

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2026

provide those professional services while under the direct supervision of the caregiver or another person under the direct supervision of the caregiver.

Sec. 5. 22 MRSA §2425-A, sub-§10, ¶B-1 is enacted to read:

B-1. There is an annual registration fee for a caregiver who cultivates cannabis plants on behalf of a qualifying patient pursuant to section 2423-A, subsection 2, paragraph B-1.

(1) For a caregiver registering based upon plant count, the fee may not be less than \$50 or more than \$240 for each group of up to 30 mature cannabis plants cultivated by the caregiver. The caregiver shall notify the department of the number of cannabis plants the caregiver cultivates in the calendar year, which may not exceed the maximum number established in section 2423-A, subsection 2, paragraph B-1.

(2) For a caregiver registering based upon plant canopy, the fee may not be less than \$50 or more than \$1,500 for a total mature plant canopy of 2,500 square feet or less in the calendar year.

Sec. 6. 28-B MRSA §102-A, sub-§32-A is enacted to read:

32-A. Indoor cultivation. "Indoor cultivation" means cultivation of mature cannabis plants that does not meet the definition of "outdoor cultivation" under subsection 41-A.

Sec. 7. 28-B MRSA §102-A, sub-§41-A is enacted to read:

41-A. Outdoor cultivation. "Outdoor cultivation" means cultivation of mature cannabis plants between the months of March and December in a cultivation area that primarily uses sunlight for such cultivation.

See title page for effective date.

CHAPTER 515

H.P. 1288 - L.D. 1927

An Act to Add Mold to the Implied Warranty and Covenant of Habitability

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

Sec. 1. 14 MRSA §6021, sub-§1, as enacted by PL 1977, c. 401, §4, is repealed and the following enacted in its place:

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

A. "Dwelling unit" includes mobile homes, apartments, buildings and other structures, including the common areas thereof, that are rented for human habitation.

B. "Leaking event" means a water leak from flooding or a system or structural failure, such as a failure of a roof, window, door, plumbing system, foundation or appliance.

Sec. 2. 14 MRSA §6021, sub-§6-B is enacted to read:

6-B. Mold; bacteria; other biological organisms. It is a breach of the implied warranty of fitness for human habitation when a landlord offers for rent a dwelling unit in which there is a leaking event, chronic moisture or humidity conditions outside of the control of a tenant that result in the growth of mold, bacteria or other biological organisms.

A municipality may adopt more stringent standards by ordinance than those provided in this section.

See title page for effective date.

CHAPTER 516

H.P. 1295 - L.D. 1934

An Act to Promote Responsible Outdoor Lighting

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

Sec. 1. 5 MRSA c. 21 is enacted to read:

CHAPTER 21

RESPONSIBLE OUTDOOR LIGHTING

§481. Responsible outdoor lighting

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

A. "ANSI/IES lighting standard" means a standard developed by the Illuminating Engineering Society and adopted by the American National Standards Institute or successor organizations to describe adequate outdoor lighting that does not unnecessarily brighten the night sky when used for particular purposes or in particular settings, including, but not limited to, the following standards:

(1) RP-6: outdoor sports and recreational areas;

(2) RP-7: outdoor industrial areas;

(3) RP-8: roadway and parking facilities;

(4) RP-40: port terminals; and

(5) RP-43: outdoor pedestrian areas.

B. "Correlated color temperature" means the measured color appearance of light emitted by a light source, described using a nominal value stated in kelvins.

C. "Fully shielded luminaire" means a luminaire that is shielded in such a manner that no light is emitted, either directly or indirectly, at or above a horizontal plane running through the lowest light-emitting part of the luminaire.

D. "Light level" means the maintained luminance or illuminance value.

E. "Light trespass" means artificial lighting illuminating across property lines at night without permission. Unless specified otherwise, light trespass limits are measured at any location along a property line both horizontally at the ground plane facing upward and vertically at 1.5 meters above the ground plane with the light meter aimed toward the light source in question.

F. "Lumen" means a unit of measure of the luminous flux of a light source.

G. "Luminaire" means a complete lighting unit, including the light source, housing, optics, electronics and other necessary components for the purpose of providing illumination.

H. "Lux" means the metric system unit of measure for illuminance, the total luminous flux incident at a point on a surface.

I. "Nadir" means a downward vertical vector directly beneath a luminaire, opposite to zenith.

J. "Nighttime hours" means the time between 10:00 p.m. and sunrise or 7:00 a.m., whichever comes earlier, except that for facilities, offices, activities and events with operating hours later than 10:00 p.m., nighttime hours begin one hour after the end of the operating hours.

K. "Nonessential lighting" means public outdoor lighting that does not improve the physical safety of motor vehicles or pedestrians, including, but not limited to, landscape lighting, illuminated signage or advertising during nighttime hours, facade lighting, vacant sports field lighting, decorative lighting and seasonal lighting.

L. "Outdoor sports lighting" means public outdoor lighting for illumination of sporting events or activities, including, but not limited to, playing fields for team sports and similar outdoor recreational facilities, excluding ski facilities.

M. "Public entity" means an agency as defined in section 43 and any political subdivision or public instrumentality of the State.

N. "Public improvement" means any improvement or replacement of facilities or equipment undertaken by, on behalf of or pursuant to a contract or grant agreement with a public entity.

O. "Public outdoor lighting" means any public improvement that includes the installation or replacement of luminaires for the purpose of providing outdoor illumination.

P. "Seasonal lighting" means public outdoor lighting that is portable, temporary, decorative and used in connection with festivals, celebrations, holidays and traditions. "Seasonal lighting" includes, but is not limited to, string lighting, icicle lighting and lighted inflatables, none of which are intended for general illumination.

2. Requirements. Beginning October 1, 2026, public outdoor lighting that is installed or replaced must comply with the requirements of this subsection as follows:

A. Public outdoor lighting, with the exception of outdoor sports lighting, may not exceed 125% of the light level recommended by the applicable ANSI/IES lighting standard or a more stringent standard specified by rule adopted pursuant to subsection 4 or an ordinance authorized by subsection 5;

B. Light trespass to a federally designated or state-designated wilderness, natural area, habitat or reserve may not measure greater than 0.1 lux;

C. Luminaires emitting more than 1,000 lumens must be fully shielded luminaires and may not emit more than 5% of their total lumen output above 80 degrees from the luminaires' nadir;

D. Nonessential lighting must be extinguished during nighttime hours;

E. The maximum allowable correlated color temperature of outdoor luminaires is 3,000 kelvins. This restriction does not apply to outdoor sports lighting, Department of Transportation roadway lighting pursuant to Title 23, section 708, Maine Turnpike Authority roadway lighting and pedestrian lighting for sidewalks and crosswalk facilities; and

F. Outdoor sports lighting must meet the following standards in addition to the standards in paragraphs B to D:

(1) Eighty-five percent of the lumens generated must be confined to within 10 meters of the playing field or the spectator track or bleacher area, whichever is greater;

(2) Lighting applications for sports in which the height of a ball in play would, in the normal course of playing the sport, exceed the height

of the sports lighting poles must have a maximum of 8% of their total lumen output above 80 degrees from the lighting's nadir;

(3) Luminaires must use the lowest possible correlated color temperature necessary for the sport, class of play and viewing audience, except that the correlated color temperature may not exceed 5,700 kelvins; and

(4) Outdoor sports lighting must comply with paragraphs A and E except during the seasons and times of day when the activities for which the lighting is designed are taking place or maintenance to support those activities is being conducted.

3. Exemptions. This chapter does not apply to public outdoor lighting to the extent that:

A. Regulations, orders or guidance from the United States Department of Transportation, Federal Aviation Administration, Federal Highway Administration or other division of the United States Department of Transportation requires lighting that exceeds or otherwise fails to comply with the standards in subsection 2;

B. Rules adopted pursuant to subsection 4 by the Department of Public Safety require lighting necessary to protect public safety or security that does not comply with the requirements of subsection 2;

C. Law enforcement officers and authorized first responders use public outdoor lighting during emergency procedures that does not comply with subsection 2;

D. Rules adopted pursuant to subsection 4 by the Department of Transportation permit temporary lighting to ensure safety and efficiency in completion of road construction and repair, as long as such lighting deviates from the standards in subsection 2 to the minimum extent necessary;

E. Rules adopted pursuant to subsection 4 by the Maine Turnpike Authority permit temporary lighting to ensure safety and efficiency in completion of road construction and repair, as long as such lighting deviates from the standards in subsection 2 to the minimum extent necessary;

F. Luminaires replicating historical character and lighting effect are protected pursuant to a law governing historical registration;

G. Seasonal lighting complies with subsection 2, paragraphs B and D;

H. The public outdoor lighting is used at a ski facility; and

I. The public outdoor lighting is regulated or implemented pursuant to Title 23, section 708.

4. Rulemaking. The Department of Administrative and Financial Services may adopt rules governing the implementation of this chapter and may establish appropriate exemptions to the requirements of this chapter. The Department of Public Safety may adopt rules establishing exemptions as described in subsection 3, paragraph B. The Department of Transportation may adopt rules governing the lighting of roadways and pedestrian facilities to ensure the safety and efficiency of the traveling public. The Maine Turnpike Authority may adopt rules governing temporary lighting necessary to ensure safety and efficiency in completion of road construction and repair as described in subsection 3, paragraph E. Any entity proposing rules pursuant to this subsection that affect municipalities shall confer with the Maine Office of Community Affairs before proposing those rules. All rules adopted pursuant to this subsection are major substantive rules as defined in chapter 375, subchapter 2-A.

5. Local ordinances authorized. A municipality in the State may adopt a local ordinance to promote compliance with this chapter and to extend its standards as appropriate beyond public improvements governed by this chapter. The Maine Office of Community Affairs shall develop and share with municipalities a model ordinance for these purposes when the office has sufficient resources to accomplish this.

This subsection may not be construed to prohibit a municipality from adopting lighting ordinances stricter than those adopted by the State pursuant to this chapter, except that municipalities may not adopt lighting ordinances that conflict with any of the provisions in Title 23, section 708.

Sec. 2. Effective date. This Act takes effect September 30, 2026.

Effective September 30, 2026.

CHAPTER 517

H.P. 1315 - L.D. 1971

An Act to Protect Workers in This State by Clarifying the Relationship of State and Local Law Enforcement Agencies with Federal Immigration Authorities

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

Sec. 1. 5 MRSA c. 337-E is enacted to read:

CHAPTER 337-E

IMMIGRATION

§4761. Definitions