

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

3. Western Aroostook. Western Aroostook consists of the municipalities and unorganized territory known as ~~Hamlin Plantation, Cyr Plantation, T17 R3, Grand Isle, T17 R4, T16 R5, T15 R6, Winterville Plantation, T15 R8, T15 R9, T14 R10, T14 R11, T14 R12, T14 R13, T14 R14, T14 R15, T14 R16~~ and all municipalities and unorganized territory in Aroostook County lying to the west and north of these. The District Court for Western Aroostook must be held at Fort Kent.

See title page for effective date.

CHAPTER 553
H.P. 1399 - L.D. 2084

**An Act to Amend the Laws
Regulating Transient Sales of
Home Repair Services**

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

Whereas, current law authorizes an unspecified board to deny the license of, refuse to renew the license of or impose disciplinary sanctions on a transient seller of home repair services; and

Whereas, this legislation authorizes the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to exercise those powers; and

Whereas, this legislation must take effect as soon as possible in order to ensure proper regulation of these transient sellers; 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. 32 MRSA §14501, sub-§2-A is enacted to read:

2-A. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation.

Sec. 2. 32 MRSA §14513, as enacted by PL 2007, c. 402, Pt. KK, §10, is amended to read:

§14513. Denial or refusal to renew license; disciplinary action

The ~~board~~ director may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for

any of the reasons enumerated in Title 10, section 8003, subsection 5-A, paragraph A.

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

Effective March 9, 2026.

CHAPTER 554
S.P. 57 - L.D. 128

**An Act to Support Permitting
of Certain Multifamily Housing
Developments Under the Site
Location of Development Laws**

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

Sec. 1. 38 MRSA §482, sub-§5, as amended by PL 1997, c. 603, §2, is further amended to read:

5. Subdivision. A "~~subdivision~~" is "Subdivision" means the division of a parcel of land into 5 or more lots to be offered for sale or lease to the general public during any 5-year period, if the aggregate land area includes more than 20 acres; except that when all lots are for single family, single detached, residential housing, structures containing up to 4 dwelling units, with or without one accessory dwelling unit as defined in Title 30-A, section 4301, subsection 1-C, common areas or open space ~~a, "subdivision" is~~ means the division of a parcel of land into 15 or more lots to be offered for sale or lease to the general public within any 5-year period, if the aggregate land area includes more than 30 acres. The aggregate land area includes lots to be offered together with the roads, common areas, easement areas and all portions of the parcel of land in which rights or interests, whether express or implied, are to be offered. This definition of "subdivision" is subject to the following exceptions:

C. Lots of 40 or more acres but not more than 500 acres may not be counted as lots except where:

(1) The proposed subdivision is located wholly or partly within the shoreland zone;

C-1. Lots of more than 500 acres in size may not be counted as lots;

D. Five years after a subdivider establishes a single-family residence for that subdivider's own use on a parcel and actually uses all or part of the parcel for that purpose during that period, a lot containing that residence may not be counted as a lot;

E. Unless intended to circumvent this article, the following transactions may not be considered lots offered for sale or lease to the general public:

(1) Sale or lease of lots to an abutting owner or to a spouse, child, parent, grandparent or sibling of the developer if those lots are not further divided or transferred to a person not so related to the developer within a 5-year period, except as provided in this subsection;

(2) Personal, nonprofit transactions, such as the transfer of lots by gift, if those lots are not further divided or transferred within a 5-year period, or the transfer of lots by devise or inheritance; or

(3) Grant of a bona fide security interest in the whole lot or subsequent transfer of the whole lot by the original holder of the bona fide security interest or that person's successor in interest;

F. In those subdivisions that would otherwise not require site location approval, unless intended to circumvent this article, the following transactions may not, except as provided, be considered lots offered for sale or lease to the general public:

(1) Sale or lease of common lots created with a conservation easement as defined in Title 33, section 476, ~~provided that~~ as long as the department is made a party; and

H. The transfer of contiguous land by a permit holder to the owner of a lot within a permitted subdivision is exempt from review under this article, ~~provided that~~ as long as the land was not owned by the permit holder at the time the department approved the subdivision. Further division of the transferred land must be reviewed under this article.

The exception described in paragraph F does not apply, and the subdivision requires site location approval, whenever the use of a lot described in paragraph F changes or the lot is offered for sale or lease to the general public without the limitations set forth in paragraph F. For the purposes of this subsection only, ~~a parcel of land is defined as~~ "parcel of land" means all contiguous land in the same ownership ~~provided except~~ that lands located on opposite sides of a public or private road are considered each a separate parcel of land unless that road was established by the owner of land on both sides of the road subsequent to January 1, 1970. A lot to be offered for sale or lease to the general public is counted, for purposes of determining jurisdiction, from the time a municipal subdivision plan showing that lot is recorded or the lot is sold or leased, whichever occurs first, until 5 years after that recording, sale or lease.

Sec. 2. 38 MRSA §488, sub-§17, as amended by PL 1997, c. 393, Pt. A, §45, is further amended to read:

17. Structure area within residential lots. Buildings, roads, paved areas or areas to be stripped or graded

and not revegetated that are located within lots used solely for ~~single family~~ single detached residential housing structures containing up to 4 dwelling units, with or without one accessory dwelling unit as defined in Title 30-A, section 4301, subsection 1-C, are not counted toward the 3-acre threshold described in section 482, subsection 6, paragraph B for purposes of determining jurisdiction. A road associated only with such lots is also not counted toward the 3-acre threshold. ~~For purposes of this subsection, "single family residential housing" does not include multi-unit housing such as condominiums and apartment buildings.~~

Sec. 3. 38 MRSA §488, sub-§17-A is enacted to read:

17-A. Land or water area within residential lots. Land or water areas that are located within lots used solely for single detached residential housing structures containing up to 4 dwelling units, with or without one accessory dwelling unit as defined in Title 30-A, section 4301, subsection 1-C, are not counted toward the 20-acre threshold described in section 482, subsection 2, paragraph A for purposes of determining jurisdiction. A road associated only with such lots is also not counted toward the 20-acre threshold.

Sec. 4. 38 MRSA §488, sub-§19, as amended by PL 2021, c. 51, §1, is further amended to read:

19. Municipal capacity. A structure, as defined in section 482, subsection 6, that is from 3 acres up to and including 10 acres or a subdivision, as defined in section 482, subsection 5, that is made up of 15 or more lots for ~~single family, single detached~~ residential housing structures containing up to 4 dwelling units, with or without one accessory dwelling unit as defined in Title 30-A, section 4301, subsection 1-C, common areas or open space with an aggregate area of from 30 acres up to and including 100 acres is exempt from review under this article if it is located wholly within a municipality or municipalities meeting the criteria in paragraphs A to D as determined by the department and it is located wholly within a designated growth area as identified in a comprehensive plan adopted pursuant to Title 30-A, chapter 187, subchapter 2. The planning board of the municipality in which the development is located or an adjacent municipality may petition the commissioner to review such a structure or subdivision if it has regional environmental impacts. This petition must be filed within 20 days of the receipt of the application by the municipality. State jurisdiction must be exerted, if at all, within 30 days of receipt of the completed project application by the commissioner from the municipality or within 30 days of receipt of any modification to that application from the municipality. Review by the department is limited to the identified regional environmental impacts. The criteria are as follows:

A. A municipal planning board or reviewing authority is established and the municipality has ade-

quate resources to administer and enforce the provisions of its ordinances. In determining whether this criterion is met, the commissioner may consider any specific and adequate technical assistance that is provided by a regional council;

B. The municipality has adopted a site plan review ordinance. In determining the adequacy of the ordinance, the commissioner may consider model site plan review ordinances commonly used by municipalities in this State that address the issues reviewed under applicable provisions of this article prior to July 1, 1997;

C. The municipality has adopted subdivision regulations. In determining the adequacy of these regulations, the commissioner may consider model subdivision regulations commonly used by municipalities in this State; and

D. The former State Planning Office or the Department of Agriculture, Conservation and Forestry has determined that the municipality has a comprehensive land use plan and land use ordinances or zoning ordinances that are consistent with Title 30-A, chapter 187 in providing for the protection of wildlife habitat, fisheries, unusual natural areas and archaeological and historic sites.

The department, in consultation with the Department of Agriculture, Conservation and Forestry, shall publish a list of those municipalities determined to have capacity pursuant to this subsection. This list need not be established by rule and must be published by January 1st of each year. The list must specify whether a municipality has capacity to review structures or subdivisions of lots for single family, single detached, residential housing structures containing up to 4 dwelling units, with or without one accessory dwelling unit as defined in Title 30-A, section 4301, subsection 1-C, common areas or open space or both types of development. The department may recognize joint arrangements among municipalities and regional organizations in determining whether the requirements of this subsection are met. The department may review municipalities that are determined to have capacity pursuant to this subsection for compliance with the criteria in paragraphs A to D, and if the department determines that a municipality does not meet the criteria, the department may modify or remove the determination of capacity.

A modification to a development that was reviewed by a municipality and exempted pursuant to this subsection or was reviewed by the department prior to a determination that a municipality has capacity pursuant to this subsection is exempt as long as the modification will not cause the total area of the development to exceed the maximum acreage specified in this subsection for that type of development or, based upon information submitted by the municipality concerning the development and modification, the department determines that

the modification may be adequately reviewed by the municipality.

Sec. 5. 38 MRSA §489-E, first ¶, as repealed and replaced by PL 2011, c. 359, §4, is amended to read:

Rules adopted by the department pursuant to this article are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, including rules to establish a permit by rule option in accordance with section 344, subsection 7, except that rules adopted by the department after January 1, 2010 pursuant to section 484, subsections 1, 3, 4, 4-A, 5, 6 and 7 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 555

S.P. 754 - L.D. 1936

An Act Regarding the Allocation of Net Energy Billing Costs and Long-term Contract Costs and Benefits

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

Sec. 1. 35-A MRSA §3209, sub-§5, ¶B, as enacted by PL 2025, c. 391, §2, is amended to read:

~~B. Notwithstanding section 3209-C, subsection 2, paragraph B and section 3210-F, subsection 3, allocates~~ Allocates the combined post-restructuring stranded costs, as determined by the commission, for investor-owned transmission and distribution utilities in the State to each customer class group described in paragraph A, based on each group's pro rata share of statewide post-restructuring stranded costs based on total retail kilowatt-hour energy sales to those customers;

Sec. 2. 35-A MRSA §3209, sub-§6, as enacted by PL 2025, c. 391, §3, is amended to read:

6. Post-restructuring stranded cost allocation; rate design. For post-restructuring stranded cost allocations and rate designs applicable on or after July 1, 2028, the commission shall by order establish such cost allocations and rate designs applicable for the following 3-year period in accordance with section 3209-C, subsection 2, paragraph C and section 3209-F, subsection 3, subject to annual and other necessary reconciliations, and ensure the promotion of beneficial electrification in every customer class consistent with section 3804.

Sec. 3. 35-A MRSA §3209-C, sub-§2, ¶B, as enacted by PL 2023, c. 411, §5, is amended to read:

~~B. The commission shall allocate to each investor-owned transmission and distribution utility its pro rata share of net energy billing costs. If the com-~~