

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 909

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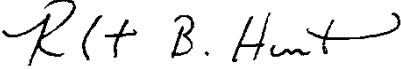
H.P. 628

House of Representatives, March 12, 2015

**An Act To Help Older Adults Age in Place through Comprehensive  
Planning**

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Reference to the Committee on State and Local Government suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative BABBIDGE of Kennebunk.  
Cosponsored by Senator BURNS of Washington and  
Representatives: DUNPHY of Old Town, Speaker EVES of North Berwick, FECTION of  
Biddeford, HOGAN of Old Orchard Beach, PICKETT of Dixfield, ROTUNDO of Lewiston,  
Senators: KATZ of Kennebec, VALENTINO of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §4301, sub-§1-B** is enacted to read:

3 **1-B. Age-friendly community.** "Age-friendly community" means a community  
4 where policies, services, settings and structures support and enable people to actively age  
5 in place and that recognizes the capabilities, resources and needs of older adults, plans to  
6 meet the needs of older adults in flexible ways that support healthy and active aging  
7 across a person's lifespan, promotes the inclusion and contributions of older adults in all  
8 areas of community life, respects the self-determination and independence of older adults  
9 and protects those older adults who are most vulnerable.

10 **Sec. 2. 30-A MRSA §4312, sub-§3, ¶¶I and J,** as enacted by PL 1989, c. 104,  
11 Pt. A, §45 and Pt. C, §10, are amended to read:

12 I. To preserve the State's historic and archeological resources; ~~and~~

13 J. To promote and protect the availability of outdoor recreation opportunities for all  
14 Maine citizens, including access to surface waters; and

15 **Sec. 3. 30-A MRSA §4312, sub-§3, ¶K** is enacted to read:

16 K. To encourage municipalities to develop policies that accommodate older adults  
17 with aging in place and that encourage the creation of age-friendly communities.

18 **Sec. 4. 30-A MRSA §4326, sub-§1, ¶H,** as enacted by PL 1989, c. 104, Pt. A,  
19 §45 and Pt. C, §10, is amended to read:

20 H. Residential housing stock, including affordable housing and housing that meets  
21 the needs of older residents, including housing that is rehabilitated, adapted or newly  
22 constructed to help older adults age in place;

23 **Sec. 5. 30-A MRSA §4326, sub-§3-A, ¶G,** as enacted by PL 2001, c. 578, §15,  
24 is amended to read:

25 G. Ensure that the municipality's or multimunicipal region's land use policies and  
26 ordinances encourage the siting and construction of affordable housing within the  
27 community and comply with the requirements of section 4358 pertaining to  
28 individual mobile home and mobile home park siting and design requirements. The  
29 municipality or multimunicipal region shall seek to achieve a level of at least 10% of  
30 new residential development, based on a 5-year historical average of residential  
31 development in the municipality or multimunicipal region, that meets the definition  
32 of affordable housing. A municipality or multimunicipal region is encouraged to  
33 seek creative approaches to assist in the development of affordable housing and  
34 housing that meets the needs of older residents, including, but not limited to, cluster  
35 housing, reduced minimum lot and frontage sizes, increased residential densities, the  
36 adaptation, rehabilitation and construction of housing that helps older adults age in  
37 place and use of municipally owned land;

38 **Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶¶I and J,** as enacted by PL 2001, c.  
39 578, §15, are amended to read:

1 I. Encourage the availability of and access to traditional outdoor recreation  
2 opportunities, including, without limitation, hunting, boating, fishing and hiking, and  
3 encourage the creation of greenbelts, public parks, trails and conservation easements.  
4 Each municipality or multimunicipal region shall identify and encourage the  
5 protection of undeveloped shoreland and other areas identified in the local planning  
6 process as meriting that protection; ~~and~~

7 J. Develop management goals for great ponds pertaining to the type of shoreline  
8 character, intensity of surface water use, protection of resources of state significance  
9 and type of public access appropriate for the intensity of use of great ponds within the  
10 municipality's or multimunicipal region's jurisdiction; and

11 **Sec. 7. 30-A MRSA §4326, sub-§3-A, ¶K** is enacted to read:

12 K. Ensure that land use policies encourage aging in place and appropriate housing  
13 options for older residents and address issues of special concern to older adults,  
14 including transportation to and accessibility and availability of needed services.

15 **SUMMARY**

16 This bill encourages municipalities to develop policies that assist older adults with  
17 aging in place and that create age-friendly communities. It amends the law governing  
18 comprehensive plans by encouraging municipalities to plan for the needs of older adults  
19 in their communities.