

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

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

22	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
23	All Other	\$10,000,000	\$500
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000,000</u>	<u>\$500</u>

26 **Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan Fund**
 27 **N500**

28 Initiative: Provides allocation to provide for the state match for a federal grant from the
 29 federal Safeguarding Tomorrow Revolving Loan Fund, which provides capital to states to
 30 establish revolving loan funds that provide hazard mitigation assistance to county,
 31 municipal and tribal governments to reduce risks from extreme weather events and other
 32 natural hazards such as flooding and damaging winds, as allowed by federal laws and
 33 regulations. The loans are meant to complement grant assistance and help advance county,
 34 municipal and tribal projects through low-interest loans.

35	FEDERAL EXPENDITURES FUND	2025-26	2026-27
36	All Other	\$500	\$500
37			
38	FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>

39

40	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
41	All Other	\$750,000	\$500
42			
43	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$750,000</u>	<u>\$500</u>

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DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS	2025-26	2026-27
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$11,780,177	\$248,636
DEPARTMENT TOTAL - ALL FUNDS	\$11,780,677	\$249,136

Amend the bill by striking out all of Part C and inserting the following:

PART C

Sec. C-1. 5 MRSA §3109, sub-§2, as enacted by PL 2023, c. 412, Pt. OOOO, §1, is amended to read:

2. Program established; administration. The Community Resilience Partnership Program, referred to in this section as "the program," is established within the office to provide direction, assistance and grants to communities in the State to help the communities reduce carbon emissions, transition to clean energy and become more resilient to the effects of climate change. The office State Resilience Office established in section 3211 shall administer the program to provide technical and financial assistance for local and regional planning and implementation projects consistent with the State's emissions reduction targets under Title 38, section 576-A and the state climate action plan under Title 38, section 577.

Sec. C-2. 5 MRSA c. 310-B, sub-c. 1 is enacted by adding before section 3201 the following to read:

SUBCHAPTER 1

MAINE OFFICE OF COMMUNITY AFFAIRS

Sec. C-3. 5 MRSA c. 310-B, sub-c. 2 is enacted to read:

SUBCHAPTER 2

STATE RESILIENCE OFFICE

§3211. State Resilience Office

1. Establishment; duties; administration. The State Resilience Office is established within the office. The State Resilience Office shall coordinate and assist implementation of the State's resilience policies and activities designed to improve resistance to extreme weather events; collaborate with state agencies, county, municipal and tribal governments, regional councils and county, local and tribal emergency management agencies and other stakeholders to harmonize policy objectives and implementation of resilience policies and

1 activities designed to improve resistance to extreme weather events across all levels of
2 government; promote natural hazard risk management across all levels of government;
3 assist county, municipal and tribal governments in this State to manage risks from extreme
4 weather events and natural hazards, such as flooding and damaging winds, through
5 planning, technical assistance and financial support; and prioritize and coordinate projects
6 for federal funding.

7 **2. Administration of certain programs.** The State Resilience Office shall administer
8 the Community Resilience Partnership Program established in section 3109, the floodplain
9 management program established in Title 12, section 408 and the State Floodplain Mapping
10 Fund established in Title 12, section 409.

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

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

19 **§3212. State Resilience Fund**

20 **1. Fund established.** The State Resilience Fund, referred to in this section as "the
21 fund," is established as a dedicated, nonlapsing fund administered by the office for the
22 purpose of providing funds for the mitigation of risk to communities, buildings and
23 infrastructure from extreme weather events and other natural hazards such as flooding and
24 damaging winds.

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

27 A. Contributions from private sources;

28 B. Federal funds and grant awards;

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

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

33 **3. Disbursements from fund.** The office shall apply funds in the fund to support
34 data, planning tools, technical assistance and project funding designed to increase the
35 resilience of county, municipal and tribal governments, state and local infrastructure,
36 businesses and other state entities to risks from extreme weather events and natural hazards
37 such as flooding and damaging winds.

38 **Sec. C-4. 12 MRSA §408**, as enacted by PL 2011, c. 655, Pt. HH, §1 and affected
39 by §7 and amended by c. 657, Pt. W, §5, is further amended to read:

40 **§408. Floodplain management**

41 The floodplain management program is established within the Department of
42 Agriculture, Conservation and Forestry and is administered by the State Resilience Office

1 established in Title 5, section 3211. The ~~department~~ State Resilience Office shall serve as
2 the state coordinating agency for the National Flood Insurance Program pursuant to 44
3 Code of Federal Regulations, Part 60 and in that capacity shall oversee delivery of technical
4 assistance and resources to municipalities for the purpose of floodplain management
5 activities and shall administer the State Floodplain Mapping Fund under section 409.

6 **Sec. C-5. 12 MRSA §409**, as enacted by PL 2011, c. 655, Pt. HH, §2 and affected
7 by §7 and amended by c. 657, Pt. W, §5, is further amended to read:

8 **§409. State Floodplain Mapping Fund**

9 **1. Fund established.** The State Floodplain Mapping Fund, referred to in this section
10 as "the fund," is established as a dedicated, nonlapsing fund ~~administered by~~ in the
11 Department of Agriculture, Conservation and Forestry for the purpose of providing funds
12 for the mapping of floodplains in the State using light detection and ranging technology.

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

- 15 A. Contributions from private sources;
16 B. Federal funds and awards;
17 C. The proceeds of any bonds issued for the purposes for which the fund is established;
18 and
19 D. Any other funds received in support of the purposes for which the fund is
20 established.

21 **3. Disbursements from the fund.** The Department of Agriculture, Conservation and
22 Forestry shall apply the money in the fund toward the support of floodplain mapping in the
23 State, including, but not limited to, the acquisition of light detection and ranging elevation
24 data and the processing and production of floodplain maps.

25 **4. Administration of the fund.** The State Resilience Office established in Title 5,
26 section 3211 shall administer the fund.

27 **Sec. C-6. 24-A MRSA §606** is enacted to read:

28 **§606. Annual transfer**

29 Annually, beginning with the 2027-28 fiscal year, within 90 days following the end of
30 the immediately prior fiscal year, and upon verification by the superintendent that sufficient
31 surplus funds exist, the State Controller shall transfer \$1,755,000 from available balances
32 in the bureau's Other Special Revenue Funds account to the State Resilience Fund
33 established in Title 5, section 3212.

34 **Sec. C-7. Transfers from available fiscal year 2024-25 Department of**
35 **Professional and Financial Regulation, Insurance - Bureau of, Other Special**
36 **Revenue Funds balances to the Maine Office of Community Affairs, State**
37 **Resilience Fund, Other Special Revenue Funds account.** Notwithstanding any
38 provision of law to the contrary, on or before 90 days following the effective date of this
39 Act, the State Controller shall transfer \$9,633,040 from available balances in the Insurance
40 - 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-8. Transition provisions; Community Resilience Partnership**
 4 **Program.** The following provisions govern the transition of the administration of the
 5 Community Resilience Partnership Program, established in the Maine Revised Statutes,
 6 Title 5, section 3109, from the Office of Policy Innovation and the Future to the Maine
 7 Office of Community Affairs, State Resilience Office.

8 1. All existing rules, regulations and procedures in effect, in operation or adopted for
 9 the Community Resilience Partnership Program in the Office of Policy Innovation and the
 10 Future or any of its administrative units or officers are hereby declared in effect and
 11 continue in effect until rescinded, revised or amended by the Maine Office of Community
 12 Affairs, State Resilience Office.

13 2. All existing contracts, agreements and compacts currently in effect in the
 14 Community Resilience Partnership Program continue in effect.

15 3. All records, property and equipment previously belonging to or allocated for the use
 16 of the Community Resilience Partnership Program in the Office of Policy Innovation and
 17 the Future become, on the effective date of this Act, part of the property of the Maine Office
 18 of Community Affairs, State Resilience Office.

19 4. All existing forms, licenses, letterheads and similar items bearing the name of or
 20 referring to the Community Resilience Partnership Program may be used by the Maine
 21 Office of Community Affairs, State Resilience Office until existing supplies of those items
 22 are exhausted.

23 5. Notwithstanding any provision of law to the contrary, the State Controller shall
 24 transfer any unobligated balances remaining in the Community Resilience Partnership
 25 Program Other Special Revenue Funds account and federal funds to the Maine Office of
 26 Community Affairs, State Resilience Office no later than October 1, 2025.

27 **Sec. C-9. Appropriations and allocations.** The following appropriations and
 28 allocations are made.

29 **MAINE OFFICE OF COMMUNITY AFFAIRS**

30 **State Resilience Fund N965**

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

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$140,255	\$151,265
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$190,255	\$201,265

40 **State Resilience Fund N965**

41 Initiative: Provides one-time Other Special Revenue Funds allocation to the State
 42 Resilience Office to develop, as part of a so-called Flood-Ready Maine project, an inland,

1 coastal and riverine hydrologic model, a new online community risk data hub of flood risk
 2 and other hazard information for public use and to update flood maps.

3	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
4	All Other	\$5,750,000	\$0
5			
6	OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,750,000	\$0

7 **State Resilience Fund N965**

8 Initiative: Establishes one Public Service Coordinator II position in the State Resilience
 9 Office to be the coordinator of the certified floodplain regional program and provides
 10 allocation for related All Other costs and for the State Resilience Office, in partnership with
 11 the Department of Defense, Veterans and Emergency Management, Maine Emergency
 12 Management Agency and the Department of Professional and Financial Regulation, Bureau
 13 of Insurance, to expand state and regional capacity to assist county, municipal and tribal
 14 governments through grants to regional service providers to employ regional certified
 15 floodplain managers and to provide technical assistance, public engagement and county,
 16 municipal and tribal government training to support flood risk reduction, reduced insurance
 17 rates and increased participation in the National Flood Insurance Program.

18	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
19	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
20	Personal Services	\$140,255	\$151,265
21	All Other	\$1,600,000	\$1,600,000
22			
23	OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,740,255	\$1,751,265

24
 25 **MAINE OFFICE OF COMMUNITY AFFAIRS**
 26 **DEPARTMENT TOTALS**

27		2025-26	2026-27
28	OTHER SPECIAL REVENUE FUNDS	\$7,680,510	\$1,952,530
29			
30	DEPARTMENT TOTAL - ALL FUNDS	\$7,680,510	\$1,952,530

31 **Sec. C-10. Contingent effective date; continuation of obligations.** Those
 32 sections of this Part that amend the Maine Revised Statutes, Title 5, section 3109,
 33 subsection 2 and Title 12, sections 408 and 409 and that portion of this Part that enacts
 34 Title 5, section 3211, subsection 2 are contingent on the State Resilience Office established
 35 in Title 5, section 3211 receiving funds sufficient to administer the floodplain management
 36 program established in Title 12, section 408, the State Floodplain Mapping Fund
 37 established in Title 12, section 409 and the Community Resilience Partnership Program
 38 established in Title 5, section 3109. Until that contingency is met, the Department of
 39 Agriculture, Conservation and Forestry shall continue to administer the floodplain
 40 management program and the State Floodplain Mapping Fund and the Office of Policy
 41 Innovation and the Future shall continue to administer the Community Resilience
 42 Partnership Program. The Director of the Maine Office of Community Affairs shall notify
 43 the Secretary of State, the Secretary of the Senate, the Clerk of the House of
 44 Representatives and the Revisor of Statutes when the State Resilience Office receives funds
 45 sufficient to administer the programs under this section.'

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
2 number to read consecutively.

3 **SUMMARY**

4 This amendment makes the following changes to the bill.

5 1. It transfers the responsibility for administering the Community Resilience
6 Partnership Program from the Office of Policy Innovation and the Future to the State
7 Resilience Office within the Maine Office of Community Affairs. The State Resilience
8 Office is established in the bill.

9 2. It clarifies that the State Resilience Office is responsible for administering the
10 floodplain management program and the State Floodplain Mapping Fund established in the
11 Maine Revised Statutes, Title 12, sections 408 and 409, respectively.

12 3. It requires the Superintendent of Insurance to certify that surplus funds exist in the
13 Department of Professional and Financial Regulation, Bureau of Insurance's Other Special
14 Revenue Funds account prior to the State Controller transferring funds out of the account
15 to the State Resilience Fund established in the bill.

16 4. It allows the Bureau of Insurance to establish 2 or more tiers of eligibility for the
17 Home Resiliency Program based on the income or financial means of the applicant.

18 5. It allows, but does not require, the Bureau of Insurance to adopt rules to implement
19 the Home Resiliency Program.

20 6. It standardizes language within each Part of the bill referring to extreme weather
21 events and natural hazards such as flooding and damaging winds.

22 7. It clarifies that county, municipal and tribal governments are eligible for some or all
23 of the services and funds from the programs established in Part B and Part C of the bill.

24 **FISCAL NOTE REQUIRED**

25 **(See attached)**