

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

Sec. 1. 36 MRSA §5122, sub-§2, ¶EE, as corrected by RR 2009, c. 2, §111, is amended to read:

EE. To the extent included in federal adjusted gross income, an amount constituting benefits received under a municipal property tax assistance program established pursuant to section 6232, ~~sub-section~~ subsections 1-A and 1-B;

Sec. 2. 36 MRSA §6232, sub-§1, as amended by PL 2019, c. 159, §2, is further amended to read:

1. Conditions of program. Except as provided in subsection 1-A and 1-B, a program adopted under this section must:

- A. Require that the claimant has maintained a homestead in the municipality for a certain period of time, as determined by the municipality;
- B. Provide benefits for both owners and renters of homesteads; and
- C. Calculate benefits in a way that provides greater benefits proportionally to claimants with lower incomes in relation to their property taxes accrued or rent constituting property taxes accrued.

A program adopted under this section may impose additional standards of eligibility and procedures, as long as those standards are established by the municipality by ordinance.

Sec. 3. 36 MRSA §6232, sub-§1-B is enacted to read:

1-B. Expanded municipal volunteer program. Beginning January 1, 2026, a municipality may by ordinance adopt a program that permits claimants who are eligible volunteers to earn benefits up to an annual maximum of \$1,000 or 100 times the state minimum hourly wage under Title 26, section 664, subsection 1, whichever is greater, by volunteering to provide services to the municipality. A program adopted under this subsection does not need to meet the requirements of subsection 1, paragraph B or C. Benefits provided under this subsection must be related to the amount of volunteer service provided. Benefits received under this subsection may not be considered income for purposes of Part 8. A municipality may by ordinance establish procedures and additional standards of eligibility for a program adopted under this subsection.

Notwithstanding the age requirements under this section, for the purposes of this subsection, "eligible volunteer" means a person who is at least 60 years of age or a person who is a volunteer firefighter as defined in Title 30-A, section 3151, subsection 4, a volunteer municipal firefighter as defined in Title 30-A, section 3151, subsection 5 or a volunteer emergency medical services person. For the purposes of this subsection, "volunteer emergency medical services person" means an emergency medical services person as defined in Ti-

tle 32, section 83, subsection 12 who is licensed pursuant to Title 32, chapter 2-B, who receives up to 20% of the compensation of a worker employed 40 hours per week at the state minimum wage and who may receive injury and death benefits.

Receiving benefits from a municipal program established pursuant to this subsection does not make a person ineligible to participate in the program as an eligible volunteer.

Sec. 4. 36 MRSA §6232, sub-§1-C is enacted to read:

1-C. Single benefit. A volunteer may not participate in both a program established pursuant to subsection 1-A and a program established pursuant to subsection 1-B in the same tax year.

See title page for effective date.

CHAPTER 338

H.P. 326 - L.D. 497

An Act Regarding the Regulation of Significant Vernal Pools Under the Natural Resources Protection Act

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

Sec. 1. 38 MRSA §480-BB, sub-§1-A is enacted to read:

1-A. Significant vernal pool habitat; definitions. With respect to significant vernal pool habitat, define:

A. "Critical terrestrial habitat" to mean uplands and wetlands associated with significant vernal pools used by pool-breeding amphibians for migration, feeding and hibernation, in particular, forested wetlands and forested uplands that provide deep organic litter, coarse woody debris and canopy shade;

B. "Significant vernal pool habitat" to mean a significant vernal pool and that portion of the critical terrestrial habitat within 250 feet of the spring or fall high-water mark of the vernal pool depression; and

C. "Significant vernal pool protection zone" to mean that portion of the critical terrestrial habitat within 100 feet of the spring or fall high-water mark of a significant vernal pool depression. With respect to habitat management standards for significant vernal pool habitat, the rule must require no disturbance within the significant vernal pool depression and the significant vernal pool protection zone to the greatest extent practicable;

Sec. 2. 38 MRSA §480-BB, sub-§2, as amended by PL 2013, c. 231, §§4 and 5, is further amended to read:

2. Certain landowners not subject to regulation. Provide the following exemptions to regulation.

~~A. A landowner proposing to cause an impact on the buffer area defined for a significant vernal pool habitat is not subject to regulation pursuant to the rule if the significant vernal pool habitat depression is not on property owned or controlled by that landowner.~~

B. If a vernal pool depression is bisected by a property boundary and a landowner proposing to cause an impact does not have permission to enter the abutting property, only that portion of the vernal pool depression located on property owned or controlled by that landowner may be considered in determining whether the vernal pool is significant. A written department determination that a vernal pool is not significant pursuant to this paragraph remains valid regardless of timeframe.

Where the critical terrestrial habitat for a significant vernal pool is bisected by one or more property boundaries, the critical terrestrial habitat located on a property that does not contain the vernal pool depression must be afforded the same habitat protections under the rule as the critical terrestrial habitat located on the property that contains the vernal pool depression.

C. Rules adopted under this section may not require an applicant for a license for a working waterfront activity on working waterfront land that is part of a state or federal brownfields program or a voluntary response action program under section 343-E to compensate for lost habitat function with a function of equal or greater value or to provide a compensation fee pursuant to section 480-Z;

Sec. 3. 38 MRSA §480-BB, sub-§4-A is enacted to read:

4-A. Identification of significant vernal pools; drying. Provide that, when a vernal pool habitat has not previously been determined to be significant and the department or the Department of Inland Fisheries and Wildlife makes a determination concerning whether the vernal pool habitat is significant, either department may determine that the vernal pool habitat is not significant if:

A. The vernal pool is located in northern Maine and dries out after filling and before July 15th; or

B. The vernal pool is located in southern Maine and dries out after filling and before July 1st;

See title page for effective date.

CHAPTER 339 S.P. 325 - L.D. 767

An Act to Amend the Laws Governing Licensing of Certain Types of Establishments and Professions by the Department of Health and Human Services

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

Sec. 1. 22 MRSA §2494, first ¶, as amended by PL 2021, c. 125, §11, is further amended to read:

Each application for, or for renewal of, a license to operate an eating establishment, lodging place, recreational camp, youth camp, public pool, public spa or campground within the meaning of this chapter must be accompanied by a fee, appropriate to the size of the establishment, place, camp, pool, spa or area of the licensee, determined by the department and not to exceed the fees listed below. All fees collected by the department must be deposited into a special revenue account established for this purpose. No such fee may be refunded. No license may be assignable or transferable, except as provided in section 2495. The fees may not exceed:

Sec. 2. 22 MRSA §2495, as amended by PL 2021, c. 125, §13, is further amended by enacting at the end a new paragraph to read:

In the case of death of the licensee, a license issued under this chapter may be transferred, for the benefit of the estate of the deceased licensee, to the personal representative, receiver or trustee of the deceased licensee's estate to operate the premises to which the license applies for one year from the date the personal representative, receiver or trustee is appointed, after which the license is void. Pending appointment of a personal representative, receiver or trustee of the estate, the following individuals may be approved by the department to operate the premises temporarily: the surviving spouse; a person who has filed a petition for appointment as executor or administrator for the estate of the deceased licensee; the sole heir of the deceased licensee or a person designated by all of the heirs of the deceased licensee. A person may not operate under the license unless approved by the department. The department may require an individual seeking approval to operate the premises temporarily to provide documentation showing that the individual is eligible pursuant to this paragraph.

Sec. 3. 22 MRSA §2504 is enacted to read:
§2504. Confidentiality of investigative records

1. Complaints and investigative records; confidentiality. Information identifying an individual who files a complaint in connection with the department's public health activities associated with the department's licensing and regulatory functions authorized by this