

CHAPTER 310-B

MAINE OFFICE OF COMMUNITY AFFAIRS

SUBCHAPTER 1

MAINE OFFICE OF COMMUNITY AFFAIRS

§3201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2023, c. 643, Pt. DD, §2 (NEW).]

1. Director. "Director" means the Director of the Maine Office of Community Affairs appointed pursuant to section 3203.
[PL 2023, c. 643, Pt. DD, §2 (NEW).]

1-A. Growth management program. "Growth management program" has the same meaning as in Title 30-A, section 4301, subsection 9.
[PL 2025, c. 388, Pt. D, §3 (NEW).]

1-B. Growth-related capital investment. "Growth-related capital investment" has the same meaning as in Title 30-A, section 4301, subsection 5-B.
[PL 2025, c. 388, Pt. D, §4 (NEW).]

1-C. Multimunicipal region. "Multimunicipal region" has the same meaning as in Title 30-A, section 4301, subsection 11-A.
[PL 2025, c. 388, Pt. D, §5 (NEW).]

2. Office. "Office" means the Maine Office of Community Affairs established by section 3202.
[PL 2023, c. 643, Pt. DD, §2 (NEW).]

3. Regional council. "Regional council" has the same meaning as in Title 30-A, section 4301, subsection 14.
[PL 2025, c. 388, Pt. D, §6 (NEW).]

SECTION HISTORY

PL 2023, c. 643, Pt. DD, §2 (NEW). PL 2025, c. 388, Pt. D, §§3-6 (AMD).

§3202. Office established; purpose

The Maine Office of Community Affairs is established to foster communications and partnerships across state agencies and between the State and communities in this State. The office shall engage with municipalities, tribal governments and regional councils to provide coordinated and efficient planning, technical assistance and financial support to better plan for challenges, pursue solutions and create stronger, more resilient communities. [PL 2025, c. 388, Pt. D, §7 (AMD).]

The office is established to partner with communities in this State and regional councils by: [PL 2023, c. 643, Pt. DD, §2 (NEW).]

1. Assistance and funding. Providing technical assistance and funding related to planning to municipalities, tribal governments and regional councils that supports a sustainable future for the State's people, communities, natural resources, physical infrastructure, industries, businesses and institutions; and
[PL 2023, c. 643, Pt. DD, §2 (NEW).]

2. Coordination and communication. Facilitating general coordination and communication between municipalities, tribal governments, regional councils and State Government.

[PL 2023, c. 643, Pt. DD, §2 (NEW).]

SECTION HISTORY

PL 2023, c. 643, Pt. DD, §2 (NEW). PL 2025, c. 388, Pt. D, §7 (AMD).

§3203. Director

The Director of the Maine Office of Community Affairs is appointed by the Governor and serves at the pleasure of the Governor. The director must have demonstrated experience and leadership in municipal or regional government and must bring expertise in planning, technical assistance and grant programs for communities. [PL 2023, c. 643, Pt. DD, §2 (NEW).]

SECTION HISTORY

PL 2023, c. 643, Pt. DD, §2 (NEW).

§3204. Powers and duties

The director shall exercise the powers of the office and is responsible for the execution of the duties of the office. [PL 2023, c. 643, Pt. DD, §2 (NEW).]

1. Duties of director.

The director shall:

A. Appoint and remove office staff and prescribe staff duties as necessary to implement the duties of the office, including:

- (1) Hiring professional staff that have education, training and experience in the fields of planning and development, local and regional government, climate science and resilience, housing, building codes and general policy making; and
- (2) Employing additional staff as necessary to support the work of the office; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

B. Supervise and administer the affairs of the office and advise the Governor and other officials of State Government on matters of communication and partnerships between the State, municipalities, tribal governments and regional councils in this State; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

C. At the request of the Governor, act for the State in the initiation of or participation in any multigovernmental agency program related to the purposes of the office; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

D. At the request of the Governor, prepare and submit a budget for the office; and [PL 2023, c. 643, Pt. DD, §2 (NEW).]

E. At the request of the Governor, report on the activities of the office and, after consultation with and approval by the Governor, submit recommendations for legislative action as are determined necessary to further the purposes of this chapter. [PL 2023, c. 643, Pt. DD, §2 (NEW).]

[PL 2023, c. 643, Pt. DD, §2 (NEW).]

2. Duties of office.

Under the supervision of the director, the office shall:

A. Provide technical assistance and resources to municipalities, tribal governments and regional councils on issues related to planning, climate resilience and development; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

B. Collect and collate data and statistics relating to the issues described in paragraph A and provide them to municipalities, tribal governments and regional councils; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

C. Assist municipalities, tribal governments and regional councils, as well as the State, in applying for, using and leveraging federal funding resources on issues of importance to communities and the State; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

D. Make grants from money appropriated to the office by the Legislature and any funds received by the office for the purposes of the office, including federal funding or private funds; solicit applications for grants; and make grant awards to eligible communities and to service provider organizations as determined by the office, including establishing eligibility requirements and other criteria to consider in awarding grants; [PL 2023, c. 643, Pt. DD, §2 (NEW).]

E. Administer contracts with regional councils and regional planning and development districts to provide technical assistance and resources to municipalities and tribal governments on issues related to planning, climate resilience and development, including but not limited to land use planning, planning for housing and other residential development, climate resilience planning and related infrastructure planning, building codes and other forms of local development assistance to support state, regional and local goals; and [PL 2023, c. 643, Pt. DD, §2 (NEW).]

F. Consult with and provide ongoing coordination with state agencies on programs and issues related to planning technical assistance and funding to communities in this State, including but not limited to the Department of Transportation; Department of Environmental Protection; Department of Marine Resources; Department of Inland Fisheries and Wildlife; Department of Agriculture, Conservation and Forestry; Department of Economic and Community Development; Department of Health and Human Services; Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency; Department of Public Safety; Maine State Housing Authority; Governor's Energy Office; Efficiency Maine Trust; the Maine Historic Preservation Commission; and the Maine Redevelopment Land Bank Authority. [PL 2023, c. 643, Pt. DD, §2 (NEW).]

The office may adopt rules as necessary for the proper administration and enforcement of this chapter, pursuant to the Maine Administrative Procedure Act. Unless otherwise specified, rules adopted pursuant to this chapter are routine technical rules as defined in chapter 375, subchapter 2-A. [PL 2025, c. 388, Pt. D, §8 (AMD).]

SECTION HISTORY

PL 2023, c. 643, Pt. DD, §2 (NEW). PL 2025, c. 388, Pt. D, §8 (AMD).

§3205. Acceptance and administration of funds

The office may accept, administer and expend funds, including but not limited to funds from the Federal Government or from private sources, for purposes consistent with this chapter. The director shall provide a report of the amount of any outside funding received from private sources and its designated purpose to the Governor, the joint standing committee of the Legislature having jurisdiction over housing matters and the joint standing committee of the Legislature having jurisdiction over municipal matters on an annual basis. [PL 2025, c. 388, Pt. D, §9 (AMD).]

1. Rules. The office may adopt rules to administer grants and other fund disbursements. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

[PL 2025, c. 388, Pt. D, §9 (NEW).]

2. Exemption. To maximize the availability of technical and financial assistance programs to all communities, including municipalities and tribes, and to multimunicipal regions and service providers, a financial assistance program administered competitively by the office is exempt from rules adopted by the Department of Administrative and Financial Services pursuant to chapter 155 governing the purchasing of services and the awarding of grants and contracts.

[PL 2025, c. 388, Pt. D, §9 (NEW).]

3. Program statement. The office shall publish a program statement describing its grant programs and advertising its availability to eligible applicants.

[PL 2025, c. 388, Pt. D, §9 (NEW).]

4. Grant term; recipient duties. A grant awarded from a financial assistance program pursuant to this section may be for a period of up to 2 years. A recipient of a grant fund from a financial assistance program shall cooperate with the office's performance of periodic evaluations. A recipient shall meet the office's reporting requirements.

[PL 2025, c. 388, Pt. D, §9 (NEW).]

5. Appeals. The office may adjudicate appeals of its grant disbursement decisions. Notwithstanding any provision of law to the contrary, an adjudicatory hearing on an appeal must be held in accordance with the Maine Administrative Procedure Act.

[PL 2025, c. 388, Pt. D, §9 (NEW).]

SECTION HISTORY

PL 2023, c. 643, Pt. DD, §2 (NEW). PL 2025, c. 388, Pt. D, §9 (AMD).

§3206. Contracts; agreements

The office may employ expert and professional consultants, contract for services as the director determines necessary within the limits of the funds provided and consistent with the powers and duties of the office and enter into agreements with the Federal Government and other agencies and organizations that promote the objectives of this chapter. [PL 2023, c. 643, Pt. DD, §2 (NEW).]

SECTION HISTORY

PL 2023, c. 643, Pt. DD, §2 (NEW).

§3207. Working Waterfront Information and Technical Assistance Fund

The Working Waterfront Information and Technical Assistance Fund, referred to in this section as "the fund," is established. Balances in the fund may not lapse and must be carried forward and used for the purposes of this section. The fund is administered by the office, and the office may accept and deposit in the fund money from private and public sources. In carrying out the purposes of the fund, the office shall work with the Department of Economic and Community Development, Office of Tourism; the Department of Marine Resources; coastal municipal and regional governments; and organizations and coalitions that have experience advocating for developing and protecting working waterfronts in the State and experience working with persons who use working waterfronts in the State. In collaboration with the entities listed in this section, the office shall use the fund in the production of working waterfront information campaigns and the provision of technical assistance to encourage protection and development of working waterfronts. As used in this section, "working waterfront" means a parcel of land abutting water subject to tidal influence or land located in the intertidal zone that is used primarily or predominantly to provide access to or support the conduct of commercial fishing and marine activities. [PL 2025, c. 265, §1 (NEW).]

SECTION HISTORY

PL 2025, c. 265, §1 (NEW).

§3208. Working Waterfront Advisory Council

The Working Waterfront Advisory Council, established by section 12004-I, subsection 57-I and referred to in this section as "the council," is established to address issues facing the State's working waterfronts. [PL 2025, c. 265, §2 (NEW).]

1. Membership. The director shall appoint up to 15 members to the council who, to the greatest extent possible, must represent federally recognized Indian nations, tribes or bands in the State, municipalities, nonprofit organizations, trade organizations, educational institutions, individuals and

industries that represent or use working waterfronts in the State. To the greatest extent possible, the membership of the council must reflect a geographic distribution along the coast.

In making appointments, the director shall consider and appoint residents of the State who have knowledge of problems facing working waterfronts in the State, have experience in advocacy relating to working waterfront issues or provide leadership in programs or activities that create and improve opportunities or spread awareness related to working waterfronts and persons that use them.

[PL 2025, c. 265, §2 (NEW).]

2. Term. A member's term is for 3 years. If a member is unable to complete the term, the director shall appoint a member pursuant to subsection 1 to serve out the unexpired portion of the term.

[PL 2025, c. 265, §2 (NEW).]

3. Officers; staff. The officers of the council are the chair and the vice-chair. The term of the officers is one year. The council shall elect a member of the council for each officer position at the first regular meeting of each year. The council is staffed by the office.

[PL 2025, c. 265, §2 (NEW).]

4. Meetings. The council shall meet at least 4 times per year. It may meet at other times at the call of the chair or the director.

[PL 2025, c. 265, §2 (NEW).]

5. Council report. By February 1, 2026 and annually thereafter, the council shall submit a report to the joint standing committees of the Legislature having jurisdiction over economic and community development matters and marine resources matters on the status of the condition of, the current and future challenges concerning and recommendations related to working waterfronts in the State, including, but not limited to:

A. How to best use state agencies, municipal governments, working waterfront industries and citizen groups to protect and improve access to working waterfronts in the State; [PL 2025, c. 265, §2 (NEW).]

B. Matters of interest to working waterfront industries and communities in the State, including, but not limited to, geographic information systems mapping and inventory, climate and resilience, preservation and access, affordable workforce housing, climate-driven relocation, water quality and ecosystems, workforce development, health care access, the marine resources economy and economic development, including public-private partnerships, decarbonization and electrification and developing new working waterfronts; and [PL 2025, c. 265, §2 (NEW).]

C. Information on relevant existing federal, state, municipal, educational organization and nonprofit organization data, plans, recommendations and studies that relate to working waterfronts in the State and updates on progress made in state plans that include references to working waterfronts. [PL 2025, c. 265, §2 (NEW).]

After reviewing the report, either joint standing committee may report out legislation to implement any recommendations contained in the report.

[PL 2025, c. 265, §2 (NEW).]

6. Director report. By February 1, 2026 and annually thereafter, the director shall submit a report to the joint standing committees of the Legislature having jurisdiction over matters related to the office on the status of initiatives regarding working waterfronts, including information from coalitions, task forces and engagements with municipal and tribal governments. After reviewing the report, either joint standing committee may report out legislation to implement any recommendations contained in the report.

[PL 2025, c. 265, §2 (NEW).]

SECTION HISTORY

PL 2025, c. 265, §2 (NEW).

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 activities designed to improve resistance to extreme weather events across all levels of government; promote natural hazard risk management across all levels of government; assist county, municipal and tribal governments in this State to manage risks from extreme weather events and natural hazards, such as flooding and damaging winds, through planning, technical assistance and financial support; and prioritize and coordinate projects for federal funding.
[PL 2025, c. 33, Pt. C, §3 (NEW).]

2. Administration of certain programs. The State Resilience Office shall administer the Community Resilience Partnership Program established in section 3221, the floodplain management program established in section 3223 and the State Floodplain Mapping Fund established in section 3224.
[PL 2025, c. 388, Pt. D, §10 (AMD).]

3. Report. Annually, beginning October 1, 2026, the State Resilience Office shall report to the Bureau of Insurance within the Department of Professional and Financial Regulation and the joint standing committee of the Legislature having jurisdiction over insurance matters on the uses, activities and outcomes supported by funds from the transfer made pursuant to Title 24-A, section 606.
[PL 2025, c. 33, Pt. C, §3 (NEW).]

4. Rulemaking. The State Resilience Office may adopt rules as necessary for the proper administration of this subchapter. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.
[PL 2025, c. 33, Pt. C, §3 (NEW).]

SECTION HISTORY

PL 2025, c. 33, Pt. C, §3 (NEW). PL 2025, c. 33, Pt. C, §10 (AFF). PL 2025, c. 388, Pt. D, §10 (AMD).

§3212. State Resilience Fund

1. Fund established. The State Resilience Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing fund administered by the office for the purpose of providing funds for the mitigation of risk to communities, buildings and infrastructure from extreme weather events and other natural hazards such as flooding and damaging winds.
[PL 2025, c. 33, Pt. C, §3 (NEW).]

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

- A. Contributions from private sources; [PL 2025, c. 33, Pt. C, §3 (NEW).]
- B. Federal funds and grant awards; [PL 2025, c. 33, Pt. C, §3 (NEW).]

C. The proceeds of any bonds issued for the purposes for which the fund is established; and [PL 2025, c. 33, Pt. C, §3 (NEW).]

D. Any state or other funds received in support of the purposes for which the fund is established. [PL 2025, c. 33, Pt. C, §3 (NEW).]
[PL 2025, c. 33, Pt. C, §3 (NEW).]

3. Disbursements from fund. The office shall apply funds in the fund to support data, planning tools, technical assistance and project funding designed to increase the resilience of county, municipal and tribal governments, state and local infrastructure, businesses and other state entities to risks from extreme weather events and natural hazards such as flooding and damaging winds. [PL 2025, c. 33, Pt. C, §3 (NEW).]

SECTION HISTORY

PL 2025, c. 33, Pt. C, §3 (NEW).

SUBCHAPTER 3

CLIMATE RESILIENCE

§3221. Community Resilience Partnership Program

1. Definition. As used in this section, unless the context otherwise indicates, "community" means a municipal government, tribal government, plantation, township or unorganized territory. [PL 2025, c. 388, Pt. D, §11 (NEW).]

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 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. [PL 2025, c. 388, Pt. D, §11 (NEW).]

3. Grants. The office shall make grants from money appropriated to the program by the Legislature and any funds received by the office for the purposes of the program, including federal funding or private funds.

A. The program may solicit applications for grants and make grant awards through a competitive process to eligible communities and to service provider organizations as determined by the office. [PL 2025, c. 388, Pt. D, §11 (NEW).]

B. The office may establish eligibility requirements and other criteria to consider in awarding grants, as long as the criteria support the goals to help communities reduce carbon emissions, transition to clean energy and become more resilient to the effects of climate change. [PL 2025, c. 388, Pt. D, §11 (NEW).]
[PL 2025, c. 388, Pt. D, §11 (NEW).]

4. Other technical assistance. The office may provide other technical assistance and knowledge sharing that may include, but is not limited to, assisting communities with information about available grant opportunities, sharing best practices from jurisdictions inside and outside the State, providing model language for local ordinances and policies and providing information to the general public that may support local and statewide policy changes meant to reduce emissions, encourage the transition to clean energy and increase resiliency to the effects of climate change.

[PL 2025, c. 388, Pt. D, §11 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §11 (NEW).

§3222. Coastal zone management program

1. Implement and manage coastal zone management program. The office, under direction of the director, shall manage and coordinate implementation and ongoing development and improvement of a state coastal zone management program in accordance with and in furtherance of the requirements of the federal Coastal Zone Management Act of 1972, 16 United States Code, Sections 1451 to 1466 (2012) and the State's coastal management policies established in Title 38, section 1801. The office may:

- A. Implement aspects of the state coastal zone management program and be the lead state agency for purposes of federal consistency review under the federal Coastal Zone Management Act of 1972, 16 United States Code, Section 1456 (2012); [PL 2025, c. 388, Pt. D, §11 (NEW).]
- B. Receive and administer funds from public or private sources for implementation of the state coastal zone management program; and [PL 2025, c. 388, Pt. D, §11 (NEW).]
- C. Act as the coordinating agency among the several officers, authorities, boards, commissions, departments and political subdivisions of the State on matters relative to management of coastal resources and related human uses in the coastal area. [PL 2025, c. 388, Pt. D, §11 (NEW).]

[PL 2025, c. 388, Pt. D, §11 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §11 (NEW).

§3223. Floodplain management

The floodplain management program is established within the office. The office shall serve as the state coordinating agency for the National Flood Insurance Program pursuant to 44 Code of Federal Regulations, Part 60 and in that capacity shall oversee delivery of technical assistance and resources to municipalities for the purpose of floodplain management activities and shall administer the State Floodplain Mapping Fund under section 3224. [PL 2025, c. 388, Pt. D, §11 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §11 (NEW).

§3224. State Floodplain Mapping Fund

1. Fund established. The State Floodplain Mapping Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing fund administered by the office for the purpose of providing funds for the mapping of floodplains in the State using light detection and ranging technology.

[PL 2025, c. 388, Pt. D, §11 (NEW).]

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

- A. Contributions from private sources; [PL 2025, c. 388, Pt. D, §11 (NEW).]
- B. Federal funds and awards; [PL 2025, c. 388, Pt. D, §11 (NEW).]
- C. The proceeds of any bonds issued for the purposes for which the fund is established; and [PL 2025, c. 388, Pt. D, §11 (NEW).]
- D. Any other funds received in support of the purposes for which the fund is established. [PL 2025, c. 388, Pt. D, §11 (NEW).]

[PL 2025, c. 388, Pt. D, §11 (NEW).]

3. Disbursements from the fund. The office shall apply the money in the fund toward the support of floodplain mapping in the State, including, but not limited to, the acquisition of light detection and ranging elevation data and the processing and production of floodplain maps.
[PL 2025, c. 388, Pt. D, §11 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §11 (NEW).

SUBCHAPTER 4

MUNICIPAL PLANNING ASSISTANCE

§3231. Technical and financial assistance program established; purpose, administration

The technical and financial assistance program for municipalities, regional councils and multimunicipal regions, referred to in this subchapter as "the program," is established to encourage and facilitate the adoption and implementation of local, regional and statewide growth management programs. Under the provisions of the program, a municipality or multimunicipal region may request financial or technical assistance from the office for the purpose of planning and implementing a growth management program. A municipality or multimunicipal region that requests and receives a financial assistance grant shall develop and implement its growth management program in cooperation with the office and in a manner consistent with the procedures, goals and guidelines established in this subchapter and in Title 30-A, chapter 187, subchapter 2. [PL 2025, c. 388, Pt. D, §12 (NEW).]

To accomplish the purposes of this subchapter, the office shall develop and administer the program. The program must include direct financial assistance for planning and implementation of growth management programs, standards governing the review of growth management programs by the office, technical assistance to municipalities or multimunicipal regions and a voluntary certification program for growth management programs. [PL 2025, c. 388, Pt. D, §12 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §12 (NEW).

§3232. Technical and financial assistance

The office may enter into financial assistance grants under the program only to the extent that funds are available. In making grants, the office shall consider the need for planning in a municipality or multimunicipal region, the proximity of the municipality or multimunicipal region to other areas that are conducting or have completed the planning process and the economic and geographic role of the municipality or multimunicipal region within a regional context. The office shall give priority in making grants to any municipality or multimunicipal region that has adopted a local climate action plan and, if the municipality or multimunicipal region has adopted a comprehensive plan or growth management program, prepared a climate vulnerability assessment pursuant to Title 30-A, section 4326, subsection 1, paragraph L. The office may consider other criteria in making grants, as long as the criteria support the goal of encouraging and facilitating the adoption and implementation of local and multimunicipal growth management programs consistent with the procedures, goals and guidelines established in this subchapter. [PL 2025, c. 388, Pt. D, §12 (NEW).]

1. Financial assistance grants. A contract for a financial assistance grant must:

A. Provide for the payment of a specific amount for the purposes of planning and preparing a comprehensive plan; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Provide for the payment of a specific amount for the purposes of implementing a comprehensive plan; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Include specific timetables governing the preparation and submission of products by the municipality or multimunicipal region. [PL 2025, c. 388, Pt. D, §12 (NEW).]

The office may not require a municipality or multimunicipal region to provide matching funds in excess of 25% of the value of that municipality's or multimunicipal region's financial assistance contract for its first planning assistance grant and implementation assistance grant. The office may require a higher match for other grants, including, but not limited to, grants for the purpose of updating comprehensive plans. This match limitation does not apply to distribution of federal funds that the office may administer.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

2. Use of funds. A municipality or multimunicipal region may expend financial assistance grants for:

A. The conduct of surveys, inventories and other data-gathering activities; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. The hiring of planning and other technical staff; [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. The retention of planning consultants; [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. Contracts with regional councils for planning and related services; [PL 2025, c. 388, Pt. D, §12 (NEW).]

E. Assistance in the development of ordinances; [PL 2025, c. 388, Pt. D, §12 (NEW).]

F. Retention of technical and legal expertise; [PL 2025, c. 388, Pt. D, §12 (NEW).]

G. The updating of growth management programs or components of a program; [PL 2025, c. 388, Pt. D, §12 (NEW).]

H. Evaluation of growth management programs; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

I. Any other purpose agreed to by the office and the municipality or multimunicipal region that is directly related to the preparation of a comprehensive plan or the implementation of a comprehensive plan adopted in accordance with the procedures, goals and guidelines established in this subchapter. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[PL 2025, c. 388, Pt. D, §12 (NEW).]

3. Program evaluation. Any recipient of a financial assistance grant shall cooperate with the office in performing program evaluations required under Title 30-A, section 4331.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

4. Encumbered balances at year-end. Notwithstanding section 1589, at the end of each fiscal year, all encumbered balances accounts for financial assistance and regional planning grants may be carried forward for 2 years beyond the year in which those balances are encumbered.

[RR 2025, c. 1, Pt. A, §6 (COR).]

5. Technical assistance. Using its own staff, the staff of other state agencies, contractors and the resources of the regional councils, the office shall provide technical assistance to municipalities or multimunicipal regions in the development, administration and enforcement of growth management programs. The technical assistance component of the program must include a set of model land use ordinances or other implementation strategies developed by the office that are consistent with this subchapter.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

6. Regional council assistance. As part of the program, the office may develop and administer an initiative to develop regional education and training programs, regional policies to address state goals and regional assessments. Regional assessments may include, but are not limited to, public infrastructure, inventories of agricultural and commercial forest lands, housing needs, recreation and

open space needs and projections of regional growth and economic development. The initiative may include guidelines to ensure methodological consistency among the State's regional councils. To implement this initiative, the office may contract with regional councils to assist the office in reviewing growth management programs, to develop necessary planning information at a regional level or to provide support for local planning efforts.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

7. Coordination. State agencies with regulatory or other authority affecting the goals established in this subchapter shall conduct their respective activities in a manner consistent with the goals established under this subchapter, including, but not limited to, coordinating with municipalities, regional councils and other state agencies in meeting the state goals; providing available information to regions and municipalities as described in Title 30-A, section 4326, subsection 1; cooperating with efforts to integrate and provide access to geographic information system data; making state investments and awarding grant money as described in section 3234; and conducting reviews of growth management programs as provided in section 3233, subsection 3, paragraph A. Without limiting the application of this section to other state agencies, the following agencies shall comply with this subchapter:

A. Department of Economic and Community Development; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Department of Environmental Protection; [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Department of Agriculture, Conservation and Forestry; [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. Department of Inland Fisheries and Wildlife; [PL 2025, c. 388, Pt. D, §12 (NEW).]

E. Department of Marine Resources; [PL 2025, c. 388, Pt. D, §12 (NEW).]

F. Department of Transportation; [PL 2025, c. 388, Pt. D, §12 (NEW).]

G. Department of Health and Human Services; [PL 2025, c. 388, Pt. D, §12 (NEW).]

H. Finance Authority of Maine; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

I. Maine State Housing Authority. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[PL 2025, c. 388, Pt. D, §12 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §12 (NEW). RR 2025, c. 1, Pt. A, §6 (COR).

§3233. Municipal planning assistance program; review of programs

1. Comprehensive plans. A municipality or multimunicipal region that chooses to prepare a growth management program and receives a planning grant under Title 30-A, chapter 187, subchapter 2 shall submit its comprehensive plan to the office for review. A municipality or multimunicipal region that chooses to prepare a growth management program without receiving a planning grant under this subchapter may submit its comprehensive plan to the office for review. The office shall review plans for consistency with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2. A contract for a planning assistance grant must include specific timetables governing the review of the comprehensive plan by the office. A comprehensive plan submitted for review more than 12 months following a contract end date may be required to contain data, projections and other time-sensitive portions of the plan or program that are in compliance with the office's most current review standards.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

2. Growth management programs. A municipality or multimunicipal region may at any time request a certificate of consistency for its growth management program.

A. Upon a request for review under this section, the office shall review the program and determine whether the program is consistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2. [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Certification by the Department of Agriculture, Conservation and Forestry or the office of a municipality's or multimunicipal region's growth management program under Title 30-A, chapter 187, subchapter 2 is valid for 10 years. To maintain certification, a municipality or multimunicipal region shall periodically review its growth management program and submit to the office in a timely manner any revisions necessary to account for changes, including changes caused by growth and development. Certification does not lapse in any year in which the Legislature does not appropriate funds to the office for the purposes of reviewing programs for recertification. [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Upon a request for review under this section, the office may review rate of growth, impact fee and zoning ordinances to determine whether the ordinances are consistent with a comprehensive plan that has been found consistent under this section without requiring submission of all elements of a growth management program. An affirmative finding of consistency by the office is required for a municipality or multimunicipal region to assert jurisdiction as provided in section 3234. [PL 2025, c. 388, Pt. D, §12 (NEW).]
[PL 2025, c. 388, Pt. D, §12 (NEW).]

3. Review of growth management program. In reviewing a growth management program, the office shall:

A. Solicit written comments on any proposed growth management program from regional councils, state agencies, all municipalities contiguous to the municipality or multimunicipal region submitting a growth management program and any interested residents of the municipality or multimunicipal region or of contiguous municipalities. The comment period extends for 45 days after the office receives the growth management program.

(1) Each state agency reviewing the proposal shall designate a person or persons responsible for coordinating the agency's review of the growth management program.

(2) Any regional council commenting on a growth management program shall determine whether the program is compatible with the programs of other municipalities that may be affected by the program and with regional policies or needs identified by the regional council; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Prepare all written comments from all sources in a form to be forwarded to the municipality or multimunicipal region; [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Within 90 days after receiving the growth management program, send all written comments on the growth management program to the municipality or multimunicipal region and any applicable regional council. If warranted, the office shall issue findings specifically describing how the submitted growth management program is not consistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2 and the recommended measures for remedying the deficiencies.

(1) In its findings, the office shall clearly indicate its position on any point on which there are significant conflicts among the written comments submitted to the office.

(2) If the office finds that the growth management program was adopted in accordance with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2, the office shall issue a certificate of consistency for the growth management program.

(3) Notwithstanding paragraph D, if a municipality or multimunicipal region requests a certificate of consistency for its growth management program, any unmodified component of

that program that has previously been reviewed by the Department of Agriculture, Conservation and Forestry and has received a finding of consistency must retain that finding during program certification review by the office as long as the finding of consistency is current as defined in rules adopted by the office; [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. Provide ample opportunity for the municipality or multimunicipal region submitting a growth management program to respond to and correct any identified deficiencies in the program. A finding of inconsistency for a growth management program may be addressed within 24 months of the date of the finding without addressing any new review standards that are created during that time interval. After 24 months, the program must be resubmitted in its entirety for state review under the office's most current review standards; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

E. Provide an expedited review and certification procedure for those submissions that represent minor amendments to certified growth management programs. [PL 2025, c. 388, Pt. D, §12 (NEW).]

The office's decision on consistency of a growth management program constitutes final agency action. [PL 2025, c. 388, Pt. D, §12 (NEW).]

4. Review of comprehensive plan. In reviewing a comprehensive plan, the office shall:

A. Solicit written comments on any proposed comprehensive plan from regional councils, state agencies, all municipalities contiguous to the municipality or multimunicipal region submitting a comprehensive plan and any interested residents of the municipality or multimunicipal region or of contiguous municipalities. The comment period extends for 25 business days after the office receives the comprehensive plan. Each state agency reviewing the proposal shall designate a person or persons responsible for coordinating the agency's review of the comprehensive plan; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Prepare all written comments from all sources in a form to be forwarded to the municipality or multimunicipal region; [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Within 35 business days after receiving the comprehensive plan, notify the municipality or multimunicipal region if the plan is complete for purposes of review. If the office notifies the municipality or multimunicipal region that the plan is not complete for purposes of review, the office shall indicate in its notice necessary additional data or information; [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. Within 10 business days of issuing notification that a comprehensive plan is complete for purposes of review, issue findings specifically describing whether the submitted plan is consistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2 and identify which inconsistencies in the plan, if any, may directly affect rate of growth, zoning or impact fee ordinances.

(1) In its findings, the office shall clearly indicate its position on any point on which there are significant conflicts among the written comments submitted to the office.

(2) If the office finds that the comprehensive plan was developed in accordance with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2, the office shall issue a finding of consistency for the comprehensive plan.

(3) A finding of inconsistency must identify the goals under Title 30-A, chapter 187, subchapter 2 not adequately addressed, specific sections of the rules relating to comprehensive plan review adopted by the office not adequately addressed and recommendations for resolving the inconsistency; [PL 2025, c. 388, Pt. D, §12 (NEW).]

E. Send all written findings and comments on the comprehensive plan to the municipality or multimunicipal region and any applicable regional council; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

F. Provide ample opportunity for the municipality or multimunicipal region submitting a comprehensive plan to respond to and correct any identified deficiencies in the plan. A finding of inconsistency for a comprehensive plan may be addressed within 24 months of the date of the finding without addressing any new review standards that are created during that time interval. After 24 months, the plan must be resubmitted in its entirety for state review under the office's most current review standards. [PL 2025, c. 388, Pt. D, §12 (NEW).]

If the office finds that a plan is not consistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2, the municipality or multimunicipal region that submitted the plan may appeal that finding to the office within 20 business days of receipt of the finding in accordance with rules adopted by the office, which are routine technical rules pursuant to chapter 375, subchapter 2-A.

The office's decision on consistency of a comprehensive plan constitutes final agency action.

A finding by the office pursuant to paragraph D that a comprehensive plan is consistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2 is valid for 12 years from the date of its issuance. For purposes of Title 30-A, section 4314, subsection 3 and Title 30-A, section 4352, subsection 2, expiration of a finding of consistency pursuant to this subsection does not itself make a comprehensive plan inconsistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2. [PL 2025, c. 388, Pt. D, §12 (NEW).]

5. Updates and amendments. A municipality or multimunicipal region may submit proposed amendments to a comprehensive plan or growth management program to the office for review in the same manner as provided for the review of new plans and programs. Subsequent to voluntary certification under Title 30-A, chapter 187, subchapter 2, the municipality or multimunicipal region shall file a copy of an amendment to a growth management program with the office within 30 days after adopting the amendment and at least 60 days prior to applying for any state grant program that offers a preference for consistency or certification. [PL 2025, c. 388, Pt. D, §12 (NEW).]

6. Regional councils. Subject to the availability of funding and pursuant to the conditions of a contract, each regional council shall review and submit written comments on the comprehensive plan or growth management program of any municipality or multimunicipal region within its planning region. The comments must be submitted to the office and contain an analysis of:

A. Whether the comprehensive plan or growth management program is compatible with identified regional policies and needs; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Whether the comprehensive plan or growth management program is compatible with plans or programs of municipalities or multimunicipal regions that may be affected by the proposal. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[PL 2025, c. 388, Pt. D, §12 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §12 (NEW).

§3234. Municipal planning assistance program; state capital investments

1. Growth-related capital investments. The State may make growth-related capital investments only in:

A. A locally designated growth area, as identified in a comprehensive plan adopted pursuant to and consistent with the procedures, goals and guidelines of Title 30-A, chapter 187, subchapter 2 or as identified in a growth management program certified under section 3233; [RR 2025, c. 1, Pt. A, §7 (COR).]

B. In the absence of a consistent comprehensive plan, an area served by a public sewer system that has the capacity for the growth-related project, an area identified in the latest Federal Decennial Census as a census-designated place or a compact area of an urban compact municipality as defined by Title 23, section 754; or [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Areas other than those described in paragraph A or B for the following projects:

(1) A project related to a commercial or industrial activity that, due to its operational or physical characteristics, typically is located away from other development, such as an activity that relies on a particular natural resource for its operation;

(2) An airport, port or railroad or industry that must be proximate to an airport, a port or a railroad line or terminal;

(3) A pollution control facility;

(4) A project that maintains, expands or promotes a tourist or cultural facility that is required to be proximate to a specific historic, natural or cultural resource or a building or improvement that is related to and required to be proximate to land acquired for a park, conservation, open space or public access or to an agricultural, conservation or historic easement;

(5) A project located in a municipality that has none of the geographic areas described in paragraph A or B and that prior to January 1, 2000 formally requested but had not received from the Department of Agriculture, Conservation and Forestry funds to assist with the preparation of a comprehensive plan or that received funds from the Department of Agriculture, Conservation and Forestry to assist with the preparation of a comprehensive plan within the previous 2 years. This exception expires for a municipality 2 years after such funds are received; or

(6) A housing project serving the following: individuals with mental illness, developmental disabilities, physical disabilities, brain injuries, substance use disorder or a human immunodeficiency virus; homeless individuals; victims of domestic violence; foster children; children or adults in the custody of the State; or individuals with a household income of no more than 80% of the area median income if the project has 18 or fewer units and receives funding through a program administered by the Maine State Housing Authority. A nursing home is not considered a housing project under this paragraph. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[RR 2025, c. 1, Pt. A, §7 (COR).]

2. State facilities. The Department of Administrative and Financial Services, Bureau of General Services shall develop site selection criteria for state office buildings, state courts, hospitals and other quasi-public facilities and other civic buildings that serve public clients and customers, whether owned or leased by the State, that give preference to the priority locations identified in this subsection while ensuring safe, healthy, appropriate work space for employees and clients and accounting for agency requirements. On-site parking may only be required if it is necessary to meet critical program needs and to ensure reasonable access for agency clients and persons with disabilities. Employee parking that is within reasonable walking distance may be located off site. If there is a change in employee parking from on-site parking to off-site parking, the Department of Administrative and Financial Services must consult with the duly authorized bargaining agent or agents of the employees. Preference must be given to priority locations in the following order: service center downtowns, service center growth areas and downtowns and growth areas in other than service center communities. If no suitable priority location

exists or if the priority location would impose an undue financial hardship on the occupant or is not within a reasonable distance of the clients and customers served, the facility must be located in accordance with subsection 1. The following state facilities are exempt from this subsection: a lease of less than 500 square feet; and a lease with a tenure of less than one year, including renewals.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

3. State's role in implementation of growth management programs. All state agencies, as partners in local and regional growth management efforts, shall contribute to the successful implementation of comprehensive plans and growth management programs adopted under this subchapter by making investments, delivering programs and awarding grants in a manner that reinforces the policies and strategies within the plans or programs. Assistance must be provided within the confines of agency policies, available resources and considerations related to overriding state interest.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

4. Preference for other state grants and investments. Preference for other state grants and investments is governed by this subsection.

A. When awarding a grant or making a discretionary investment under any of the programs under paragraph B, subparagraphs (1) and (2) or when undertaking its own capital investment programs other than for projects identified in Title 30-A, section 4301, subsection 5-B, a state agency shall respect the primary purpose of its grant or investment program and, to the extent feasible, give preference:

- (1) First, to a municipality that has received a certificate of consistency for its growth management program under section 3233;
- (2) Second, to a municipality that has adopted a comprehensive plan that the former State Planning Office, the municipal planning assistance unit within the Department of Agriculture, Conservation and Forestry or the office has determined is consistent with the procedures, goals and guidelines of Title 30-A, chapter 187, subchapter 2 and has adopted zoning ordinances that the former State Planning Office, the municipal planning assistance unit within the Department of Agriculture, Conservation and Forestry or the office has determined are consistent with the comprehensive plan; and
- (3) Third, to a municipality that has adopted a comprehensive plan that the former State Planning Office, the municipal planning assistance unit within the Department of Agriculture, Conservation and Forestry or the office has determined is consistent with the procedures, goals and guidelines in Title 30-A, chapter 187, subchapter 2.

If a municipality has submitted a comprehensive plan, zoning ordinance or growth management program to the former State Planning Office, the municipal planning assistance unit within the Department of Agriculture, Conservation and Forestry or the office for review, the time for response as established in section 3233 has expired and comments or findings have not been provided to the municipality, a state agency when awarding a grant or making a discretionary investment under this subsection may not give preference over the municipality to another municipality. [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. This subsection applies to:

- (1) Programs that assist in the acquisition of land for conservation, natural resource protection, open space or recreational facilities under chapter 353; and
- (2) Programs intended to:
 - (a) Accommodate or encourage additional growth and development;
 - (b) Improve, expand or construct public facilities; or

(c) Acquire land for conservation or management of specific economic and natural resource concerns. [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. This subsection does not apply to state grants or other assistance for sewage treatment facilities, public health programs or education. [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. The office shall work with state agencies to prepare mechanisms for establishing preferences in specific investment and grant programs as described in paragraph B. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[PL 2025, c. 388, Pt. D, §12 (NEW).]

5. Application. Subsections 1 and 2 apply to a state capital investment for which an application is accepted as complete by the state agency funding the project after January 1, 2001 or which is initiated with the Department of Administrative and Financial Services, Bureau of General Services by a state agency after January 1, 2001.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §12 (NEW). RR 2025, c. 1, Pt. A, §7 (COR).

§3235. Development Ready Advisory Committee

The Development Ready Advisory Committee, referred to in this section as "the committee," is established pursuant to section 12004-I, subsection 6-J to develop and maintain best practices for municipalities in infrastructure, land use, housing, economic development, conservation and historic preservation policy. The committee shall provide coordination and subject matter expertise to municipalities to advance the likelihood of success across the community development life cycle. [PL 2025, c. 388, Pt. D, §12 (NEW).]

1. Membership. The members of the committee are as follows:

A. The director; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. The executive director of the Maine Redevelopment Land Bank Authority under Title 30-A, chapter 204, or the executive director's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. The Commissioner of Economic and Community Development, or the commissioner's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. The Commissioner of Transportation, or the commissioner's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

E. The Commissioner of Environmental Protection, or the commissioner's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

F. The Commissioner of Agriculture, Conservation and Forestry, or the commissioner's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

G. The Director of the Maine Historic Preservation Commission, or the director's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

H. The Director of the Maine State Housing Authority, or the director's designee; [PL 2025, c. 388, Pt. D, §12 (NEW).]

I. The Commissioner of Inland Fisheries and Wildlife, or the commissioner's designee; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

J. The following members, selected by and serving at the pleasure of the director:

(1) Three representatives of municipalities in this State;

- (2) Five representatives from the regional councils selected for geographic diversity and subject matter expertise;
- (3) A representative of an organization that develops or funds affordable housing projects;
- (4) A representative of a local or statewide organization promoting civil rights that has racial justice or racial equity as its primary mission;
- (5) A representative of an organization that advocates for conservation of the natural resources of this State; and
- (6) A representative of a regional or statewide economic development organization. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[PL 2025, c. 388, Pt. D, §12 (NEW).]

2. Duties. The committee shall develop best practices for community development intended to support the following goals:

A. Assisting communities in preparing for sustainable growth and in a way that maximizes financial return for state and local economies, improving quality of life for local residents, addressing housing needs for households of all income levels and advancing environmental protection and transportation goals and specific locally identified priority needs; [PL 2025, c. 388, Pt. D, §12 (NEW).]

B. Providing technical assistance and coordination to communities to facilitate the adoption of best practices for growth across the following sectors:

- (1) Transportation and infrastructure;
- (2) Housing creation and preservation;
- (3) Economic development;
- (4) Conservation; and
- (5) Historic preservation. [PL 2025, c. 388, Pt. D, §12 (NEW).]

C. Assisting communities in designating priority investment areas in consultation with regional planning organizations, including but not limited to village centers, downtowns and adjacent neighborhoods, rural crossroads, high-impact corridors, working waterfronts and rural farmsteads; [PL 2025, c. 388, Pt. D, §12 (NEW).]

D. Ensuring that development efforts are achievable by communities and based on the appropriateness of the location for development and the overall merit of the development project and the community's commitment to the development project based on the community's stated goals; and [PL 2025, c. 388, Pt. D, §12 (NEW).]

E. Providing resources and education for municipalities to improve capacity to access funding sources for community development project implementation. [PL 2025, c. 388, Pt. D, §12 (NEW).]

[PL 2025, c. 388, Pt. D, §12 (NEW).]

3. Chair and officers. The director shall serve as chair of the committee. The members of the committee shall annually elect one of its members as vice-chair and one of its members as secretary to set the agenda and schedule meetings. The committee may elect other officers, create subcommittees and designate their duties.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

4. Voting rights. Each member of the committee has a vote. [PL 2025, c. 388, Pt. D, §12 (NEW).]

5. Meetings. The committee shall meet at least twice a year.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

6. Quorum. A majority of the members of the committee constitutes a quorum.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

7. Staff support. The office shall provide staff support to the committee to carry out the purposes of this section.

[PL 2025, c. 388, Pt. D, §12 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §12 (NEW).

SUBCHAPTER 5

HOUSING PLANNING

§3241. Housing Opportunity Program

1. Program established; administration. The Housing Opportunity Program, referred to in this section as "the program," is established within the Maine Office of Community Affairs, established in section 3202 and referred to in this section as "the office." The program must encourage and support the development of additional housing units in the State, including housing units that are affordable for low-income and moderate-income individuals and housing units targeted to community workforce housing needs. The office shall administer the program and provide technical and financial assistance to support communities implementing zoning and land use-related policies necessary to support increased housing development. The program must support regional approaches and municipal model ordinance development and encourage policies that support increased housing density, where feasible, to protect working lands and natural lands.

[PL 2025, c. 388, Pt. D, §13 (NEW).]

2. Housing Opportunity Fund. The Housing Opportunity Fund, referred to in this section as "the fund," is established as a fund within the office for the purpose of providing funds for the program. The fund consists of money appropriated to the fund by the Legislature and any funds received by the office for the purposes of the program.

A. The office shall solicit applications for grants from the fund through a competitive application process. Grants may be awarded to experienced service providers and municipalities to:

- (1) Support municipal ordinance development, provide technical assistance and encourage public participation and community engagement in the process of increasing housing opportunities;
- (2) Provide community housing planning services to municipalities to support the creation of housing development plans, including municipal ordinances, and policy amendments to support those plans; and
- (3) Provide community housing implementation services.

Programs receiving grants under subparagraph (1) may encourage regional coordination between municipalities.

Grants awarded must be for a period of up to 3 years, with required progress reports each year. [PL 2025, c. 388, Pt. D, §13 (NEW).]

B. The office shall provide technical assistance, housing policy development and guidance directly to regional groups, municipalities and other housing stakeholders, to the extent feasible with available resources. This may include, but is not limited to, assisting municipalities with

information about available grant opportunities, sharing best practices from jurisdictions inside and outside of the State, providing model language for municipal ordinances and policies and providing information to the general public, which may support local and statewide policy changes meant to increase the supply of housing. [PL 2025, c. 388, Pt. D, §13 (NEW).]

C. The office shall assist a municipality with 4,000 or more residents in meeting the requirements of subsection 5. The assistance must include reimbursement of 90% of actual expenses incurred by a municipality if collection or reporting of data as required by subsection 5 is a modification or expansion of municipal activities so as to necessitate additional expenditures from local revenues. [PL 2025, c. 495, §1 (NEW).]

[PL 2025, c. 388, Pt. D, §13 (NEW); PL 2025, c. 495, §1 (AMD).]

3. Program evaluation. A recipient of grant funds through the program shall cooperate with the office in performing evaluations and specific reporting requirements.

[PL 2025, c. 388, Pt. D, §13 (NEW).]

4. Rulemaking. The office may establish by rule the criteria for eligibility for grants from the program and the process for applying to the program. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

[PL 2025, c. 388, Pt. D, §13 (NEW).]

5. Municipal housing data reporting. By January 31st of each year, a municipality with 4,000 or more residents shall provide to the office for use in administering the program an annual report of:

A. Residential building permit applications, including the number of applications submitted, approved and denied, categorized into single-family, single-family with accessory dwelling unit, 2-to-4-family and more-than-4-family homes; [PL 2025, c. 495, §2 (NEW).]

B. The number of dwelling units permitted and demolished; and [PL 2025, c. 495, §2 (NEW).]

C. The number of certificates of occupancy or other final approvals of housing units issued, the number of those housing units affordable to persons or families whose incomes are 80% or less of the area median income as determined by the Maine State Housing Authority and the number of those housing units affordable to persons or families whose incomes are from 81% to 120% of the area median income as determined by the Maine State Housing Authority. [PL 2025, c. 495, §2 (NEW).]

As used in this subsection, "accessory dwelling unit" has the same meaning as in Title 30-A, section 4301, subsection 1-C.

[PL 2025, c. 495, §2 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §13 (NEW). PL 2025, c. 495, §§1, 2 (AMD).

SUBCHAPTER 6

MAINE COMMISSION FOR COMMUNITY SERVICE

§3251. Commission established

There is established the Maine Commission for Community Service, referred to in this subchapter as "the commission," to foster the State's ethic of community service; encourage community service and volunteerism as a means of meeting critical human, environmental, educational and public safety needs throughout the State; address climate challenges through community service and volunteerism; serve as the State's liaison regarding national and community service and volunteer activities; foster collaboration among service agencies; and receive gifts and grants, implement statewide service

programs and make subgrants to state and local entities in accordance with the National and Community Service Trust Act of 1993, 42 United States Code, Sections 12501 to 12682 (1994). [PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

§3252. Membership; terms

1. Membership; qualifications. The commission consists of no fewer than 15 and no more than 25 voting members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters. The commission must include the following:

- A. A representative of a community-based agency or organization; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- B. The Commissioner of Education or the commissioner's designee; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- C. A representative of local government; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- D. A representative of a local labor organization; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- E. A representative of business; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- F. An individual who is at least 16 years of age but no more than 25 years of age and who is a participant in or supervisor of a service program for youth or a campus-based or national service program; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- G. A representative of a national service program; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- H. An individual with expertise in the education, training and development needs of youth, particularly disadvantaged youth; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- I. An individual with experience in promoting the involvement of adults 55 years of age or older in national service and volunteerism; and [PL 2025, c. 388, Pt. D, §14 (NEW).]
- J. A representative of the State's volunteer community. [PL 2025, c. 388, Pt. D, §14 (NEW).]

A member may fulfill the representation requirement for more than one category in this subsection.

The appointments may also include educators, including representatives from institutions of higher education and local education agencies; experts in the delivery of human, educational, environmental or public safety services to communities and persons; representatives of Native American tribes and nations; out-of-school or at-risk youth; and representatives of programs that are administered or receive assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973). The commission also must include a nonvoting liaison designated by the federal Corporation for National and Community Service. The appointments must reflect diversity with respect to geography, race, ethnicity, age, gender, disability characteristics and political affiliation. Not more than 50% plus one member may be from the same political party. The number of voting members who are officers or employees of the State may not exceed 25% of the total membership.

The chair must be an appointed voting member of the commission, selected by the voting members. Members may not vote on issues affecting organizations they have served in a staff or volunteer capacity at any time during the preceding 12 months.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

2. Terms of office. The appointed members serve 3-year staggered terms. Terms expire on September 1st. The Governor shall appoint members to vacancies on the commission as they occur or

upon expiration of terms. Any vacancy must be filled for the unexpired portion of the term in which the vacancy occurs.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

3. Reimbursement. Members are entitled to compensation for expenses incurred in the performance of their duties on the commission in the same manner as state employees.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

§3253. Duties

The commission shall: [PL 2025, c. 388, Pt. D, §14 (NEW).]

1. Vision. Develop a state vision statement for national, state and community service;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

2. Ethic of service. Demonstrate an ethic of service through its activities, policies and procedures and annually evaluate how effectively these are fostering the state vision and service ethic;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

3. National and community service plan. Develop a 3-year comprehensive national and community service plan and update the plan annually. The commission shall ensure an open and inclusive process for maximum participation in development of the plan and determination of state priorities;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

4. Preselect programs and prepare applications. Preselect national service programs as defined in the National and Community Service Trust Act of 1993, 42 United States Code, Section 12501, et seq. and prepare a grant application to the Corporation for National and Community Service;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

5. Assist state education agencies. Assist the Department of Education and institutions of higher education in the preparation of applications for national and community service grants;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

6. Administer grant programs. Evaluate, monitor and administer grant programs;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

7. Provide technical assistance. Serve as a clearinghouse for information on national and community service and provide technical assistance to local nonprofit organizations and other entities in planning, applying for funds and implementing national service programs;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

8. Provide program development assistance and training. Provide program development assistance and training to national service programs in the State;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

9. Recruitment and placement. Serve as a clearinghouse for people interested in national and community service placements and agencies recruiting volunteers;

[PL 2025, c. 388, Pt. D, §14 (NEW).]

10. State priorities. Make recommendations to the Corporation for National and Community Service with respect to priorities within the State for programs receiving assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973);

[PL 2025, c. 388, Pt. D, §14 (NEW).]

11. Coordination. Coordinate and foster collaboration among state agencies, colleges, universities, municipalities, federal agencies and volunteer service programs, including, but not limited to, coordination of and collaboration regarding the activities of the Maine Climate Corps Program established pursuant to section 3257 and related national and other climate-related service programs; [PL 2025, c. 388, Pt. D, §14 (NEW).]

12. Advisory committees. Establish advisory committees as needed, with membership not limited to commission members; [PL 2025, c. 388, Pt. D, §14 (NEW).]

13. Fundraising. Carry out fundraising efforts to supplement federal funding and to meet all federal matching requirements; [PL 2025, c. 388, Pt. D, §14 (NEW).]

14. Maine Service Fellows Program. Develop and administer the Maine Service Fellows Program under section 3256; and [PL 2025, c. 388, Pt. D, §14 (NEW).]

15. Annual report. Submit an annual report to the Governor, the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 31st of each year. [PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

§3254. Staff and administrative services

The office shall provide staff and administrative services as follows. [PL 2025, c. 388, Pt. D, §14 (NEW).]

1. Executive director. The director, in consultation with the commission, shall hire an executive director as a member of the office staff. The executive director oversees day-to-day operations of the commission, hires staff members with the approval of the commission and the director and carries out other responsibilities as directed by the commission. [PL 2025, c. 388, Pt. D, §14 (NEW).]

2. Administrative services. The director shall provide the executive director and the commission with continuing administrative support as appropriate. The office may establish a dedicated account on behalf of the commission to receive funds contributed by private and public agencies for use solely for commission purposes. [PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

§3255. Private support organization

1. Designation of private support organization. The executive director of the commission, with the consent of the voting members of the commission, shall designate a nonprofit corporation as the private support organization for the commission. The nonprofit corporation must be incorporated under the laws of this State and for purposes that are consistent with the goals, objectives, programs, responsibilities and functions of the commission.

The commission's private support organization must be organized and operated exclusively to receive, hold, invest and administer property and funds and to make expenditures to and for the benefit of the commission.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

2. Board of directors. A member of the private support organization's board of directors may not also be a member of the commission. The executive director of the commission, or the executive director's designee, shall serve as a nonvoting ex officio member of the private support organization's board of directors.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

3. Scope of work. The private support organization shall operate under a memorandum of understanding negotiated annually by the commission that outlines a plan of work consistent with the purposes and goals of the commission and shall submit an annual budget for review and approval by the commission by June 1st.

The memorandum of understanding must further stipulate the reversion to the commission, or to the State if the commission ceases to exist, of money and property held in trust by the private support organization if the private support organization is no longer designated by the commission pursuant to subsection 1.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

4. Use of property. The commission may authorize the private support organization to use the commission's facilities, equipment and other property, except money, in keeping with the purposes of the private support organization.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

§3256. Maine Service Fellows Program

The Maine Service Fellows Program, referred to in this section as "the program," is established within the commission. Individuals who participate in the program are referred to in this section as "program fellows." The commission shall administer the program in accordance with this section. [PL 2025, c. 388, Pt. D, §14 (NEW).]

1. Program purposes. The commission shall establish the program to:

A. Increase the opportunities for individuals to devote a year of service to communities in the State; [PL 2025, c. 388, Pt. D, §14 (NEW).]

B. Attract to and retain in the State motivated adults who have completed a college degree within the prior 5 years to serve in positions where they can apply skills and abilities to projects for the benefit of citizens of the State; [PL 2025, c. 388, Pt. D, §14 (NEW).]

C. Provide rural and underserved communities in the State a resource to address critical health and human, public safety, education and environmental needs; and [PL 2025, c. 388, Pt. D, §14 (NEW).]

D. Strengthen civic engagement of both the program fellows and community residents through solutions based in whole or in part in volunteer service. [PL 2025, c. 388, Pt. D, §14 (NEW).]
[PL 2025, c. 388, Pt. D, §14 (NEW).]

2. Program design. The program must be designed to coordinate with appropriate organizations in the served communities. Program fellows must be required to commit up to 20% of their time in the program to developing regional networks of volunteer programs whose common goals can result in mutual benefits. An entity may submit a proposal to sponsor a program fellow based on guidelines established under this subsection. Services provided by a program fellow may include but are not limited to services to address home evictions, to support workforce development, to mitigate and prevent substance use disorder and to promote mental health. The commission may identify other priority needs of communities to be addressed by the program and may make those services available

to eligible communities. The commission shall establish guidelines for the program that include but are not limited to:

A. Limiting the eligibility of entities that may sponsor program fellows to local or county government, school districts, nonprofit organizations, faith-based organizations and similar entities; [PL 2025, c. 388, Pt. D, §14 (NEW).]

B. Establishing standards for local sponsors regarding supervision and support of program fellows during their service; [PL 2025, c. 388, Pt. D, §14 (NEW).]

C. Ensuring that projects and project proposals are well-designed and measure their impact and do not include partisan or political activity; [PL 2025, c. 388, Pt. D, §14 (NEW).]

D. Ensuring that program fellows are not used to replace positions eliminated or position hours reduced as a result of budget cuts by the sponsor; [PL 2025, c. 388, Pt. D, §14 (NEW).]

E. Requiring criminal background checks or other safeguards if projects involve working with vulnerable populations such as schoolchildren or if otherwise required to receive federal funds; [PL 2025, c. 388, Pt. D, §14 (NEW).]

F. Focusing the program on rural communities as defined by the United States Department of Agriculture, Economic Research Service's rural-urban continuum codes, except that the commission shall use criteria other than the codes for defining rural communities in Penobscot County; [PL 2025, c. 388, Pt. D, §14 (NEW).]

G. Authorizing private sector and local partner contributions to program operations for travel reimbursements or training costs; and [PL 2025, c. 388, Pt. D, §14 (NEW).]

H. Any other guideline that the commission believes will benefit the program. [PL 2025, c. 388, Pt. D, §14 (NEW).]

[PL 2025, c. 388, Pt. D, §14 (NEW).]

3. Compensation. To the extent funds are available, the commission shall ensure that program fellows receive the following compensation for service:

A. A stipend set by the commission to achieve an annual income of up to 212% of the nonfarm income official federal poverty level. To the extent the stipend is paid from the General Fund or any other account of the commission, personal liability insurance and workers' compensation insurance, paid for from the same source of funds, must also be provided. Notwithstanding any law to the contrary, program fellows are not employees of the State for the purposes of Title 5, Part 20; [PL 2025, c. 388, Pt. D, §14 (NEW).]

B. A program completion bonus that includes, to the extent established by the commission by rule, an educational loan payment in an amount up to 20% of the stipend value paid on behalf of the program fellow to the holder of the loan; and [PL 2025, c. 388, Pt. D, §14 (NEW).]

C. An allowance to pay for individual health insurance not to exceed 2% of the stipend amount. [PL 2025, c. 388, Pt. D, §14 (NEW).]

[PL 2025, c. 388, Pt. D, §14 (NEW).]

4. Funding. The commission may seek and receive both private and federal funds, grants and gifts in support of the program. The commission may accept funding from other state agencies to support program fellows whose work will support and promote goals of programs administered by those agencies.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

5. Rules. The commission may adopt rules necessary to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

[PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

§3257. Maine Climate Corps Program

The Maine Climate Corps Program, referred to in this section as “the program,” is established within the commission to provide grants, technical assistance and training to community service corps programs with the mission of responding to the impacts of climate change. Eligible community service corps programs under the program must be designed to: [PL 2025, c. 388, Pt. D, §14 (NEW).]

1. Direct service projects. Conduct evidence-based direct service projects developed through community collaboration, including collaboration with indigenous communities, that address principles of equity, justice and accessibility; [PL 2025, c. 388, Pt. D, §14 (NEW).]

2. Climate impacts. Address through measurable performance one or more of the following areas: transportation, energy, housing, the State’s coastal zone as defined under the United States Department of Commerce, National Oceanic and Atmospheric Administration’s coastal zone management program, public health, land and fresh water preservation, community resilience and climate-related education; [PL 2025, c. 388, Pt. D, §14 (NEW).]

3. Disproportionately affected communities; representation. Prioritize assistance to disproportionately affected communities and ensure that individuals in service positions represent the economic and demographic diversity of communities, including persons who are historically marginalized; and [PL 2025, c. 388, Pt. D, §14 (NEW).]

4. Additional standards. Meet additional program standards, including, but not limited to, requirements to:

- A. Enroll individuals for set terms in service positions; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- B. Provide individuals in full-time service positions with stipends, health insurance, liability insurance and accidental death or dismemberment insurance; [PL 2025, c. 388, Pt. D, §14 (NEW).]
- C. Provide individuals in service positions with training, education and service experiences that further employability or career preparation; and [PL 2025, c. 388, Pt. D, §14 (NEW).]
- D. Meet any other standards set by the commission or nationally for similar programs. [PL 2025, c. 388, Pt. D, §14 (NEW).]

[PL 2025, c. 388, Pt. D, §14 (NEW).]

SECTION HISTORY

PL 2025, c. 388, Pt. D, §14 (NEW).

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