

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

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

section, "online sweepstakes game" has the same meaning as in Title 8, section 1351, subsection 6.

See title page for effective date.

CHAPTER 646

H.P. 1368 - L.D. 2038

An Act to Require Maine Transmission and Distribution Utility Participation in a Regional Transmission Organization

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

Sec. 1. 35-A MRSA §3133-B is enacted to read:

§3133-B. Mandatory participation in regional transmission organization

1. Regional transmission organization; definition. For the purposes of this section, "regional transmission organization" has the same meaning as in section 10102, subsection 8.

2. Participation mandatory. Except as provided in subsection 3, a transmission and distribution utility may not own or control a transmission and distribution plant located in the State unless the transmission and distribution utility participates in a regional transmission organization.

3. Exceptions. The provisions of this section do not apply to:

A. A consumer-owned transmission and distribution utility as defined in section 3501, subsection 1; or

B. A transmission and distribution utility that owns or controls a transmission and distribution plant located in an area of this State in which the retail electricity market is administered by the independent system administrator for northern Maine.

See title page for effective date.

CHAPTER 647

H.P. 1375 - L.D. 2051

An Act to Ensure Access to the Supplemental Nutrition Assistance Program in Maine

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

Sec. 1. 22 MRSA §3104-A, sub-§1, as amended by PL 2013, c. 368, Pt. OO, §§1 and 2, is repealed.

Sec. 2. 22 MRSA §3104-A, sub-§1-A is enacted to read:

1-A. Food assistance. The department shall provide food assistance to households that would be eligible for assistance under the federal Supplemental Nutrition Assistance Program, 7 United States Code, Section 2011 et seq. but for having an immigration status that does not qualify for federal food assistance benefits as follows.

A. An individual who was receiving food assistance under former subsection 1 as of July 1, 2011 may continue to receive assistance, as long as the individual remains eligible without regard to interruptions in coverage or gaps in eligibility for service.

B. A noncitizen who was neither receiving assistance on July 1, 2011 nor had an application pending for assistance on July 1, 2011 who was later approved is not eligible for food assistance through a state-funded program unless that noncitizen has both a qualifying immigration status under subparagraph (1) and at least one of the qualifying conditions under subparagraph (2), as follows:

(1) The individual is lawfully present in the United States but does not have an immigration status that qualifies for federal food assistance benefits and is not lawfully present solely as a temporary worker, student or tourist. Lawfully present individuals include:

(a) Qualified aliens under 8 United States Code, Section 1641;

(b) Lawful permanent residents who do not meet the special conditions for federal assistance under 8 United States Code, Section 1613;

(c) Asylees under Section 208 of the federal Immigration and Nationality Act, 8 United States Code, Section 1158;

(d) Individuals who have a pending application for asylum or withholding of removal with the Department of Homeland Security or the Department of Justice Immigration Court;

(e) Refugees under Section 207 of the federal Immigration and Nationality Act, 8 United States Code, Section 1157;

(f) Individuals with Temporary Protected Status;

(g) Individuals with Special Immigrant Juvenile Status; and

(h) Individuals who received or were eligible to receive federal Supplemental Nutrition Assistance Program benefits on July 3, 2025 but who are no longer eligible pursuant to the federal Food and Nutrition Act of 2008, as amended by Public Law 119-21 (2025); and

(2) The individual is:

(a) Elderly or disabled, as described under the laws governing supplemental security income, 42 United States Code, Sections 1381 to 1383f;

(b) A victim of domestic violence or human trafficking or experiencing the effects of domestic violence or human trafficking;

(c) Unable to work or the dependent child of a parent who is unable to work due to the time necessary to obtain proper work documentation, as defined by the department in rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or

(d) Unemployed or the dependent child of a parent who is unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 648

S.P. 861 - L.D. 2143

An Act Facilitating the Reconstruction or Replacement of Storm-damaged Commercial Fisheries Facilities and Infrastructure

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

Sec. 1. 30-A MRSA §4353, sub-§4, as amended by PL 2013, c. 186, §1, is further amended to read:

4. Variance. Except as provided in subsections 4-A, 4-B and 4-C and section 4353-A, the board may grant a variance only when strict application of the ordinance to the petitioner and the petitioner's property would cause undue hardship. The term "undue hardship" as used in this subsection means:

A. ~~The~~ Except as provided in subsection 4-D, the land in question ~~can not~~ cannot yield a reasonable return unless a variance is granted;

B. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

C. The granting of a variance will not alter the essential character of the locality; and

D. The hardship is not the result of action taken by the ~~applicant~~ petitioner or a prior owner.

Under its home rule authority, a municipality may, in a zoning ordinance, adopt additional limitations on the granting of a variance, including, but not limited to, a provision that a variance may be granted only for a use permitted in a particular zone.

Sec. 2. 30-A MRSA §4353, sub-§4-D is enacted to read:

4-D. Floodplain reasonable return variance for functionally dependent use. The board may grant a variance from a prohibition on construction seaward of mean high tide or requirement to elevate structures above the base flood elevation when placed upon a dock, pier or wharf as prescribed in a municipal floodplain management ordinance that is filed with the municipality's board of appeals if:

A. The petitioner demonstrates to the board that the petitioner suffered substantial damage, as defined in the municipality's floodplain management ordinance, to a dock, pier or wharf or a structure placed thereon;

B. The damaged dock, pier or wharf or structure placed thereon identified pursuant to paragraph A is proposed to be reconstructed or replaced and be permitted for a functionally dependent use as defined in 44 Code of Federal Regulations, Section 59.1; and

C. The dock, pier or wharf or structure placed thereon under paragraph B is proposed to be elevated or otherwise protected from flood damages to the extent practicable.

A variance granted pursuant to this subsection must be the minimum variance from the municipal floodplain management ordinance necessary to afford relief for the functionally dependent use.

Sec. 3. 30-A MRSA §4364-A, sub-§5, ¶C, as enacted by PL 2021, c. 672, §5, is amended to read:

C. Establish alternative criteria that are less restrictive than the requirements of subsection 4 for the approval of a housing structure only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B ~~or~~ 4-C or 4-D.