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

A. The Bureau of Unemployment Compensation;

B. The Bureau of Employment Services;

C. The Bureau of Labor Standards;

D. The Bureau of Rehabilitation Services;

F. The Center for Workforce Research and Information; ~~and~~

I. The State Workforce Board~~.~~; and

J. The Bureau of Paid Family and Medical Leave.

See title page for effective date.

CHAPTER 278

H.P. 646 - L.D. 999

An Act to Include Employees of the Maine Indian Tribal-State Commission in the State's Group Health Plan and to Clarify Future Eligibility for the State's Group Health Plan

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

Sec. 1. 5 MRSA §285, sub-§1, ¶F-13 is enacted to read:

F-13. Any employee of the Maine Indian Tribal-State Commission;

Sec. 2. 5 MRSA §285, sub-§17 is enacted to read:

17. Eligibility of persons other than state employees for group health plan. A person other than a state employee may not be granted eligibility for a group health plan pursuant to subsection 1 by legislative action to amend subsection 1 unless the person is an employee of a quasi-governmental entity that receives significant and ongoing operating funds through a General Fund appropriation.

See title page for effective date.

CHAPTER 279

S.P. 445 - L.D. 1027

An Act to Strengthen the Law Regarding Relief for Improvident Transfers of Title

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

Sec. 1. 33 MRSA §1023, sub-§2, as amended by PL 2003, c. 236, §2, is further amended to read:

2. Relief available; protected transfers and executions. When a court finds that a transfer of property or execution of a guaranty was the result of undue influence, it shall grant appropriate relief enabling the elderly dependent person to avoid the transfer or execution, including the rescission or reformation of a deed or other instrument, the imposition of a constructive trust on property or an order enjoining use of or entry on property or commanding the return of property. The court shall award reasonable attorney's fees and costs to be paid by the person who exercised undue influence over the elderly dependent person or by any transferee who paid less than full consideration, as found by the court. When the court finds that undue influence is a good and valid defense to a transferee's suit on a contract to transfer the property or a suit of a person who benefits from the execution of a guaranty on that guaranty, the court shall refuse to enforce the transfer or guaranty.

~~No relief~~ Relief obtained or granted under this section may not in any way affect or limit the right, title and interest of good faith purchasers, mortgagees, holders of security interests or other 3rd parties who obtain an interest in the transferred property for value after its transfer from the elderly dependent person. ~~No relief~~ Relief obtained or granted under this section may not affect any mortgage deed to the extent of value given by the mortgagee.

See title page for effective date.

CHAPTER 280

S.P. 457 - L.D. 1133

An Act to Allow Electric Vehicle Charging Stations by Condominium and Residential Associations

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

Sec. 1. 33 MRSA §576-A is enacted to read:

§576-A. Electric vehicle charging stations allowed

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bylaw" means the instrument, however denominated, that contains the procedures for conduct of the affairs of the association of unit owners regardless of the form in which the association of unit owners is organized, including any amendments to the instrument.

B. "Common interest community" has the same meaning as in Title 38, section 3002, subsection 3.

C. "Electric vehicle charging station" means an electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.

D. "Executive board" means the body, regardless of name, designated in the declaration to act on behalf of the association of unit owners.

E. "Limited common element" has the same meaning as in section 1601-103, subsection (16).

F. "Purchaser" means a person, other than a declarant or a dealer, that by means of a voluntary transfer acquires a legal or equitable interest in a unit, other than: a leasehold interest, including renewal options, of less than 20 years; or as security for an obligation.

G. "Rule" means a policy, guideline, restriction, procedure or regulation of an association of unit owners, however denominated, that is adopted by an association of unit owners, that is not set forth in the declaration or bylaws and that regulates conduct occurring within the common interest community for the use, maintenance, repair, replacement, modification or appearance of the common interest community of an association of unit owners.

H. "Unreasonable restriction" means a restriction that significantly increases the cost of the electric vehicle charging station or significantly decreases its efficiency or specified performance.

2. Unenforceable provisions. Beginning January 1, 2026, any provision of a declaration or bylaw that either prohibits or places an unreasonable restriction on the installation or use of an electric vehicle charging station in a unit parking space or limited common element parking space or is otherwise in conflict with the provisions of this section is void and unenforceable.

3. Application to install. A unit owner may submit an application to the executive board to install an electric vehicle charging station in a unit parking space or in a limited common element parking space with the written approval of the unit owner of each unit to which use of the limited common element parking space is reserved. The executive board shall acknowledge, in writing, the receipt of an application not later than 30 days after receipt of the application and process the application in the same manner as an application for an addition, alteration or improvement pursuant to the declaration or bylaws. The approval or denial of the application must be in writing and must be issued not later than 60 days after the date of receipt of the application. Unless the executive board reasonably requests additional information not later than 60 days from the date of receipt of the application, the application is deemed approved if a denial in writing has not been received within 60 days of the date the application was received.

4. Installation requirements. A unit owner may not install an electric vehicle charging station in a unit parking space or limited common element parking space unless the unit owner complies with the requirements of this subsection.

A. The unit owner shall obtain approval from the executive board to install the electric vehicle charging station. The executive board shall approve the application for the installation if the unit owner agrees in writing to:

(1) Comply with the provisions of the declaration or bylaws regarding an addition, alteration or improvement;

(2) Provide a certificate of insurance, within 14 days of approval, that demonstrates insurance coverage in amounts determined sufficient by the executive board;

(3) Pay for the costs associated with the installation of the electric vehicle charging station, including, but not limited to, increased master insurance policy premiums, attorney's fees incurred by the association of unit owners, engineering fees, professional fees, permits and applicable zoning compliance costs; and

(4) Pay the electricity usage costs associated with the electric vehicle charging station.

B. The unit owner, and each successive unit owner, of the electric vehicle charging station is responsible for:

(1) The cost of any damage to the electric vehicle charging station, common elements or units resulting from the installation, use, maintenance, repair, removal or replacement of the electric vehicle charging station;

(2) The cost of any maintenance, repair and replacement of the electric vehicle charging station until it has been removed;

(3) The cost of any restoration of the physical space where the electric vehicle charging station was installed after it is removed;

(4) The cost of electricity associated with the electric vehicle charging station;

(5) The common expenses as a result of uninsured losses pursuant to any master insurance policy held by the association of unit owners; and

(6) Making disclosures to prospective purchasers regarding:

(a) The existence of the electric vehicle charging station;

(b) The associated responsibilities of the unit owner under this section; and

(c) The requirement that the purchaser accept the electric vehicle charging station unless it is removed prior to the transfer of the unit.

An electric vehicle charging station installed pursuant to this section must meet all applicable health and safety standards and requirements under any state or federal law or municipal ordinance, except that a unit owner is not required to maintain a liability coverage policy for an existing National Electrical Manufacturers Association or successor organization standard alternating current power plug.

5. Association authority. An association of unit owners may:

A. Install an electric vehicle charging station in the common elements for the use of all unit owners and develop appropriate rules for such use;

B. Create a new parking space where one did not previously exist to facilitate the installation of an electric vehicle charging station;

C. Require a unit owner to remove the unit owner's electric vehicle charging station prior to the unit owner's sale of the property unless the purchaser of the property agrees to take ownership of the electric vehicle charging station; and

D. Assess the unit owner for any uninsured portion of a loss associated with an electric vehicle charging station, whether resulting from a deductible or otherwise, regardless of whether the association of unit owners submits an insurance claim.

6. Attorney's fees. In any action seeking to enforce compliance with this section, the prevailing party must be awarded reasonable attorney's fees.

See title page for effective date.

CHAPTER 281

H.P. 793 - L.D. 1188

An Act to Amend the Law Governing Facilities Approved by the State Harness Racing Commission to Sell Pari-mutuel Pools and Common Pari-mutuel Pools for Simulcast Racing

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Maine harness racing is an important historic sport; and

Whereas, attracting new fans to Maine harness racing is critical to the future well-being of the industry and agriculture; and

Whereas, the 2025 racing season commenced in April and this legislation must take effect as early in the 2025 racing season as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 8 MRSA §275-B, sub-§3, as amended by PL 2023, c. 51, §1, is further amended by repealing the 2nd blocked paragraph.

Sec. 2. 8 MRSA §275-B, sub-§4 is enacted to read:

4. Facilities approved by commission; track located in another county. The commission may authorize a facility approved under subsection 3 to continue operation in the same location as approved under subsection 3 if, notwithstanding subsection 3, the location where the commercial track is licensed to conduct races is no longer located in the same county as the facility approved under subsection 3 and the location where the races are conducted by the commercial track meets the following criteria:

A. The races are conducted at a location within a county contiguous to the county where the commercial track previously conducted the races;

B. The races are not located within the same county as a casino licensed under section 1011; and

C. The races are not located within the same municipality as an off-track betting facility licensed under section 275-D or within a municipality contiguous to a municipality with an off-track betting facility licensed under section 275-D.

A person licensed pursuant to section 271 to conduct harness horse racing with pari-mutuel betting that sells pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility approved under subsection 3 and authorized to continue operation under this subsection may not receive approval for any additional facilities under the provisions of subsection 3.

Sec. 3. Provisional approval. Notwithstanding any provision of law to the contrary, the State Harness Racing Commission may provisionally approve a facility under the Maine Revised Statutes, Title 8, section 275-B, subsection 3 that has made an application to a municipality for the sale of pari-mutuel pools or common pari-mutuel pools at that facility, if that application is awaiting a decision from the municipal officers of the municipality in which the facility is located.