

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2024 to March 21, 2025**

**FIRST SPECIAL SESSION**  
**March 25, 2025 to June 25, 2025**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 20, 2025**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**SEPTEMBER 24, 2025**

**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**  
**2025**

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~~person's license or certificate of registration is under suspension, the officer shall confiscate that license, the certificate or plates and transmit the confiscated items together with a report of the circumstances to the Secretary of State.~~

**2. Investigation.** On request of the Secretary of State, notification of the suspension must be served, and the certificate, license or plates must be confiscated. If the license, certificate or plates can not be confiscated, an investigation must be undertaken by the sheriff of the county in which that person resides, by a state or local law enforcement officer or by an employee of the Secretary of State.

~~**3. Confiscation of suspended licenses.** The Secretary of State shall take reasonable actions to confiscate suspended licenses.~~

See title page for effective date.

**CHAPTER 174**

**H.P. 1096 - L.D. 1655**

**An Act to Allow the Keeping of Chickens on Private Residential Property**

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

**Sec. 1.** 7 MRSA §219-D is enacted to read:

**§219-D. Keeping chickens on residential property**

A county or municipality may not adopt a regulation or ordinance that prohibits a person from keeping chickens on that person's residential property. For purposes of this section, "chicken" means a female domesticated bird that is raised for meat or eggs and does not include a fully mature domesticated male chicken. This section may not be construed to limit the home rule authority of a municipality.

See title page for effective date.

**CHAPTER 175**

**H.P. 1222 - L.D. 1827**

**An Act to Implement the Recommendations of the Right to Know Advisory Committee Concerning Public Records Requests**

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

**Sec. 1.** 1 MRSA §408-A, sub-§4, as repealed and replaced by PL 2015, c. 494, Pt. A, §1, is amended to read:

**4. Refusals; denials.** If a body or an agency or official having custody or control of any public record refuses permission to inspect or copy or abstract a public record, the body or agency or official shall provide, within 5 working days of the receipt of the request for inspection or copying, written notice of the denial, stating the reason for the denial or the expectation that the request will be denied in full or in part following a review. A request or series of requests for inspection or copying may be denied, in whole or in part, on the basis that the request or series of requests is unduly burdensome or oppressive if the procedures established in subsection 4-A are followed. Failure to comply with this subsection is considered failure to allow inspection or copying and is subject to appeal as provided in section 409.

**Sec. 2.** 1 MRSA §408-A, sub-§4-A, as amended by PL 2017, c. 288, Pt. A, §1, is further amended to read:

**4-A. Action for protection.** A body, an agency or an official may seek protection from a request or series of requests for inspection or copying that is unduly burdensome or oppressive by filing an action for an order of protection in the Superior Court for the county where the request or series of requests for records was made within ~~30~~ 60 days of receipt of the request or the date on which the body, agency or official notifies the requester that the series of requests is unduly burdensome or oppressive.

A. The following information must be included in the complaint if available or provided to the parties and filed with the court no more than 14 days from the filing of the complaint or such other period as the court may order:

- (1) The terms of the request or series of requests and any modifications agreed to by the requesting party;
- (2) A statement of the facts that demonstrate the burdensome or oppressive nature of the request or series of requests, with a good faith estimate of the time required to search for, retrieve, redact if necessary and compile the records responsive to the request or series of requests and the resulting costs calculated in accordance with subsection 8;
- (3) A description of the efforts made by the body, agency or official to inform the requesting party of the good faith estimate of costs and to discuss possible modifications of the request or series of requests that would reduce the burden of production; and
- (4) Proof that the body, agency or official has submitted a notice of intent to file an action under this subsection to the party requesting

the records, dated at least 10 days prior to filing the complaint for an order of protection under this subsection.

B. Any appeal that may be filed by the requesting party under section 409 may be consolidated with an action under this subsection.

C. An action for protection may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require upon the request of any party.

D. If the court finds that the body, agency or official has demonstrated good cause to limit or deny the request or series of requests, the court shall enter an order making such findings and establishing the terms upon which production, if any, must be made. If the court finds that the body, agency or official has not demonstrated good cause to limit or deny the request or series of requests, the court shall establish a date by which the records must be provided to the requesting party.

See title page for effective date.

**CHAPTER 176  
S.P. 38 - L.D. 121**

**An Act to Amend the Maine  
Litter Control Act**

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

**Sec. 1. 17 MRSA §2263, sub-§2**, as amended by PL 2021, c. 510, §2, is further amended to read:

**2. Litter.** "Litter" means all waste materials including, but not limited to, bottles; glass; crockery; cans; scrap metal; junk; paper; garbage; rubbish; brush and yard debris; offal, except waste parts or remains resulting from the normal field dressing of lawfully harvested wild game or the lawful use of waste parts or remains of wild game as bait; feathers, except feathers from live birds while being transported; abandoned ice-fishing shacks; old automobiles or parts of automobiles or similar refuse; or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of the primary processes of mining, logging, sawmilling, farming or manufacturing. "Litter" includes waste materials resulting from or associated with the use of tobacco products, including, but not limited to, cigarette butts; all waste materials resulting from the outdoor release or abandonment of a balloon; and all waste materials resulting from the use of consumer fireworks.

For the purposes of this subsection, "tobacco product" has the same meaning as in Title 22, section 1551, subsection 3 and "consumer fireworks" has the same meaning as in Title 8, section 221-A, subsection 1-A.

For the purposes of this subsection, "brush and yard debris" does not include slash, as defined in Title 12, section 9331, generated by or on behalf of a public utility, as defined in Title 35-A, section 102, subsection 13.

**Sec. 2. 17 MRSA §2263-A, sub-§1**, as amended by PL 2021, c. 374, §2, is further amended to read:

**1. Prohibited acts.** A person may not intentionally throw, drop, deposit, discard, dump or otherwise dispose of litter in any manner or amount:

A. In or on public highway, road, street, alley, public right-of-way or other public lands, except in a container or receptacle or on property that is designated for disposal of garbage and refuse by the State or its agencies or political subdivisions;

B. In freshwater lake, river, stream, tidal or coastal water or on ice over the water. When any litter is thrown or discarded from a watercraft, a person is in violation of this section if that person is:

(1) The operator of the watercraft, unless it is a watercraft being used for the carriage of passengers for hire; or

(2) The person actually disposing of the litter.

This paragraph does not prohibit persons who fish, lobster or otherwise harvest from the water from returning to the water harvested products, bait and similar materials that naturally originate in the water;

C. In or on any private property, unless:

(1) Prior consent of the owner has been given; and

(2) The litter is not a public nuisance or in violation of any state law or local rule;

D. From a trailer or vehicle that is constructed, loaded or uncovered in such a way that the load may drop, sift, leak or otherwise escape. This paragraph applies to vehicles or trailers carrying trash, rubbish or other materials that may be construed as "litter"; or

E. From a vehicle. When any litter is thrown or discarded from a vehicle, a person is in violation of this section if that person is:

(1) The operator of the vehicle, unless it is a vehicle being used for the carriage of passengers for hire; or

(2) The person actually disposing of the litter.

It is a violation of this chapter for a person to intentionally release outdoors a balloon that is inflated or filled with a gas that is lighter than air, except that it is not a violation of this chapter for a person to intentionally release outdoors a balloon carrying scientific instrumentation, a balloon used for meteorological observation by