

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

executive director of the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority.

1. Notification of interest. The ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority shall advise the owner agency in writing of its interest in purchasing or otherwise acquiring the surplus land and any improvements on the land or surplus structures or of its decision not to purchase or otherwise acquire any such surplus property within 30 days of receipt of the notification by the ~~Director~~ executive director of the Maine State Housing Authority Maine Redevelopment Land Bank Authority.

2. Purchase price. If the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority offers to purchase the property, the purchase price must be determined as follows.

A. The current market value must be determined by an independent appraiser or by agreement between the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority and the owner agency. The ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority and the owner agency then shall negotiate the ultimate purchase price in good faith in order to achieve the respective goals and mandates of the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority and the owner agency.

B. The purchase price may not exceed the current market value of the property as determined in paragraph A.

C. If title to the land or improvements carries a requirement that the property be sold at fair market value, then this requirement prevails over the terms of this subsection.

3. Report. The ~~Maine State Housing Authority~~ shall report to the joint standing committee of the Legislature having jurisdiction over housing and economic development matters 90 days after the 2nd anniversary of the effective date of this section on state surplus land purchased under this section together with any recommendations for improvements.

If any land determined to be surplus is located in a community served by a ~~local public~~ municipal housing authority under section 4721, as defined in this Title, the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority shall offer the first option to purchase the parcel to the ~~local public~~ municipal housing authority. The ~~local public~~ municipal housing authority has 45 days to indicate in writing its desire to acquire the parcel. Other offers to purchase the parcel may not be considered until the 45-day period has passed.

Sec. 4. 30-A MRSA §4755, as amended by PL 2017, c. 234, §25, is further amended to read:

§4755. Provide property

The ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority may provide surplus state property below market value pursuant to this subchapter and Title 5, section 1742, subsection 23 to any person, firm or organization that agrees to construct, reconstruct or rehabilitate affordable housing for low-income and moderate-income households and maintain this property for this purpose in a written contract with the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority.

Sec. 5. 30-A MRSA §4756, as enacted by PL 1989, c. 48, §§3 and 31, is amended to read:

§4756. Rules

The Maine State Housing Authority shall adopt ~~routine technical~~ rules in accordance with the ~~Maine Administrative Procedure Act~~, Title 5, chapter 375, subchapter 2-A to implement this subchapter sections 4751, 4752 and 4753, including eligibility standards for financing under this subchapter sections 4751, 4752 and 4753. The Maine Redevelopment Land Bank Authority shall adopt routine technical rules in accordance with Title 5, chapter 375, subchapter 2-A, to implement sections 4754, 4754-A and 4755, including eligibility standards for financing under sections 4754, 4754-A and 4755.

Sec. 6. 30-A MRSA §5157, sub-§1, ¶D, as enacted by PL 2021, c. 664, §3, is amended to read:

D. Property that is environmentally hazardous; and

Sec. 7. 30-A MRSA §5157, sub-§1, ¶E, as enacted by PL 2021, c. 664, §3, is repealed and the following enacted in its place:

E. Property that a state, federal, municipal or other governmental entity has determined is surplus or that it does not have the capacity to redevelop; and

Sec. 8. 30-A MRSA §5157, sub-§1, ¶F is enacted to read:

F. Property determined to be surplus land under Title 5, section 1742, subsection 23 and chapter 201, subchapter 3-A.

See title page for effective date.

CHAPTER 265

H.P. 820 - L.D. 1245

An Act to Establish a Fund and Council to Support Working Waterfronts

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

Sec. 1. 5 MRSA §3207 is enacted to read:

§3207. Working Waterfront Information and Technical Assistance Fund

The Working Waterfront Information and Technical Assistance Fund, referred to in this section as "the fund," is established. Balances in the fund may not lapse and must be carried forward and used for the purposes of this section. The fund is administered by the office, and the office may accept and deposit in the fund money from private and public sources. In carrying out the purposes of the fund, the office shall work with the Department of Economic and Community Development, Office of Tourism; the Department of Marine Resources; coastal municipal and regional governments; and organizations and coalitions that have experience advocating for developing and protecting working waterfronts in the State and experience working with persons who use working waterfronts in the State. In collaboration with the entities listed in this section, the office shall use the fund in the production of working waterfront information campaigns and the provision of technical assistance to encourage protection and development of working waterfronts. As used in this section, "working waterfront" means a parcel of land abutting water subject to tidal influence or land located in the intertidal zone that is used primarily or predominantly to provide access to or support the conduct of commercial fishing and marine activities.

Sec. 2. 5 MRSA §3208 is enacted to read:

§3208. Working Waterfront Advisory Council

The Working Waterfront Advisory Council, established by section 12004-I, subsection 57-I and referred to in this section as "the council," is established to address issues facing the State's working waterfronts.

1. Membership. The director shall appoint up to 15 members to the council who, to the greatest extent possible, must represent federally recognized Indian nations, tribes or bands in the State, municipalities, non-profit organizations, trade organizations, educational institutions, individuals and industries that represent or use working waterfronts in the State. To the greatest extent possible, the membership of the council must reflect a geographic distribution along the coast.

In making appointments, the director shall consider and appoint residents of the State who have knowledge of problems facing working waterfronts in the State, have experience in advocacy relating to working waterfront issues or provide leadership in programs or activities that create and improve opportunities or spread awareness related to working waterfronts and persons that use them.

2. Term. A member's term is for 3 years. If a member is unable to complete the term, the director shall appoint a member pursuant to subsection 1 to serve out the unexpired portion of the term.

3. Officers; staff. The officers of the council are the chair and the vice-chair. The term of the officers is one year. The council shall elect a member of the council for each officer position at the first regular meeting of each year. The council is staffed by the office.

4. Meetings. The council shall meet at least 4 times per year. It may meet at other times at the call of the chair or the director.

5. Council report. By February 1, 2026 and annually thereafter, the council shall submit a report to the joint standing committees of the Legislature having jurisdiction over economic and community development matters and marine resources matters on the status of the condition of, the current and future challenges concerning and recommendations related to working waterfronts in the State, including, but not limited to:

A. How to best use state agencies, municipal governments, working waterfront industries and citizen groups to protect and improve access to working waterfronts in the State;

B. Matters of interest to working waterfront industries and communities in the State, including, but not limited to, geographic information systems mapping and inventory, climate and resilience, preservation and access, affordable workforce housing, climate-driven relocation, water quality and ecosystems, workforce development, health care access, the marine resources economy and economic development, including public-private partnerships, decarbonization and electrification and developing new working waterfronts; and

C. Information on relevant existing federal, state, municipal, educational organization and nonprofit organization data, plans, recommendations and studies that relate to working waterfronts in the State and updates on progress made in state plans that include references to working waterfronts.

After reviewing the report, either joint standing committee may report out legislation to implement any recommendations contained in the report.

6. Director report. By February 1, 2026 and annually thereafter, the director shall submit a report to the joint standing committees of the Legislature having jurisdiction over matters related to the office on the status of initiatives regarding working waterfronts, including information from coalitions, task forces and engagements with municipal and tribal governments. After reviewing the report, either joint standing committee may report out legislation to implement any recommendations contained in the report.

Sec. 3. 5 MRSA §12004-I, sub-§57-I is enacted to read:

57-I.

<u>Marine Resources</u>	<u>Working</u>	<u>Not</u>	<u>5 MRSA</u>
	<u>Waterfront</u>	<u>Authorized</u>	<u>§3208</u>
	<u>Advisory</u>		
	<u>Council</u>		

Sec. 4. Working Waterfront Advisory Council initial membership appointments. Notwithstanding the Maine Revised Statutes, Title 5, section 3208, subsection 2, in making the initial membership appointments to the Working Waterfront Advisory Council established pursuant to Title 5, section 12004-I, subsection 57-I, the Director of the Maine Office of Community Affairs shall make the initial membership appointment terms staggered so that approximately 1/3 of the members are appointed for a term of 3 years, approximately 1/3 of the members are appointed for a term of 2 years and approximately 1/3 of the members are appointed for a term of one year.

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

MAINE OFFICE OF COMMUNITY AFFAIRS

Working Waterfront Information and Technical Assistance Fund N542

Initiative: Provides ongoing allocations to establish the Working Waterfront Information and Technical Assistance Fund.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 266

H.P. 823 - L.D. 1248

An Act Regarding Physical Escort and Restraint and Seclusion of Students in Schools

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

Sec. 1. 20-A MRSA §4014, sub-§1, ¶D, as enacted by PL 2021, c. 453, §1, is amended to read:

D. "Physical escort" means the temporary, ~~voluntary~~ touching or holding of the hand, wrist, arm, shoulder or back to induce a student to walk to a safe location.

Sec. 2. 20-A MRSA §4014, sub-§1, ¶G-1 is enacted to read:

G-1. "Serious physical injury" means any impairment of the physical condition of a person, whether

self-inflicted or inflicted by someone else, that requires a medical practitioner, including, but not limited to, a school nurse, to evaluate or treat the person.

This paragraph is repealed August 1, 2029.

Sec. 3. Report. The Department of Education shall, no later than January 1, 2029, submit a report to the joint standing committee of the Legislature having jurisdiction over education matters related to the use of physical restraint and seclusion in schools under the Maine Revised Statutes, Title 20-A, section 4014. The report must include, but is not limited to, data on the use of physical restraint and seclusion in schools in the State prior to October 15, 2025 and after that date and include a summary of any changes to the use of physical restraint and seclusion between calendar years 2021 and 2028. The joint standing committee is authorized to report out a bill to the 134th Legislature in 2029.

See title page for effective date.

CHAPTER 267

H.P. 1077 - L.D. 1623

An Act to Amend Certain Fish and Wildlife Laws Related to Landowner Representation Regarding Abandoned Property

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

Sec. 1. 12 MRSA §10652, sub-§1, ¶A, as amended by PL 2021, c. 54, §2, is further amended to read:

A. A person may not:

- (1) Tear down or destroy any fence or wall on another person's land;
- (2) Leave open any gate or bars on another person's land;
- (3) Trample or destroy any crop on another person's land;
- (4) Damage or destroy a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand unless the person has the permission of the landowner or the landowner's representative;
- (5) Erect or use either a portable or permanent ladder or observation stand on the land of another person unless:
 - (a) That person has obtained oral or written authorization to erect and use a ladder