

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**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**  
**2019**

See title page for effective date.

**CHAPTER 444**

**S.P. 475 - L.D. 1526**

**An Act To Increase the Availability of Foster Homes**

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

**Sec. 1. 22 MRSA §8103, sub-§1-A**, as enacted by PL 2003, c. 411, §1, is amended to read:

**1-A. Inspection required.** Except as provided in subsection ~~2~~ 2-A, the department may not issue a license to operate to a children's home until the department has received from the Commissioner of Public Safety a written statement signed by one of the officials designated under Title 25, section 2360, 2391 or 2392 to make fire safety inspections. This statement must indicate that the children's home has complied with applicable fire safety provisions referred to in Title 25, section 2452.

**Sec. 2. 22 MRSA §8103, sub-§2**, as amended by PL 2003, c. 411, §1, is repealed.

**Sec. 3. 22 MRSA §8103, sub-§2-A** is enacted to read:

**2-A. Family foster homes.** Family foster homes are exempt from the inspection requirement in subsection 1-A. The department shall inspect a family foster home prior to placing a foster child in the home. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A governing the fire and safety inspection of family foster homes.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**IV-E Foster Care/Adoption Assistance 0137**

Initiative: Reduces appropriations and allocations due to the elimination of the costs paid for fire marshal inspections.

GENERAL FUND	2019-20	2020-21
All Other	(\$129,034)	(\$129,034)
<b>GENERAL FUND TOTAL</b>	<b>(\$129,034)</b>	<b>(\$129,034)</b>

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	(\$52,704)	(\$52,704)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$52,704)	(\$52,704)
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**Office of Child and Family Services - Central 0307**

Initiative: Provides one-time appropriations and allocations for technology upgrades.

GENERAL FUND	2019-20	2020-21
All Other	\$2,974	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,974</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$1,156	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,156	\$0
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**State-funded Foster Care/Adoption Assistance 0139**

Initiative: Provides one-time appropriations and allocations for technology upgrades.

GENERAL FUND	2019-20	2020-21
All Other	\$2,891	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,891</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$1,239	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,239	\$0
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**State-funded Foster Care/Adoption Assistance 0139**

Initiative: Reduces allocations due to a reduction of physical plant updates to meet current compliance.

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	(\$122,432)	(\$122,432)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$122,432)</b>	<b>(\$122,432)</b>

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	(\$123,169)	(\$129,034)
FEDERAL EXPENDITURES FUND	(\$122,432)	(\$122,432)
OTHER SPECIAL REVENUE FUNDS	(\$50,309)	(\$52,704)
DEPARTMENT TOTAL - ALL FUNDS	(\$295,910)	(\$304,170)

See title page for effective date.

**CHAPTER 445  
S.P. 523 - L.D. 1626**

**An Act To Implement a  
Presidential Primary System in  
Maine**

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

**Sec. 1. 21-A MRSA §335, sub-§5, ¶B-3** is enacted to read:

B-3. For a candidate for the office of President of the United States, at least 2,000 and not more than 3,000 voters.

**Sec. 2. 21-A MRSA §335, sub-§6**, as amended by PL 2015, c. 474, §2, is further amended to read:

**6. When signed.** Except as provided in subchapter 7 8, a petition may not be signed before January 1st of the election year in which it is to be used.

**Sec. 3. 21-A MRSA §335, sub-§8**, as amended by PL 2015, c. 474, §3, is further amended to read:

**8. When filed.** Except as provided in subchapter 7 8, a primary petition must be filed in the office of the Secretary of State before 5 p.m. on March 15th of the election year in which it is to be used.

**Sec. 4. 21-A MRSA c. 5, sub-c. 8** is enacted to read:

**SUBCHAPTER 8**

**PRESIDENTIAL PRIMARY ELECTIONS**

**§441. Determination and date of primary; voter eligibility**

**1. Determination of primary.** No later than November 1st of the year prior to a presidential election year, the state committee of each party shall certify whether there is a contest among candidates for nomination as the presidential candidate. Upon receiving the certification from one or more parties, the

Secretary of State shall announce the parties that will have a presidential primary election, which must be held on the first Tuesday after the first Monday in March of the presidential election year.

**2. Eligible voter.** No later than December 1st of the year prior to a presidential election year, the state committee of each party shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's presidential primary election. If no notice is received by that date, only voters enrolled in a political party may vote in that party's presidential primary election.

**§442. Petitions**

On or before November 1st of the year prior to a presidential election year, the Secretary of State shall prepare and make available petitions for circulation by a person desiring to be a candidate in the state presidential primary election of any party. This petition must be completed and filed no later than 5:00 p.m. on December 21st of the year prior to a presidential election year in the manner provided in sections 335 and 336.

**§443. Ballot preparation**

The Secretary of State shall prepare ballots for a presidential primary election. A ballot must include the name of a person who files a petition with the Secretary of State in accordance with section 442. The Secretary of State shall determine if a petition meets the requirements of sections 335, 336 and 442, subject to challenge and appeal under section 337.

**Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF  
Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for printing and delivering presidential primary ballots to municipalities.

GENERAL FUND	2019-20	2020-21
All Other	\$122,000	\$0
GENERAL FUND TOTAL	\$122,000	\$0

See title page for effective date.