

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

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

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**Augusta, Maine**  
**2015**

**CHAPTER 348**  
**H.P. 909 - L.D. 1337**

**An Act To Fund the Family  
Caregiver Support Program**

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

**Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF (FORMERLY DHS)**

**Office of Aging and Disability Services Central Office 0140**

Initiative: Provides additional funds for the family caregiver support program within the department's office of aging and disability services.

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$120,500	\$126,772
<b>GENERAL FUND TOTAL</b>	<b>\$120,500</b>	<b>\$126,772</b>

See title page for effective date.

**CHAPTER 349**  
**H.P. 930 - L.D. 1372**

**An Act To Encourage the  
Redevelopment of Upper  
Floors of Buildings in  
Downtowns and on Main  
Streets**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 30-A MRSA §4312, sub-§3, ¶¶I and J,** as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

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

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

**Sec. 2. 30-A MRSA §4312, sub-§3, ¶K** is enacted to read:

K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

**Sec. 3. 30-A MRSA §4326, sub-§1, ¶H,** as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

H. Residential housing stock, including affordable housing, and policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;

**Sec. 4. 30-A MRSA §4326, sub-§3-A, ¶G,** as enacted by PL 2001, c. 578, §15, is amended to read:

G. Ensure that the municipality's or multimunicipal region's land use policies and ordinances encourage the siting and construction of affordable housing within the community and comply with the requirements of section 4358 pertaining to individual mobile home and mobile home park siting and design requirements. The municipality or multimunicipal region shall seek to achieve a level of at least 10% of new residential development, based on a 5-year historical average of residential development in the municipality or multimunicipal region, that meets the definition of affordable housing. A municipality or multimunicipal region is encouraged to seek creative approaches to assist in the development of affordable housing, including, but not limited to, cluster housing, reduced minimum lot and frontage sizes, increased residential densities ~~and~~, use of municipally owned land and establishment of policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;

**Sec. 5. 30-A MRSA §4326, sub-§3-A, ¶¶I and J,** as enacted by PL 2001, c. 578, §15, are amended to read:

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

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

**Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶K** is enacted to read:

K. Encourage policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

See title page for effective date.

## CHAPTER 350

### S.P. 552 - L.D. 1449

#### An Act To Amend the State Election Laws

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

**Sec. 1. 21-A MRSA §783, sub-§5,** as enacted by PL 2009, c. 563, §9, is amended to read:

**5. Electronic receipt of absentee ballots.** Authorizing the electronic receipt of ~~an image of~~ voted absentee ballots ~~transmitted by e-mail or fax~~ from uniformed service voters or overseas voters by a method authorized by the Secretary of State.

**Sec. 2. 21-A MRSA §809-A, sub-§1-A,** as amended by PL 2007, c. 455, §50, is further amended to read:

**1-A. Prohibition not applicable.** For the purpose of providing a voting system equipped for individuals with disabilities as required by section 812-A,

subsection 1 and the federal Help America Vote Act of 2002, Public Law 107-252, the prohibition in subsection 1 does not apply to the connection of individual voting devices to a central server ~~using a wired, point-to-point telephone connection that is not Internet enabled~~ when the central server is operated or managed by the Secretary of State.

**Sec. 3. 21-A MRSA §809-A, sub-§3,** as enacted by PL 2003, c. 651, §4, is amended to read:

**3. Internet voting.** Use of the Internet for the casting of votes ~~on-line~~ online is prohibited. This subsection does not apply to a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot online and securely transmit the marked ballot to a central server operated or managed by the Secretary of State, as long as the system does not tabulate the votes marked on those ballots.

**Sec. 4. 21-A MRSA §1013-A, sub-§1, ¶C,** as amended by PL 2007, c. 443, Pt. A, §7, is further amended to read:

C. No later than 10 days after becoming a candidate, as defined in section 1, subsection 5, a candidate for the office of State House of Representatives or Senate ~~shall~~ may file in writing a statement declaring that the candidate agrees to accept voluntary limits on political expenditures or that the candidate does not agree to accept voluntary limits on political expenditures, as specified in section 1015, subsections 7 to 9. A candidate who has filed a declaration of intent to become certified as a candidate under the Maine Clean Election Act is not required to file the written statement ~~required by~~ described in this paragraph.

The statement filed by a candidate who voluntarily agrees to limit spending must state that the candidate knows the voluntary expenditure limitations as set out in section 1015, subsection 8 and that the candidate is voluntarily agreeing to limit the candidate's political expenditures and those made on behalf of the candidate by the candidate's political committee or committees, the candidate's party and the candidate's immediate family to the amount set by law. The statement must further state that the candidate does not condone and will not solicit any independent expenditures made on behalf of the candidate.

The statement filed by a candidate who does not agree to voluntarily limit political expenditures must state that the candidate does not accept the voluntary expenditure limits as set out in section 1015, subsection 8.

**Sec. 5. 21-A MRSA §1017, sub-§7-A,** as amended by PL 2009, c. 138, §1, is further amended to read: