

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

C. The petition is determined complete for processing by the board of appeals no later than December 31, 2027.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 12, 2025.

CHAPTER 287

S.P. 533 - L.D. 1303

An Act to Amend the Laws Governing Qualifications for the State Auditor

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

Sec. 1. 5 MRSA §241, as amended by PL 2015, c. 44, §3, is further amended to read:

§241. State Auditor; salary

The State Auditor is the head chief administrator of the Office of the State Auditor. ~~The State Auditor must be a certified public accountant or a college graduate with not less than 6 years of experience as a professional accountant or auditor, including not less than 5 years of auditing experience, of which not less than 4 years must have been in a supervisory capacity.~~ The State Auditor must be elected by the Legislature by a joint ballot of the Senators and Representatives in convention and holds office for a term of 4 years or until a successor is elected and qualified. The State Auditor shall exercise such powers and perform such duties as are set forth in this chapter. In case the event the office of State Auditor becomes vacant during a period when the Legislature is not in session, the because of death, resignation, removal or other cause, the deputy auditor shall perform the administrative and statutory duties of the State Auditor until the appointment of a person to fill such vacancy. The appointment of a person to fill such vacancy must be made immediately by the President of the Senate or, if that office is vacant, by the Speaker of the House, and the person appointed holds that office until such time as the Legislature meets in regular or special session; and either confirm confirms the appointment of the person or chooses another person to fill the office during the unexpired term.

A person elected to the office of State Auditor must hold certification related to accounting, auditing or financial analysis or hold a degree in business for finance from an accredited postsecondary educational institution. If a person elected to the office of State Auditor is not qualified as, or has not successfully completed or passed the examination for, a certified public accountant, certified information systems auditor or certified

~~internal auditor at the time of election and fails to become so qualified within 9 months 2 years of being sworn into office, as required by section 242; that person may no longer serve as State Auditor and is ineligible for reelection by the same Legislature and the office of State Auditor is deemed vacant as State Auditor.~~

Sec. 2. 5 MRSA §242, as amended by PL 2015, c. 44, §4, is further amended to read:

§242. Organization; deputy

The Office of the State Auditor must be organized in the manner the State Auditor considers best suited to the accomplishment of its functions. The office may have those auditors, assistants and employees as the State Auditor may require, but they are subject to the Civil Service Law.

~~Any person elected to the position of State Auditor or any person permanently employed by the Office of the State Auditor as deputy auditor, director of audits or assistant director of audits must be currently~~ qualified as or have successfully completed or passed the examination for a certified public accountant, certified information systems auditor or certified internal auditor. Persons not so qualified may be employed in these audit supervisory positions on a temporary basis not to exceed 9 months.

In the event of a vacancy in the office of State Auditor because of death, resignation, removal or other cause, the deputy auditor shall perform the duties of the office until a State Auditor has been appointed in conformity with section 241 and has been duly qualified. In the event of absence or disability of the State Auditor, the deputy auditor shall ~~likewise~~ perform the duties of the office during the State Auditor's absence.

See title page for effective date.

CHAPTER 288

H.P. 937 - L.D. 1428

An Act to Increase Access to Child Care for Maine Families

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

Sec. 1. 22 MRSA §8302-A, sub-§4 is enacted to read:

4. Recreational space. A child care facility or a family child care provider may operate without an outdoor recreational space as long as an outside public recreational space is available within a reasonable distance from the facility or provider.

Sec. 2. 30-A MRSA §4364-D is enacted to read:

§4364-D. Child care services in residential areas

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

A. "Child care facility" has the same meaning as in Title 22, section 8301-A, subsection 1-A, paragraph B.

B. "Family child care provider" has the same meaning as in Title 22, section 8301-A, subsection 1-A, paragraph C.

2. Location of child care. A child care facility or a family child care provider is a permitted use in a municipal area that is zoned for residential purposes, subject to the same requirements for other residential property.

See title page for effective date.

CHAPTER 289

H.P. 939 - L.D. 1430

An Act Regarding the Transfer of Moose Permits to Disabled Veterans

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

Sec. 1. 12 MRSA §11154, sub-§5, as repealed and replaced by PL 2017, c. 427, §14 and affected by §19, is amended to read:

5. Eligibility. Except as provided in this subsection, a resident or nonresident who is eligible to obtain a Maine hunting license or who will be eligible to obtain a Maine hunting license by the opening day of the open moose season is eligible to apply for a moose hunting permit. A person who has obtained a moose hunting permit is ineligible to obtain another permit until the 4th calendar year after the issuance of the last permit. This limitation does not apply to subpermittees under subsection 7 or transferors and transferees under subsection 16. A person under 10 years of age on the opening day of the open moose season is eligible to apply for a moose hunting permit and may accrue points under subsection 8 but is ineligible to receive a moose hunting permit.

Sec. 2. 12 MRSA §11154, sub-§16, as enacted by PL 2019, c. 191, §1, is amended to read:

16. Moose permit transfer; disabled veterans. A person who holds a valid moose permit may transfer, in accordance with this subsection, that permit to a disabled veteran who meets the eligibility and permit requirements under this section and section 10853, subsection 4 and who is not otherwise prohibited from holding a moose permit. The commissioner may authorize a permit holder to transfer the moose permit to a disabled veteran identified by the permit holder or the

permit holder may return the permit to the department, which, in accordance with rules adopted by the commissioner, shall provide for the transfer of the permit to a disabled veteran. A transferor and a transferee of the permit are subject to the elimination of any accumulated points under subsection 8 ~~and the 3-year ineligibility period under subsection 5~~. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Effective date. This Act takes effect January 1, 2026.

Effective January 1, 2026.

CHAPTER 290

S.P. 626 - L.D. 1542

An Act to Amend the Membership of the Washington County Budget Advisory Committee

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

Sec. 1. 30-A MRSA §900-B, as amended by PL 2019, c. 23, §1, is further amended to read:

§900-B. Advisory committee

There is established the Washington County Budget Advisory Committee as provided in this section.

1. Municipal officers; election; term. ~~The Except as provided in subsections 2 and 2-A, the~~ municipal officers from each county commissioner district shall choose the budget advisory committee members by the following procedure.

A. No later than 100 days before the end of the county's fiscal year, the county commissioners shall notify all municipal officers in the county to caucus by county commissioner districts at a specified date, time and place for the purpose of electing at least one municipal officer from each district as a member of the budget advisory committee; except that, in 1992, at least 3 municipal officers must be selected from each district unless the municipal officers of a district decide that another person from that district would be better qualified. A municipality may not be represented by more than one officer at a time. The county commissioner shall serve as nonvoting moderator for that district caucus. Nominations must be received from the floor. The nominee receiving the most votes is approved as a budget advisory committee member except that, in 1992, each caucus shall elect 3 members. The names of those elected by the caucus must be recorded and forwarded to the county commissioners.