Retroactive Laws Enacted in Maine
166 Since 2001

Since 2001, the Legislature has enacted 166 laws\(^1\) and 18 resolves\(^2\) that have retroactive effect.

For example, in 2019, the Legislature passed a law-making certain state fire protection and law enforcement officers ineligible for overtime pay, retroactively to 2016. P.L. 2019, ch. 387.


In 2017, the Legislature amended certain laws regarding the discharge of tax lien mortgages retroactively to 1935. P.L. 2017, ch. 375, § F-4.

In 2005, the Legislature passed a Private and Special Law that required the Farmington Village Corporation—i.e., Farmington’s water utility—to establish rates in accordance with the statute governing water utility rates, retroactively to 1911. P. & S.L. 2005, ch. 15.

\(^1\) E.g., P.L. 2019, ch. 16 (applying PUC net energy billing rules retroactively to 2018); P.L. 2019, ch. 174 (amending laws regulating the treatment of subdivisions by municipal land use ordinances retroactively); P.L. 2019, ch. 343, §§ YY-1 (authorizing Office of MaineCare Services to adopt rules with retroactive application), TTT-1 and -2 (retroactively changing effective date for amendments to employer unemployment insurance contribution); P.L. 2019 ch. 353 (amending laws governing public utility reorganizations retroactively); P.L. 2019, ch. 387 (making certain fire protection and law enforcement officers ineligible for overtime pay retroactively to 2016); P.L. 2019, ch. 401, §§ B-2, B-15, B-22 (eliminating sales tax on personal-use oxygen delivery equipment retroactively to 2012); P.L. 2019, ch. 598, §§ 11-12 (amending certain provision of probate code governing intestate succession for adopted children retroactively); P.L. 2019, ch. 607, §§ B-8 (amending definition of “retail sale” for purposes of sales tax to exclude personal-use rental of oxygen delivery equipment retroactively to 2012), C-9 (amending treatment of installment sales for income tax retroactively); P.L. 2019, ch. 659, § G-5 (amending timing provisions and deadlines for certain tax filings and extensions retroactively to 2017); P.L. 2019, ch. 1 (delaying the implementation of certain marijuana-legalization rules retroactively to 2017); P.L. 2017, ch. 2, §§ A-4, A-15 (providing funding for reclassification of five governmental jobs retroactively); P.L. 2017, ch. 170, §§ C-9 (eliminating sales tax on certain medical devices retroactively), D-11 (amending income tax code retroactively); P.L. 2017, ch. 220, §§ 15, 20 (eliminating overtime pay for certain food-and-agriculture workers retroactive to 1995); P.L. 2017, ch. 254, §§ 1-2, 4 (amending laws governing political party ballot qualification retroactively to 2016); P.L. 2017, ch. 284, § G-3 (amending municipal property tax formula retroactively); P.L. 2017, ch. 375, § F-4 (amending certain laws regarding the discharge of tax lien mortgages retroactively to 1935); P.L. 2015, ch. 24 (reducing the license fee to operate high-stakes beano retroactively); P.L. 2015, ch. 228 (amending laws regarding the registration of professional engineers retroactively); P.L. 2015, ch. 267, § A-61 (providing funding for reclassification of one governmental job retroactively); P.L. 2015, ch. 268, § A-5 (providing funding for reclassification of one governmental job retroactively); P.L. 2015, ch. 329, §§ A-25 (repealing and replacing statute governing Inland Fisheries and Wildlife budget), C-4 (repealing certain provisions of Maine’s motor vehicle dealership franchise statute retroactively); P.L. 2015, ch. 382, § 4 (amending state income tax treatment of certain retirement plans retroactively); P.L. 2015, ch. 390, § 12 (amending state tax statute governing cost-of-living adjustment retroactively); P.L. 2015, ch. 494, § 10 (amending statute governing retail and on-premises liquor sales retroactively); P.L. 2015, ch. 513 (requiring State Controller to transfer funds retroactively); P.L. 2013, ch. 331, § A-6 (providing exemption from tax lien statute for certain property passing by
right of survivorship retroactively); P.L. 2013, ch. 368, § O-11 (amending property tax valuation equalization statute retroactively); P.L. 2013, ch. 455, § 4 (repealing statute affecting municipal property tax assistance programs retroactively); P.L. 2013, ch. 546, § 17 (amending fire risk allocation formula for fire insurance tax purposes retroactively); P.L. 2013, ch. 564 (exempting free publications and printed inserts from sales and use tax retroactively); P.L. 2013, ch. 588, § E-7 (providing for reciprocal snowmobile registration for nonresident’s snowmobiles retroactively); P.L. 2013, ch. 595, § E-4 (amending schedule to award grants for dental hygiene clinic retroactively to 2010); P. & S.L. 2013, ch. 28 (validating results of 2011 Old Orchard Beach municipal bond referendum retroactively to 2011); P.L. 2011, ch. 1, § M-2 (adjusting budget surplus allocation retroactively); P.L. 2011, ch. 285, §§ 3-4, 6, 8, 15 (amending sales tax statutes, including provisions regarding watercraft and procedures for requesting reassessment of sales tax, retroactively); P.L. 2011, ch. 289 (applying new definitions of “credit sale” and “residential mortgage loan” retroactively); P.L. 2011, ch. 319 (delaying compliance date for reporting requirements of certain chemicals in children’s products retroactively); P.L. 2011, ch. 378 (setting fees for abstracts and copies of land records retroactively); P.L. 2011, ch. 380, §§ DDDD-5 (eliminating sales tax on certain meals served to residents of retirement facilities retroactively), FFFF-2 (eliminating sales tax on plastic bags sold to beverage redemption centers retroactively to 2004); P.L. 2011, ch. 420, § E-5 (amending statute governing recycling of mercury-added thermostats retroactively); P.L. 2011, ch. 477, § E-2 (extending deadline for submission of report on electronic court filing retroactively); P.L. 2011, ch. 540 (exempting public employees receiving disability benefits from certain mandatory health insurance contributions retroactively); P.L. 2011, ch. 548, §§ 1-2, 19, 21, 30, 32, 36 (amending certain provisions of tax code, including the treatment of motor vehicle oil premiums, premiums received by certain insurance companies, historical property rehabilitation, and fishery infrastructure investments retroactively); P.L. 2011, ch. 604, § 4 (changing registration requirement for certain persons convicted of unlawful sexual contact retroactively); P.L. 2011, ch. 644, §§ 2-4, 9, 31, 33 (making several changes to tax laws, including filing deadlines, late-filing penalties, and the definition of “automobile,” retroactively); P.L. 2011, ch. 655, §§ I-11 (authorizing position and salary for Associate Commissioner of Tax Policy retroactively), PP-4 (exempting positive airway pressure equipment from sales tax retroactively); P.L. 2011, ch. 657, § H-5 (amending MaineCare reimbursement rates for critical access hospitals retroactively); P.L. 2011, ch. 689, § 8 (retroactively amending description of certain state land that had been previously authorized to be sold); P.L. 2009, ch. 1, § Z-2 (changing range of tax years in which certain historical landmark developers may claim tax credit retroactively); P.L. 2009, ch. 33, §§ 2-5, 8 (expanding eligibility for unemployment benefits retroactively); P.L. 2009, ch. 52 (extending delay period between creation of municipal charter commission and election of voter members retroactively); P.L. 2009, ch. 54 (amending statutes governing license suspensions for OUI convictions retroactively); P.L. 2009, ch. 109 (adjusting workers’ compensation insurer-assessment formula retroactively); P.L. 2009, ch. 213, § EE-2 (retroactively repealing 2007 law that would have required DHHS to eliminate one hundred jobs); P.L. 2009, ch. 254, § 4 (adjusting formula for calculating judicial retirement benefits retroactively); P.L. 2009, ch. 280 (amending circumstances in which an employer may discontinue paying workers’ compensation benefits, and applying “retroactively to all injuries including pending cases and cases on appeal”); P.L. 2009, ch. 301 (adjusting apportionment of workers’ compensation benefits for multiple work injuries “retroactively to all injuries including pending cases and cases on appeal”); P.L. 2009, ch. 305 (amending various provisions governing the calculation of severance pay for terminated workers retroactively); P.L. 2009, ch. 348 (amending public-benefit requirements for new or expanded solid waste disposal facilities retroactively); P.L. 2009, ch. 361, §§ 1-4, 19, 26, 37 (amending certain tax code provisions, including real estate transfer taxes, requirements for historic preservation and affordable housing credits, and treatment of intrastate commercial transportation vehicles, retroactively); P.L. 2009, ch. 365, § B-22 (amending sex offender registration statute, including by exempting certain persons sentenced prior to 1992 from registration requirements, retroactively to 1982); P.L. 2009, ch. 380 (changing standards and procedures for transferring licenses for solid waste facilities retroactively); P.L. 2009, ch. 415, §§ C-3 (retroactively adjusting a prior retroactive law amending Maine’s OUI laws, to make certain provisions of the prior law non-retroactive); P.L. 2009, ch. 434, §§ 39, 51, 69, 84 (amending tax code provisions, including the gasoline tax exemption for international aircraft fuel and inventory tax for fuel wholesalers, retroactively); P.L. 2009, ch. 450 (adopting the Uniform Prudent Management of Institutional Funds Act retroactively); P.L. 2009, ch. 469 (increasing weight limit for certain tractor-trailers on the Maine Turnpike retroactively); P.L. 2009, ch. 476, § B-9 (amending requirements for certain foreclosures retroactively); P.L. 2009, ch. 506 (amending statutory requirements for certain stormwater management permits); P.L. 2009, ch. 513 (changing availability of death benefits for firefighters killed in the line of duty retroactively to 2004); P.L. 2009, ch. 515 (amending order of preference for payment of certain life insurance and death benefits for public employees retroactively); P.L. 2009, ch. 521 (applying new definition of “after-tax amount” and “disability insurance policy” in workers’ compensation statute retroactively); P.L. 2009, ch. 571, § EEEE-5 (changing deadlines for task force on kinship families retroactively); P.L. 2009, ch. 582, §§ 2, 9 (amending
law governing the Mixed Martial Arts Authority of Maine retroactively); P.L. 2009, ch. 617, §§ 9, 13 (increasing the statewide E-9-1-1 surcharge retroactively); P.L. 2009, ch. 625, § 18 (retroactively excluding the cost of disposing used tires from the calculation of sales tax retroactively); P.L. 2009, ch. 628, §§ 5, 8, 10, 12 (changing tax treatment of captive insurance companies in Pine Tree Development Zone retroactively); P.L. 2009, ch. 631 (eliminating various statutory conflicts and inconsistencies in order to implement the Maine Medical Marijuana Act, such as revising the treatment of marijuana under Maine’s criminal code, retroactively); P.L. 2009, ch. 652, §§ A-8, A-10 (revising definition of “holder” of a transferable record retroactively), C-7 (amending validity and expiration date for licenses issued by previous fuel regulation boards retroactively); P. & S.L. 2009, ch. 4 (validating Board of Education’s approval of school construction project in M.S.A.D. No. 32 retroactively to 2007); P. & S.L. 2009, ch. 15 (amending trustee term provision of the Tenants Harbor Standard Water District charter retroactively to 1999); P.L. 2007, ch. 1, § R-2 (authorizing State Controller to transfer certain funds retroactively to 2005); P.L. 2007, ch. 15, §§ 2, 6 (authorizing municipal control over shellfish depuration in certain areas retroactively); P.L. 2007, ch. 17 (providing reinstatement of group life insurance to public employees returning from unpaid military leave retroactively); P.L. 2007, ch. 135 (amending the general effective date of changes to motor vehicle inspection rules retroactively); P.L. 2007, ch. 183 (adjusting distribution of racino revenues to agricultural fairs retroactively); P.L. 2007, ch. 211 (amending statute for the funding of Maine Harness Racing Association retroactively); P.L. 2007, ch. 290, §§ 7-9, 15 (providing criteria for assessing significant wildlife habitats retroactively); P.L. 2007, ch. 292, §§ 46, 48 (extending deadline for DED to prepare report on funding of environmental contamination cleanup retroactively); P.L. 2007, ch. 338 (changing standards for municipal landfills to accept new waste); P.L. 2007, ch. 410 (amending tax treatment of motor vehicle dealers’ loaner vehicles retroactively to 2002); P.L. 2007, ch. 466, §§ A-47 to A-49 (extending deadline for Secretary of State to issue certificates of title for manufactured housing retroactively); P.L. 2007, ch. 471 (making various amendments to Maine’s truth-in-lending code retroactively); P.L. 2007, ch. 479 (extending application deadline for claim-settlement loans related to a Superfund site in Plymouth retroactively); P.L. 2007, ch. 502 (amending legal effect of nonelection by exigent legal partnership retroactively); P.L. 2007, ch. 627, §§ 42, 51, 85-88, 96 (amending tax code, including eliminating sales tax on certain automobile repair parts and changing formula for apportionment of income for multi-state income taxpayers, retroactively); P.L. 2007, ch. 632 (providing for legislative review of administrative fire sprinkler rules retroactively); P.L. 2007, ch. 668, §§ 2, 26, 55 (amending budget procedures for community school districts and municipal school units retroactively); P.L. 2007, ch. 674 (allowing taxpayers to designate portion of tax refund to the Maine Military Family Relief Fund retroactively); P. & S.L. 2007, ch. 17 (increasing cost-of-living adjustment for certain public retirees retroactively); P.L. 2005, ch. 2, §§ B-1 to B-3 (applying cap on county assessments retroactively); P.L. 2005, ch. 13 (recodifying state senate district boundaries retroactively); P.L. 2005, ch. 47 (providing limitation on liability for Lincoln and Sagadahoc Multicounty Jail Authority retroactively); P.L. 2005, ch. 59 (enacting procedure for calling city referenda retroactively); P.L. 2005, ch. 202, §§ 4-5 (authorizing lobster management policy council to propose rules regarding apprenticeships retroactively); P.L. 2005, ch. 218, §§ 57, 63 (applying amendment to statute governing tax credit for overpayment retroactively to 2002); P.L. 2005, ch. 239, §§ 4, 11 (amending procedures for changing certain lobster fishing regulations retroactively); P.L. 2005, ch. 351, §§ 4-5, 8, 26 (amending tax code, including new definition of “Qualified Pine Tree Development Zone business” and maximum acreage for “Pine Tree Development Zone,” retroactively); P.L. 2005, ch. 397, §§ A-34 to A-39 (increasing fees for business entity conversion certificates and annual reports retroactively); P.L. 2005, ch. 519, § DDDDD-3 (retroactively making permissive, not mandatory, DHHS’s authority to develop a formulary for MaineCare drug coverage); P.L. 2005, ch. 541, § 3 (authorizing jail employees to perform notarizations for inmates beginning in 2006, but making amendment retroactive to 1989); P.L. 2005, ch. 560, §§ 1-2, 5 (providing that rights to MPERS benefits awarded under qualified domestic relations order are not overridden by MPERS claimant’s subsequent act or omission, retroactively to 1985); P.L. 2005, ch. 579 (limiting governmental eminent domain authority for purposes of private development retroactively); P.L. 2005, ch. 618, §§ 5-6, 14-15, 22 (amending tax code’s treatment of certain non-resident entities with Maine property or tax liability); P.L. 2005, ch. 622, §§ 25, 34 (restricting issuance of stamps to cigarette distributors delinquent on cigarette tax payments retroactively); P.L. 2005, ch. 652 (exempting trail-grooming vehicles from personal property tax retroactively); P.L. 2005, ch. 663, §§ 1, 17 (establishing per diem compensation for members of Gambling Control Board retroactively to 2004); P.L. 2005, ch. 667 (amending composition of Corrections Alternatives Advisory Committee and extending deadline for submittal of a report retroactively); P.L. 2005, ch. 675 (exempting forfeited hotel room deposits from sales tax retroactively to 2001); P. & S.L. 2005, ch. 15 (requiring that the water rates of the Farmington Village Corporation adhere to the statute regulating water utilities retroactively to 1911); P. & S.L. 2005, ch. 52 (extending duration of pilot program for alternative delivery methods for school construction projects retroactively); P.L. 2003, ch. 20, §§
R-1, R-2, R-10 (amending laws governing the transfer of revenue received by courts through fines, fees, and the like retroactively); P.L. 2003, ch. 62 (retroactively authorizing town of Westport to conduct referendum to change town name to Westport Island); P.L. 2003, ch. 317, §§ 6, 25 (requiring that license limits for chlorine and bacterial levels in wastewater discharge for certain portions of the Kennebec River remain the same from January 2003 through June 2009, retroactively to January 2003); P.L. 2003, ch. 324 (permitting certain retired former state employees to rejoin public retirement system retroactively); P.L. 2003, ch. 355 (amending certain portions of municipal tax lien statute, and applying amended statute retroactively to liens perfected by filing prior to July 1, 2001); P.L. 2003, ch. 380 (applying amended statute governing child car seat requirements retroactively); P.L. 2003, ch. 429 (changing educational and licensing requirements for social workers retroactively to 2001); P.L. 2003, ch. 488 (establishing and providing funding for Maine National Guard tuition assistance program retroactively); P.L. 2003, ch. 492 (amending composition and procedure of Health Care System and Health Security Board and extending deadline for submission of its reports retroactively to 2001); P.L. 2003, ch. 507, §§A-1 to A-3 (adjusting laws governing negotiation of health insurance plans for certain state entities retroactively); P.L. 2003, ch. 510, §§ C-12 to C-13 (amending tax treatment of car rental or lease retroactively to 2000); P.L. 2003, ch. 586 (providing temporary immunity for violations of law governing electronically-printed receipts retroactively); P.L. 2003, ch. 599, §§ 4-5 (retroactively adding “nursing facility” to statute prohibiting a certified nursing assistant from being employed if they have previously been convicted of certain crimes); P.L. 2003, ch. 673, §§ T-1 to T-2 (establishing Maine Computer Crimes Task Force retroactively); P.L. 2003, ch. 687 (establishing Gambling Control Board retroactively); P.L. 2003, ch. 688, §§ C-9 to C-11 (applying changes to prescription drug practices investigation law retroactively); P.L. 2003, ch. 691 (applying revised legislative-pay statute retroactively); P.L. 2003, ch. 700 (amending laws governing container redemption handling and assessments retroactively); P.L. 2003, ch. 707 (amending the composition, duties, and reporting deadlines of the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners retroactively); P.L. 2001, ch. 48 (extending authorization for workers’ compensation pilot projects retroactively); P.L. 2001, ch. 161 (revising salaries of certain Kennebec County officials retroactively); P.L. 2001, ch. 239 (applying revised status and retirement benefits for Baxter School for the Deaf employees retroactively); P.L. 2001, ch. 353, §§ 6-7 (extending deadline for submission of report regarding State House plaque and flags retroactively); P.L. 2001, ch. 359 (amending statute governing land subdivisions retroactively); P.L. 2001, ch. 385 (retroactively delaying application of law requiring agricultural fair games of chance to be conducted only using certain approved tokens); P.L. 2001, ch. 390 (amending inflation adjustment formula for workers’ compensation benefits under previous statute, and applying amended formula retroactively “to benefit calculations made under [the previous statute] at any time after January 1, 1971, and applies notwithstanding any adverse order or decree”); P.L. 2001, ch. 437 (revising fire inspection fees retroactively); P.L. 2001, ch. 439, §§ UUU-1 to UUU-2 (amending eligibility criteria for school breakfast grants retroactively); P.L. 2001, ch. 443 (adjusting earnings limit for disability benefit recipients under Maine State Retirement System retroactively); P.L. 2001, ch. 467, §§ B-1, B-4 (retroactively authorizing DHHS to provide benefits under previously effective pharmaceutical benefits program); P.L. 2001, ch. 470, §§ 7-8, 11 (amending penalty provisions for campaign finance reporting laws retroactively to 2000); P.L. 2001, ch. 471, §§ A-1 to A-2 (adjusting exclusive jurisdiction of district courts retroactively to 2000); P.L. 2001, ch. 523 (amending previous land subdivision law to eliminate retroactive effect of most provisions under that law, and applying amendment retroactively); P.L. 2001, ch. 537 (changing deadline for municipalities to enact reapportionment ordinance retroactively); P.L. 2001, ch. 559, §§ Z-1 to Z-2 (reallocating interest earned on insurance regulatory assessments retroactively); P.L. 2001, ch. 626, §§ 1, 22 (amending fee provision for watercraft registration retroactively); P.L. 2001, ch. 628 (exempting certain interstate truck drivers from overtime pay requirement retroactively to 1995, with an exception for cases pending in March 2002); P.L. 2001, ch. 710, §§ 22-23 (amending requirements to obtain one-time sea urchin dragging license retroactively); P.L. 2001, ch. 712 (revising law for determining permanent impairment in workers’ compensation cases retroactively, subject to certain exceptions to retroactivity); P. & S.L. 2001, ch. 3 (clarifying maritime boundary between Deer Isle and Stonington and applying clarified border retroactively); P. & S.L. 2001, ch. 32, § 1 (retroactively exempting Raymond from requirement of holding special town meeting to participate in Portland Water District election); P. & S.L. 2001, ch. 40, §§ 2, 4 (retroactively requiring administrator of Abandoned Property Fund to transfer funds to General Fund); P. & S.L. 2001, ch. 48, §§ 1, 3 (amending Mt. Blue Water District Charter retroactively); P. & S.L. 2001, ch. 65, § 4 (amending Corinna Water District Charter retroactively).

2 E.g., Resolves 2017, ch. 41 (amending certain Medicaid reimbursement rates retroactively to 2017); Resolves 2017, ch. 57 (amending deadline for MPERS to submit a report retroactively); Resolves 2013, ch. 4 ( redesignating beneficiary of proceeds from sales of commemorative plates retroactively); Resolves 2013, ch. 73 (extending deadline for submission of annual plan for care of persons with intellectual disabilities retroactively); Resolves...
2013, ch. 81 (extending deadline for submission of report regarding the inheritance of digital assets retroactively); Resolves 2013, ch. 82 (extending deadline for submission of report on revisions to probate code retroactively); Resolves 2013, ch. 83 (extending deadline for submission of report about parentage law retroactively); Resolves 2013, ch. 102 (extending deadline for submission of report regarding maple sugar industry retroactively); Resolves 2011, ch. 33 (retroactively authorizing Maine Community College System to take certain actions regarding real property in Eastport retroactively); Resolves 2011, ch. 119 (amending the schedule for creation and actions of Task Force on Franco-Americans retroactively); Resolves 2011, ch. 121 (extending the deadline for a report regarding all-payor claims database system retroactively); Resolves 2009, ch. 14 (retroactively providing that motor vehicle dealer’s lawful number of dealer plates cannot be reduced because of failure to meet minimum sales requirements); Resolves 2007, ch. 145 (extending reporting dealing for Tribal-State Work Group retroactively); Resolves 2007, ch. 225 (extending duration of guardian ad litem and advocate pilot project at juvenile correctional facilities retroactively); Resolves 2005, ch. 215 (providing funding and deadline extensions for Commission to Arrange for a Monument Honoring Women Veterans of Maine retroactively); Resolves 2001, ch. 12 (retroactively authorizing issuance of bonds for the replacement of court facilities); Resolves 2001, ch. 32 (recognizing Phi Eta Kappa Building Association as a nonprofit corporation retroactively); Resolves 2001, ch. 70 (retroactively validating the town of Wells’s municipal tax assessments and collections for FY2001).