

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.

Augusta, Maine
2025

~~these~~ funds remain unclaimed for 20 years from the date when payable under the court judgment or decree, the clerk shall obtain an order from the court, under whose judgment or decree these funds were placed in the clerk's custody, that a comprehensive abstract of the facts be advertised for 3 weeks successively in a newspaper of general circulation published in the county, and if no one appears to claim these funds within 60 days after ~~the~~ date of the last publication, the funds ~~shall~~ become forfeited to the State and must be paid by the clerk to the Treasurer of State. That portion of this section providing for the forfeiture of unclaimed funds ~~shall apply~~ applies to funds held by the clerk of courts for 20 years or more prior to September 16, 1961.

See title page for effective date.

CHAPTER 261

H.P. 422 - L.D. 654

An Act to Increase the Maximum Small Claim Limit

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

Sec. 1. 14 MRSA §7482, first ¶, as amended by PL 2009, c. 428, §1, is further amended to read:

Notwithstanding the total amount of a debt or contract, a "small claim" means a right of action cognizable by a court if the debt or damage does not exceed \$6,000 \$10,000 exclusive of interest and costs. It does not include an action involving the title to real estate.

Sec. 2. Effective date. This Act takes effect January 1, 2026.

Effective January 1, 2026.

CHAPTER 262

H.P. 630 - L.D. 970

An Act to Support Affordable Housing Development

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

Sec. 1. 38 MRSA §488, sub-§30 is enacted to read:

30. Exemption for construction of new dwelling units at existing development. New construction of dwelling units at an existing development that has been permitted pursuant to this article is exempt from review under this article if:

A. The additional disturbed area not to be revegetated does not exceed 40,000 square feet ground area in any calendar year and does not exceed 80,000 square feet ground area in total;

B. Any new dwelling units to be constructed that are designed to accommodate more than 4 families are connected to a public water and sewer system;

C. The new construction is not contrary to the terms or conditions of the permit, other than by the addition of new disturbed area for dwelling units. An area designated by the permit for storm water management or for natural resource or visual buffers may not be developed under this exemption. Sub-surface wastewater disposal systems or wells may not be constructed in an area excluded by the permit for the placement of those systems; and

D. The permittee annually notifies the department of any new construction conducted during the previous 12 months that is eligible for the exemption under this subsection. The notice must identify the type, location and ground area of the new construction. With the annual notification, the permittee shall provide to the department development plans certified by a professional engineer for the new construction undertaken pursuant to this subsection.

When review under this article is required at an existing development permitted pursuant to this article, the permittee shall provide plans for the new development, as well as for any activities that have been previously undertaken pursuant to this subsection. The permittee shall demonstrate that activities undertaken pursuant to this subsection met the requirements for storm water management in effect when the activities were undertaken and that were applicable to the activity considering the entirety of the development.

For purposes of this subsection, "dwelling unit" means any part of a structure that, through sale or lease, is intended for human habitation, including single-family and multifamily housing, accessory dwelling units, condominiums, apartments and time-share units.

See title page for effective date.

CHAPTER 263

S.P. 474 - L.D. 1143

An Act to Update Language on Setback Variances for Single-family Dwellings

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

Sec. 1. 30-A MRSA §4353, sub-§4-B, as amended by PL 1993, c. 627, §1, is further amended to read:

4-B. ~~Set-back~~ Setback variance for single-family dwellings. A municipality may adopt an ordinance that permits the board to grant a ~~set-back~~ setback variance for a ~~single-family~~ dwelling. An ordinance

adopted under this subsection may permit a variance from a ~~set-back~~ setback requirement only when strict application of the zoning ordinance to the petitioner and the petitioner's property would cause undue hardship. The term "undue hardship" as used in this subsection means:

- A. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
- B. The granting of a variance will not alter the essential character of the locality;
- C. The hardship is not the result of action taken by the applicant or a prior owner;
- D. The granting of the variance will not substantially reduce or impair the use of abutting property; and
- E. That the granting of a variance is based upon demonstrated need, not convenience, and no other feasible alternative is available.

An ordinance adopted under this subsection is strictly limited to permitting a variance from a ~~set-back~~ setback requirement for a ~~single-family~~ dwelling that is the primary year-round residence of the petitioner. A variance under this subsection may not exceed 20% of a ~~set-back~~ setback requirement and may not be granted if the variance would cause the area of the dwelling to exceed the maximum permissible lot coverage. An ordinance may allow for a variance under this subsection to exceed 20% of a ~~set-back~~ setback requirement, except for minimum setbacks from a wetland or water body required within shoreland zones by rules adopted pursuant to Title 38, chapter 3, subchapter 1, article 2-B, if the petitioner has obtained the written consent of an affected abutting landowner.

See title page for effective date.

CHAPTER 264

H.P. 775 - L.D. 1170

An Act to Make the Maine Redevelopment Land Bank Authority Responsible for the Transfer and Development of State-owned Surplus Land

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

Sec. 1. 5 MRSA §1742, sub-§23, as amended by PL 2017, c. 234, §1, is further amended to read:

23. Inventory of land. To ~~periodically~~ annually inventory all land owned by any state agency or semiautonomous state agency, and, together with other state agencies and semiautonomous state agencies, deter-

mine land that is needed by state agencies or semiautonomous state agencies for other uses and land that is surplus. Prior to offering any land for sale, the commissioner shall review with the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority and other state agencies and semiautonomous state agencies the information derived from the inventory. For the purposes of this subsection, "semiautonomous state agency" has the same meaning as in section 1972, subsection 9.

~~A. By February 1, 1988, the commissioner shall provide an initial report on the status of the land inventory to the joint standing committees of the Legislature having jurisdiction over economic development; state and local government; and appropriations and financial affairs.~~

A-1. The department shall annually send the inventory to the Maine Redevelopment Land Bank Authority and to the joint standing committee of the Legislature having jurisdiction over economic development matters.

B. Notwithstanding any ~~other~~ provision of law to the contrary, the procedure for the distribution of surplus state property for the purpose of this subsection ~~shall take~~ takes priority over any other procedure for the disbursement of surplus state land.

C. ~~Nothing in this~~ This subsection ~~shall~~ may not be construed to pertain to public reserved lands ~~which that~~ are exempt from this subsection.

D. The department shall work closely with the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority to develop a procedure by which surplus state-owned land and structures are held in trust for the purpose set forth in this section and Title 30-A, chapter 201, subchapter 3-A;

Sec. 2. 30-A MRSA §4754, sub-§3, as amended by PL 2017, c. 234, §24, is further amended to read:

3. State-owned property. The ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority may use surplus state-owned property pursuant to this subchapter and Title 5, section 1742, subsection 23 to achieve the purpose of this ~~article~~ subchapter.

Sec. 3. 30-A MRSA §4754-A, as enacted by PL 1989, c. 914, §5, is amended to read:

§4754-A. First option to purchase surplus lands

All state agencies shall offer the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority the opportunity to purchase or otherwise acquire any land and improvements on the land or any structures determined to be surplus before the property may be offered for sale or transfer to any other state agency, community or other buyer or transferee. Notice of availability must be provided in writing to the ~~Director~~