

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST SPECIAL SESSION**

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST SPECIAL SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**August 21, 1989 to August 22, 1989**

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2. Number of buildings and units. The number of buildings and units of affordable housing developed, or rehabilitated in each zone;

3. Causes of blight and deterioration. The major causes of urban blight and deterioration in each zone and the programs applied to these causes; and

4. Effectiveness of assistance and programs. The effectiveness of the assistance and programs provided in each zone, including, but not limited to, job training and educational programs, and law enforcement and crime prevention programs.

#### §5056. Integrated housing

In revitalizing urban housing zones, state agencies, municipalities and nonprofit housing corporations shall strive to establish integrated neighborhoods comprised of households of different income levels.

Sec. 3. PL 1989, c. 581, §§1, 2, 3 and 19 are repealed.

### PART C

**Sec. 1. Examination of mediation of disputes between mobile home park operators and tenants.** The Commission on Manufactured Housing, created by Private and Special Law 1987, chapter 139, shall, in addition to the duties of the commission prescribed by prior law, specifically examine issues regarding mediation of disputes between mobile home park operators and tenants. Among the issues the commission shall examine are: the types of disputes for which mediation should be required; the types of disputes for which mediation should be optional; who should provide mediation services; the relationship of mediation to the parties' abilities to seek judicial remedies; the implementation of disputed changes in the agreement between a park operator and tenants pending completion of mandatory mediation; and any other issues regarding the desirability, feasibility and efficacy of requiring mediation of some or all of the disputes between mobile home park operators and tenants. The commission may consult with the Court Mediation Service and the Manufactured Housing Board.

**Sec. 2. Reporting date.** The commission shall include in its final, written report to the Second Regular Session of the 114th Legislature its findings and recommendations regarding mediation of disputes between mobile home park operators and tenants.

Sec. 3. P&SL 1989, c. 40 is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved, except that Part B, section 4, the Maine Revised Statutes, Title 30-A, chapter 202, subchapters I to IV and subchapter VI shall take effect September 30, 1989.

Effective August 23, 1989, unless otherwise indicated.

## CHAPTER 602

H.P. 1308 - L.D. 1812

### An Act Relating to the Inspection of Sample Ballots Prior to General, Primary and Special Elections

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Public Law 1989, chapter 558 requires the production of sample ballots in all elections; and

Whereas, the production of sample ballots is not necessary in elections in which the same ballot is used statewide; and

Whereas, the unnecessary production of sample ballots would require a needless expenditure of state funds; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 21-A MRSA §606, sub-§2-A,** as enacted by PL 1989, c. 558, §1, is amended to read:

**2-A. Sample ballots for special, primary and general elections.** The Secretary of State shall affix a sealed envelope containing samples of each type of candidate ballot packed inside to the outside of every package or box of ballots prepared for a special, primary or general election and sent to a voting place. The Secretary of State shall authorize preparation of the sample candidate ballots which for special, primary or general elections. These sample ballots shall be printed concurrently with the regular ballots. A sample ballot must be substantially the same as the type of ballot it exemplifies, except that:

A. The words "SAMPLE BALLOT" in bold type and the name of the voting district must be printed on each sample ballot;

B. The facsimile of the signature of the Secretary of State must not be printed on a sample ballot; and

C. A sample ballot must be incapable of being cast using a voting machine or electronic voting system.

**Sec. 2. 21-A MRSA §606, sub-§3,** as repealed and replaced by PL 1989, c. 558, §2, is amended to read:

**3. Receipt issued; inspection of sample ballots in primary and general elections.** The clerk shall immediately send the Secretary of State a receipt for the ballots the clerk receives. Upon receipt of a package or box containing candidate ballots for a special, primary or general election, the clerk shall, in the presence of one or more witnesses, open the sealed envelope containing sample ballots described in subsection 2-A affixed to that package or box. The clerk shall immediately notify the Secretary of State if a sample ballot differs materially from the appropriate specimen ballot, described in section 603.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect September 30, 1989.

Effective September 30, 1989.

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## CHAPTER 603

H.P. 1312 - L.D. 1815

### An Act to Make the Land for Maine's Future Program Effective and Publicly Accountable

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Land for Maine's Future program was established by the Legislature to carry out the mandate overwhelmingly endorsed by Maine's citizens in approving the \$35,000,000 bond issue providing for acquisition of public lands for outdoor recreation and wildlife and natural resource protection; and

**Whereas,** by emergency enactment of the Legislature, Public Law 1989, chapter 485, certain requirements were imposed upon the Land for Maine's Future program in order to make it more responsive to the needs of landowners and other members of the public; and

**Whereas,** although it was not the intention of the Legislature, adherence to certain technical elements of Public Law 1989, chapter 485, has made it impossible for the Land for Maine's Future program to carry out its legal mandate; and

**Whereas,** for purposes of clarifying the intention of the Legislature this Act must be made effective immediately in order to enable the Land for Maine's Future program to carry out its mandate, as enacted overwhelmingly by the citizens of Maine; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 5 MRSA §6206-A,** as enacted by PL 1989, c. 485, §1, is repealed and the following enacted in its place:

#### §6206-A. Nominations

Prior to taking an action to designate land for negotiation for acquisition, the board shall send by certified mail or otherwise deliver a notice of this intention to the owner or owners of land within the area proposed by the board for acquisition, as the identity and address of such owner or owners is shown on the tax maps or other tax records of the municipality in which the land is located. In the event that the land is located within the unorganized territory, such notice shall be sent to the owner or owners as shown on the tax maps or other tax records of the State Tax Assessor. After the completion of negotiations the board shall also publish a notice of its intent to designate land for acquisition in a newspaper or newspapers of general circulation which identifies the land proposed by the board for acquisition and which notifies the residents of the area that the board will accept public comments on the proposed acquisition.

**Sec. 2. 5 MRSA §6207-A,** as enacted by PL 1989, c. 485, §2, is repealed and the following enacted in its place:

#### §6207-A. Use of eminent domain

The board may expend funds to acquire an interest in land obtained by the use of eminent domain only if the expenditure or acquisition has been approved by the Legislature or is with the consent of the owner or owners of such land, as the identity and address of such owner or owners is shown on the tax maps or other tax records of the municipality in which such land is located. In the event that the land is located within the unorganized territory, for purposes of this section the identity of the owner or owners shall be as shown on the tax maps or other tax records of the State Tax Assessor.

**Sec. 3. 5 MRSA §6208, sub-§2,** as enacted by PL 1987, c. 506, §§1 and 4, is repealed and the following enacted in its place:

2. Transactions. Any acquisition by eminent domain funded by the board, when the land exceeds either 50 acres or \$100,000 in assessed value, shall be subject to the approval of the municipality in which the land is located. Such approval may be obtained either from the elected municipal officials or, in the event that such officials do not approve, by vote of the town meeting or by referendum of the electorate. In the event that the land involved is located within the unorganized territory, this requirement shall not apply.