SENATE DOCKET, NO. 761 FILED ON: 1/20/2011

SENATE . . . . . No. 1566

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen M. Brewer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to manufactured buildings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen M. Brewer	*Worcester, Hampden, Hampshire, Franklin*
Anne M. Gobi	*5th Worcester*
James J. O'Day	*14th Worcester*
Harriette L. Chandler	
	☐ *[District]*
	☐

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SENATE . . . . . No. 1566

By Mr. Brewer, a petition (accompanied by bill, Senate, No. 1566) of Stephen M. Brewer, Anne M. Gobi, James J. O'Day and Harriette L. Chandler for legislation relative to manufactured buildings. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

An Act relative to manufactured buildings.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 94 of Chapter 143 of the General Laws, as so appearing in the 2006 Official Edition, is hereby amended by inserting after paragraph (r) the following paragraph:-

(s) To develop requirements and promulgate regulations for the oversight of manufactured buildings to be installed in the Commonwealth. Inspectional duties related to manufactured buildings or components prior to shipment by a manufacturer may be delegated by the board to third party inspection agencies. The regulations shall include provisions requiring the licensing of manufactured building companies and third party inspectional agencies that demonstrate qualifications as set by the board. All components of manufactured buildings shall be manufactured in compliance with all applicable provisions of the state building code and applicable specialized codes as identified in section ninety six of chapter one hundred forty three. All buildings and building components manufactured in accordance with the state building code shall be presumed to comply with the applicable provisions of the specialized codes.

SECTION 2. Section 94 of Chapter 143 of the General Laws, as so appearing, is hereby amended by striking paragraph (m) in its entirety and replacing it with the following:-

To develop requirements and approve courses of instruction to be offered by the department of public safety or others relative to the continuing education of individuals licensed as construction supervisors and relative to the continuing education of licensed manufactured building companies, and licensed third party inspection agencies.

SECTION 3. Chapter 143 of the General Laws is hereby amended by inserting after section 100 the following section:-

22 Section 101 Any license issued in accordance with the state building code may be
23 revoked or suspended by the board for a violation of any provision of the state building code or
24 chapter one hundred forty three. The board, or its designee, may assess an administrative penalty
25 not to exceed $2,000 for each violation of the state building code or chapter one hundred forty
26 three.

27 SECTION 4. Line item 8315-1025 of Chapter 131 of the Special Acts of 2010 is hereby
28 amended by deleting the existing language in its entirety and replacing it with the following:-

29 8315-1025. For the department of public safety, which may collect and expend an
30 amount not to exceed $500,000 derived from licensing fees or other fees and fines collected
31 pursuant to sections ninety three through one hundred one, inclusive, of chapter 143 or the state
32 building code as promulgated by the state board of building regulations and standards under the
33 provisions of sections ninety three, ninety four, and ninety five of chapter 143 for the purposes of
34 providing state building code training and courses for instruction; for the costs of enforcing the
35 provisions of the state building code, not including the payment of salaries of state building
36 inspectors, but including the establishment and operation of a program for the site visit
37 compliance checks by department of public safety staff to licensed manufactured building
38 companies; for the development and operation of continuing education courses for manufactured
39 building companies and third party inspection agencies; and for the employment in the
40 department of public safety of individuals with expertise in building, plumbing, fire protection,
41 electrical, and/or mechanical issues for purposes of reviewing plans of manufactured buildings
42 for compliance with the state building code, investigating complaints relative to manufactured
43 building companies and third party inspection agencies, and performing other associated duties;
44 provided, that the agency may charge fees for any classes and education materials associated
45 with administering training; and provided further, that for the purposes of accommodating
46 discrepancies between the receipt of retained revenues and related expenditures, the department
47 may incur expenses and the comptroller may certify for payment amounts not to exceed the
48 lower of this authorization or the most recent revenue estimate as reported in the state accounting
49 system. $500,000