

STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON VETERANS
AND LEGAL AFFAIRS**

July 2022

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SUBJECT INDEX

Adult Use Marijuana

Enacted

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| LD 1817 | An Act To Allow the State's Adult Use Marijuana Tracking System To Track Plants and Products by Group | PUBLIC 628 |
| LD 1827 | An Act To Permit Curbside Pickup and Limited Delivery of Adult Use Marijuana | PUBLIC 667 |
| LD 1846 | An Act To Allow for a Variance Rate in the Amount and Potency of Cannabinoids in Adult Use Edible Marijuana Products | PUBLIC 558 |
| LD 1927 | An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana Products | PUBLIC 735 |
| LD 1930 | Resolve, Regarding Legislative Review of Portions of Chapter 1: Adult Use Marijuana Program Rule, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy | RESOLVE 143 |
| LD 1957 | An Act To Promote Equity and Increase Opportunities in the Cannabis Industry by Reducing Restrictions Related to Convictions for Drug Offenses and To Replace the Term "Marijuana" with the Term "Cannabis" in the Maine Revised Statutes | PUBLIC 669 |
| LD 1985 | An Act To Improve Testing Requirements for Adult Use Marijuana | PUBLIC 612 |

Not Enacted

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| LD 1948 | An Act To Enhance Access to, Education Regarding and Patient and Community Safety in Maine's Marijuana Programs | ONTP |
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Alcoholic Beverages, Administration

Enacted

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LD 1750 An Act To Create a Framework for Maine's Spirits Contract PUBLIC 592

LD 1906 An Act To Streamline and Modernize the Department of
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**Not
Enacted**

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Enacted

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LD 1643 An Act To Correct Errors, Inconsistencies and Conflicts in and To
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LD 1751 An Act To Extend the Changes to the Liquor Laws Made by Public
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LD 1914 An Act To Allow Wine Retailers with 2 or More Licensed Facilities To
Freely Transfer Wine between Approved Facilities PUBLIC 546

LD 2031 An Act To Allow Outdoor Stadiums and Pool Halls To Sell Spirits PUBLIC 598

**Not
Enacted**

LD 378 An Act To Temporarily Waive Renewal Fees for On-premises Retail
Liquor Licenses Died On
Adjournment

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Enacted

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Campaign Finance Laws PUBLIC 530

LD 1782 An Act Regarding Contributing to Candidates and Political Action
Committees PUBLIC 607

Campaign Practices

**Not
Enacted**

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Enacted

LD 1830 An Act To Amend the Election Laws PUBLIC 570

**Not
Enacted**

LD 148 An Act To Establish Ongoing Absentee Voting Died On
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LD 451 An Act To Remove the Party Designation from Return Envelopes for
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Enacted

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LD 1779 An Act To Protect Election Integrity by Regulating Possession of
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**Not
Enacted**

LD 202 RESOLUTION, Proposing an Amendment to the Constitution of
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Adjournment

LD 1155 An Act To Require Election Transparency and Audits Died On
Adjournment

Elections, Initiatives, People's Vetoes and Referenda

Enacted

LD 1830 An Act To Amend the Election Laws PUBLIC 570

**Not
Enacted**

LD 1178 RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Prohibit the Consideration of a People's Veto at a
Presidential Primary Died On
Adjournment

Veterans and Legal Affairs

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**Not
Enacted**

LD 451 An Act To Remove the Party Designation from Return Envelopes for Absentee Ballots for the General Election ONTP

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Enacted

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Gambling, Beano and Games of Chance

Enacted

LD 1980 An Act To Allow Internet Payment for Tickets and Chances for Raffles Held by Nonprofit Organizations and Other Eligible Organizations and To Require the Gambling Control Unit To Adopt Certain Rules PUBLIC 636

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Enacted

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Gambling, Lottery

Enacted

LD 1883 An Act To Update the Setoffs against Lottery Winnings PUBLIC 543

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**Not
Enacted**

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Enacted

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LD 2029 An Act To Enhance the Prevention of and Response to Sexual Assault and Sexual Harassment in the Maine National Guard PUBLIC 634

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Enacted

LD 1784 An Act To Ensure Legislative Review of Rules for Maine's Medical Use of Marijuana Act PUBLIC 652

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**Not
Enacted**

LD 421 An Act To Increase the Number of Plants a Medical Marijuana Caregiver May Cultivate ONTP

LD 1948 An Act To Enhance Access to, Education Regarding and Patient and Community Safety in Maine's Marijuana Programs ONTP

Office of Marijuana Policy

Enacted

LD 1957 An Act To Promote Equity and Increase Opportunities in the Cannabis Industry by Reducing Restrictions Related to Convictions for Drug Offenses and To Replace the Term "Marijuana" with the Term "Cannabis" in the Maine Revised Statutes PUBLIC 669

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Enacted

LD 542 An Act To Establish the Maine Veterans' Homes Stabilization Fund PUBLIC 680

LD 619 An Act Regarding Eligibility for Burial in the Maine Veterans' Memorial Cemetery System PUBLIC 593

LD 2001 An Act To Clarify State Policy and Legislative Intent Regarding the Maine Veterans' Homes, To Require Notification of Closure of the Maine Veterans' Homes to the Legislature and To Fund Public Homes in Caribou and Machias in Order To Keep Them Open PUBLIC 528

DIGEST OF BILLS

130th Legislature, Second Regular Session - 2022

PL = Public Law
P&SL = Private and Special Law
RESLV = Resolve

Veterans and Legal Affairs (VLA)

Comm	LD	Title	Comm	Action	Carried Over from Prior Year?	Date of Last Comm Action	Final Disposition	Enacted Law		Analyst Note?
								Law	Ch	
VLA	148	An Act To Establish Ongoing Absentee Voting	Reported Out	OTP-AM/ ONTP	Carried On Approps Table	6/8/21	Died On Adjournment			see note
VLA	202	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting	Reported Out	OTP-AM/ ONTP	Carried On Approps Table	6/3/21	Died On Adjournment			
VLA	231	An Act To Establish Open Primaries	Reported Out	OTP-AM/ ONTP	Carried On Approps Table	6/4/21	Enacted	PL	750	
VLA	378	An Act To Temporarily Waive Renewal Fees for On-premises Retail Liquor Licenses	Reported Out	OTP-AM	Carried On Approps Table	3/9/21	Died On Adjournment			
VLA	421	An Act To Increase the Number of Plants a Medical Marijuana Caregiver May Cultivate	Reported Out	ONTP	Carried Over In Comm	2/17/22	Ought Not to Pass Pursuant to Joint Rule 310			
VLA	451	An Act To Remove the Party Designation from Return Envelopes for Absentee Ballots for the General Election	Reported Out	ONTP	Carried Over In Comm	1/21/22	Ought Not to Pass Pursuant to Joint Rule 310			see note
VLA	542	An Act To Establish the Maine Veterans' Homes Stabilization Fund	Reported Out	OTP-AM	Carried On Approps Table	4/27/21	Enacted	PL	680	
VLA	619	An Act Regarding Eligibility for Burial in the Maine Veterans' Memorial Cemetery System	Reported Out	OTP-AM	Carried Over In Comm	4/4/22	Emergency Enacted	PL	593	
VLA	1155	An Act To Require Election Transparency and Audits	Reported Out	OTP-AM/ OTP-AM/ ONTP	Carried On Approps Table	6/9/21	Died On Adjournment			see note

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Veterans and Legal Affairs (VLA)

Comm	LD	Title	Comm	Action	Carried Over from Prior Year?	Date of Last Comm Action	Final Disposition	Enacted Law		Analyst Note?
								Law	Ch	
VLA	1178	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit the Consideration of a People's Veto at a Presidential Primary	Reported Out	OTP-AM/ ONTP	Carried On Approps Table	6/3/21	Died On Adjournment			
VLA	1352	An Act To Regulate Sports Betting	Reported Out	OTP-AM/ OTP-AM/ OTP-AM/ ONTP	Carried On Approps Table	6/16/21	Died On Adjournment			see note
VLA	1358	Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Evaluate Direct-to-consumer Wine and Spirits Sales	Reported Out	OTP-AM/ OTP-AM/ ONTP	Carried Over In Comm	3/16/22	Finally Passed	RESLV	175	
VLA	1643	An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws	Reported Out	OTP-AM	Carried Over In Comm	4/19/22	Enacted	PL	658	
VLA	1726	An Act To Increase Transparency in Political Communications	Reported Out	ONTP	Carried Over In Comm	2/14/22	Ought Not to Pass Pursuant to Joint Rule 310			
VLA	1743	An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board	Reported Out	OTP		2/22/22	Enacted	PL	513	
VLA	1745	An Act To Amend the Laws Governing the Gambling Control Board	Reported Out	OTP-AM		1/31/22	Enacted	PL	697	
VLA	1750	An Act To Create a Framework for Maine's Spirits Contract	Reported Out	OTP-AM		3/31/22	Enacted	PL	592	
VLA	1751	An Act To Extend the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91	Reported Out	OTP-AM		2/16/22	Enacted	PL	514	
VLA	1754	An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns and To Make a Technical Change to the Campaign Finance Laws	Reported Out	OTP-AM/ ONTP		3/16/22	Enacted	PL	530	
VLA	1779	An Act To Protect Election Integrity by Regulating Possession of Ballots and Voting Machines and Devices	Reported Out	OTP-AM/ ONTP		3/2/22	Enacted	PL	536	
VLA	1782	An Act Regarding Contributing to Candidates and Political Action Committees	Reported Out	OTP/ONTP		2/23/22	Enacted	PL	607	

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Veterans and Legal Affairs (VLA)

Comm	LD	Title	Comm	Action	Carried Over from Prior Year?	Date of Last Comm Action	Final Disposition	Enacted Law		Analyst Note?
								Law	Ch	
VLA	1784	An Act To Ensure Legislative Review of Rules for Maine's Medical Use of Marijuana Act	Reported Out	OTP-AM		4/1/22	Emergency Enacted	PL	652	
VLA	1817	An Act To Allow the State's Adult Use Marijuana Tracking System To Track Plants and Products by Group	Reported Out	OTP-AM		4/8/22	Enacted	PL	628	
VLA	1821	An Act To Protect Public Election Officials	Reported Out	OTP-AM		3/25/22	Enacted	PL	568	
VLA	1827	An Act To Permit Curbside Pickup and Limited Delivery of Adult Use Marijuana	Reported Out	OTP-AM/ OTP-AM/ ONTP		4/8/22	Enacted	PL	667	
VLA	1830	An Act To Amend the Election Laws	Reported Out	OTP-AM/ ONTP		3/25/22	Enacted	PL	570	
VLA	1846	An Act To Allow for a Variance Rate in the Amount and Potency of Cannabinoids in Adult Use Edible Marijuana Products	Reported Out	OTP/ONTP		3/8/22	Enacted	PL	558	
VLA	1852	Resolve, Authorizing the Maine National Guard To Sell Certain Property in Hallowell	Reported Out	OTP-AM		3/7/22	Finally Passed	RESLV	136	
VLA	1883	An Act To Update the Setoffs against Lottery Winnings	Reported Out	OTP-AM		3/8/22	Enacted	PL	543	
VLA	1906	An Act To Streamline and Modernize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations	Reported Out	OTP-AM		3/25/22	Enacted	PL	622	
VLA	1914	An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities	Reported Out	OTP-AM/ ONTP		3/2/22	Enacted	PL	546	
VLA	1927	An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana Products	Reported Out	OTP-AM/ ONTP		4/8/22	Enacted	PL	735	
VLA	1928	An Act To Update and Clarify the Maine Medical Use of Marijuana Act	Reported Out	OTP-AM		4/8/22	Emergency Enacted	PL	662	
VLA	1930	Resolve, Regarding Legislative Review of Portions of Chapter 1: Adult Use Marijuana Program Rule, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy	Reported Out	OTP		3/28/22	Emergency Finally Passed	RESLV	143	

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130th Legislature, Second Regular Session - 2022

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Veterans and Legal Affairs (VLA)

Comm	LD	Title	Comm	Action	Carried Over from Prior Year?	Date of Last Comm Action	Final Disposition	Enacted Law		Analyst Note?
								Law	Ch	
VLA	1948	An Act To Enhance Access to, Education Regarding and Patient and Community Safety in Maine's Marijuana Programs	Reported Out	ONTP		2/17/22	Ought Not to Pass Pursuant to Joint Rule 310			
VLA	1957	An Act To Promote Equity and Increase Opportunities in the Cannabis Industry by Reducing Restrictions Related to Convictions for Drug Offenses and To Replace the Term "Marijuana" with the Term "Cannabis" in the Maine Revised Statutes	Reported Out	OTP-AM/ ONTP		4/11/22	Enacted	PL	669	
VLA	1980	An Act To Allow Internet Payment for Tickets and Chances for Raffles Held by Nonprofit Organizations and Other Eligible Organizations and To Require the Gambling Control Unit To Adopt Certain Rules	Reported Out	OTP-AM		4/6/22	Emergency Enacted	PL	636	
VLA	1985	An Act To Improve Testing Requirements for Adult Use Marijuana	Reported Out	OTP-AM/ ONTP		4/1/22	Enacted	PL	612	
VLA	2001	An Act To Clarify State Policy and Legislative Intent Regarding the Maine Veterans' Homes, To Require Notification of Closure of the Maine Veterans' Homes to the Legislature and To Fund Public Homes in Caribou and Machias in Order To Keep Them Open	Reported Out	OTP-AM		3/28/22	Emergency Enacted	PL	528	
VLA	2029	An Act To Enhance the Prevention of and Response to Sexual Assault and Sexual Harassment in the Maine National Guard	Reported Out	OTP-AM		4/11/22	Enacted	PL	634	
VLA	2031	An Act To Allow Outdoor Stadiums and Pool Halls To Sell Spirits	Reported Out	OTP-AM		4/1/22	Emergency Enacted	PL	598	

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LD 231 An Act To Establish Open Primaries

ENACTED LAW SUMMARY

Beginning January 1, 2024, Public Law 2021, chapter 750 allows an unenrolled voter to vote in a single party's primary election, including a party's presidential primary election, without having to enroll in that political party. An unenrolled voter may not vote in a party's primary election if that voter withdrew from a party within the 15 days prior to the primary election, however, unless the voter changed the voter's voting residence at the same time that the voter withdrew from a party.

An election clerk must record on the incoming voting list and on the list of absentee voters which party's primary ballot, if any, is issued to an unenrolled voter during a primary election. After the election, this information must be entered in the central voter registration system. In addition, an unenrolled voter who participates in a party's primary election must be considered a member of the party for purposes of allocating delegates to the party's state convention and to the party's national presidential nominating convention.

LD 542 An Act To Establish the Maine Veterans' Homes Stabilization Fund

ENACTED LAW SUMMARY

Public Law 2021, chapter 680 establishes the Maine Veterans' Homes Stabilization Fund in the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services.

LD 619 An Act Regarding Eligibility for Burial in the Maine Veterans' Memorial Cemetery System

ENACTED LAW SUMMARY

Public Law 2021, chapter 593 provides the Director of the Maine Bureau of Veterans' Services with the authority to allow burial in the Maine Veterans' Memorial Cemetery System of the remains of a person, such as the Honorable John L. Tuttle, Jr., who passed away on January 27, 2022, and any spouse or minor child of that person, who died while a member or former member of the National Guard; a member or former member of the state military forces or the Reserve Components of the United States Armed Forces; or a member of a reserve officer training corps of the United States Armed Forces.

Public Law 2021, chapter 593 was enacted as an emergency measure effective April 14, 2022.

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LD 1358 Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Evaluate Direct-to-consumer Wine and Spirits Sales

ENACTED LAW SUMMARY

Resolve 2021, chapter 175 provides \$100,000 in funding from the Liquor Operation Revenue Fund for the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to obtain contracted services to review the direct shipment of wine to consumers in the State under current law, identifying potential areas of concern, and the laws in each other state that allows the direct shipment of spirits to consumers located in that state. Stakeholders affected by the direct shipment of wine and spirits to consumers in the State including, but not limited to, licensed in-state wineries and small wineries; licensed in-state distilleries and small distilleries; wine and spirits retailers; wine wholesalers; and bottle redemption centers must be consulted in conducting these reviews. The bureau must submit a report summarizing its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by February 15, 2023. The committee may report out legislation based upon the report to the 131st Legislature in 2023.

LD 1643 An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 658 makes a number of changes to the Maine Revised Statutes, Title 28-A, the State's liquor laws, to standardize the language; to correct and address errors, conflicts, ambiguities, omissions and inconsistencies; and to revise those laws, including by making the following changes to the Title.

1. It makes a number of changes to the laws governing certificates of approval to import liquor into the State, including:
 - A. Clarifying which of the general qualification and application requirements for liquor licenses apply to applicants for a certificate of approval and specifies that persons with certificates of approval are subject to administrative discipline for violating liquor laws and rules to the same extent as persons with licenses;
 - B. Repealing a provision requiring the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to deposit the yearly fees paid by certificate of approval holders into the General Fund, which conflicts with the requirement in section 83-B that the bureau deposit only its net revenues into the General Fund; and
 - C. Changing the authority that a person operating a special warehouse storage facility must obtain from a certificate of approval to a license because the laws applicable to certificate of approval holders generally do not apply to special warehouse storage facilities.

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2. It removes an ambiguity in the law by clarifying that, as is the current practice, agency liquor store licenses grant authority to sell not only spirits but also malt liquor and wine for off-premises consumption. It also combines within a single statutory provision the licensing fees for agency liquor stores.
3. It moves the definition of “business entity” from section 707 to the general definitions section of the Title.
4. It removes ambiguous language from the definitions section of the Title stating that only “responsible persons” or “persons of good reputation” may obtain certain types of liquor licenses but retains the general character requirements for licensure set forth in section 654.
5. It moves the definitions of “pool hall” and “minibar” into and the definitions of “club member,” “hotel guest,” “dining car,” “passenger car” and “vessel” out of the provision defining the types of establishments eligible to obtain retail liquor licenses. It also streamlines the definition of “hotel guest,” adds a new definition of “bed and breakfast guest” and ensures consistent use of these defined terms throughout the Title.
6. It clarifies within the definitions of “malt liquor” and “wine” that liquor produced by the fermentation of malt, substitutes for malt and other nonbeverage ingredients, including fruit concentrate, is considered malt liquor and not wine as long as no less than 51 % of the total alcohol by volume derives from the fermentation of malt and substitutes for malt. It also newly defines “substitute for malt.”
7. It replaces the word “club” with the word “center” in the statutes governing licensure of indoor racquet centers, indoor ice skating centers and curling centers to dispel confusion regarding whether the licensure requirements applicable to clubs apply to these centers. It also adds pickleball to the list of racquet sports offered at licensed indoor racquet centers and corrects several errors in the law that, in combination, suggest curling centers may be licensed to sell only wine and not spirits or malt liquor.
8. It makes a number of changes to the laws requiring that certain on-premises retail licensees either offer food to the public or sell a specific amount of food to the public to maintain their eligibility for a liquor license, including:
 - A. Replacing duplicative definitions of “full course meal” with the substantively identical definition of “full meal” that also appears in current law and ensuring consistent use of this defined term throughout the Title;
 - B. Removing language regarding the service of meals from the definition of “hotel,” because hotels are not required to sell meals; removing a conflict in current law by specifying that a hotel with a Class I-A license is not required to have 10% of its gross annual income from the sale of food; and clarifying that, to calculate whether a hotel that does not have a Class I-A license has satisfied the requirement that at least 10% of its gross annual income be from the sale of food, the hotel’s income from the rental of rooms or the sale of liquor in separately licensed minibars is not included;

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- C. Clarifying that qualified catering services may be located in unincorporated places and filling an omission in the law by specifying the minimum income from the sale of food required to maintain a liquor license as a part-time qualified catering service that operates for no more than three months in a year in a municipality having a population of 20,001 to 30,000 persons;
 - D. Standardizing language regarding the bureau’s assessment of whether an applicant for an initial on-premises retail license is likely to meet or an applicant for renewal of an on-premises retail license has met any applicable food-sales requirements; and
 - E. Establishing a new one-year grace period for a license-renewal applicant that did not meet the relevant food-sales requirement during the previous year.
9. It corrects an error in current law stating that licensed Class A restaurants and Class A restaurants/lounges must purchase from the bureau the spirits they offer to customers as complimentary samples and instead provides that these spirits must be purchased from reselling agents.
10. It aligns the two definitions of “out-of-state spirits supplier” previously used in the Title. It also newly defines “spirits supplier” and standardizes the use of that term throughout the title, including by removing reference to spirits brokers. It newly authorizes spirits suppliers to offer sweepstakes, games and contests inside packages of spirits under the same conditions that licensed Maine manufacturers, wholesale licensees and retail licensees may offer sweepstakes, games and contests inside packages of liquor.
11. It replaces the phrase “alcoholic beverages,” which is not defined, with the appropriate defined terms throughout the Title. It also replaces the term “liquor,” which is defined to mean malt liquor, wine and spirits, with more specific terms in several statutes when all three types of alcohol are not intended to be included.
12. It replaces the phrase “wholesale liquor provider” with the phrase “wholesale spirits provider” to more accurately describe the scope of that entity’s authority in the State.
13. It removes incorrect references to fortified wine in the statutes governing spirits and unnecessary references to fortified wine in the statutes governing wine, because fortified wine is not a type of “spirits” but is a type of “wine” as those terms are defined in the Title.
14. It resolves an inconsistency by providing that public service corporation licenses are issued to airline corporations, railroad corporations and vessel corporations and not the individual aircraft, dining cars, passenger cars and vessels that those corporations operate in the State. It also removes a duplicative statute governing public service corporations and standardizes the language used throughout the Title regarding public service corporations.

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15. It corrects an error in current law that suggests on-premises retail licenses are issued to international air terminals and instead specifies that on-premises retail licenses may be issued to qualified establishments located within international air terminals.
16. It clarifies an ambiguity in the law by specifying that the term “wholesale licensee” means only a licensed in-state wholesaler of malt liquor or wine and not an out-of-state wholesaler of malt liquor or wine that has been issued a certificate of approval. It also extends the prohibition against a wholesale licensee selling to another wholesale licensee any malt liquor or wine that has not been purchased from a certificate of approval holder or a licensed special warehouse storage facility to a prohibition against a wholesale licensee selling such products to any purchaser, including a retail licensee.
17. It makes several changes to the laws governing hard cider in a manner that matches current practice, including by:
 - A. Clarifying within the definition of “wine” that hard cider is a type of wine for purposes of the Title;
 - B. Clarifying that hard cider may be sold by retailers licensed to sell either malt liquor or wine for on-premises or off-premises consumption; and
 - C. Providing that hard cider may be sold and distributed within the State by wholesale licensees authorized to sell and distribute either malt liquor or wine within the State.
18. It makes several changes to the laws governing low-alcohol spirits products, including:
 - A. Clarifying that products containing less than 0.5% alcohol by volume are not considered low-alcohol spirits products, just as all products containing less than 0.5% alcohol by volume are not considered liquor or subject to regulation under the Title;
 - B. Newly specifying that licensed Maine distilleries, small distilleries and rectifiers are authorized to produce low-alcohol spirits products and that licensed Maine breweries, small breweries and tenant breweries are authorized to produce low-alcohol spirits products containing malt liquor. Licensed Maine wineries and tenant wineries are already authorized to produce low-alcohol spirits products that contain wine, because these products are a type of fortified wine;
 - C. Specifying that, as is current practice, low-alcohol spirits products may be sold and distributed within the State by wholesale licensees authorized to sell and distribute wine within the State.
 - D. Removing a duplicative provision requiring certificate of approval holders that manufacture low-alcohol spirits products to report the number of gallons of low-alcohol spirits products sold to wholesale licensees on a monthly basis.

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- E. Clarifying that wholesale licensees are entitled to excise tax credits for low-alcohol spirits products to the same extent that they are entitled to credits for malt liquor or wine if the applicable products are destroyed by the bureau; destroyed by fire, flood or other natural disaster; sold to an instrumentality of the United States or to a National Guard state training site exempted by the bureau; sold to a licensee registered with the bureau for resale to airlines for international flights; or sold to a ship chandler for resale to vessels of foreign registry or to vessels of domestic registry that are destined for a foreign port; and
 - F. Authorizing the importation into and transportation within the State of low-alcohol spirits products for personal use in the same volume that wine may be imported into and transported within the State for personal use.
19. It clarifies that an applicant for a liquor license must possess all licenses, permits or approvals required under Title 22 for the applicant's underlying business before applying for the liquor license.
20. It removes inconsistencies in several provisions of the liquor laws regarding the types of establishments eligible to obtain auxiliary licenses, off-premises catering licenses and mobile service bar licenses. It also specifies that, as is current practice, when an on-premises retail licensee obtains an off-premises catering license, that license authorizes the licensee to conduct off-premises catering of only the same type or types of liquor that the licensee may sell pursuant to the licensee's underlying on-premises retail license.
21. It makes a number of changes to the laws governing liquor taste-testing and product sampling events, including:
- A. Clarifying that the prohibitions against serving liquor to minors or to visibly intoxicated persons apply to all liquor taste-testing and product sampling events;
 - B. Removing a requirement that retailers seeking written permission from the bureau to conduct spirits, wine or malt liquor taste-testing events provide the names of any licensed sales representatives who will be pouring samples at those events;
 - C. Newly specifying that samples at a taste-testing or product sampling event may be poured not only by a licensed sales representative but also by an employee of the retailer where the taste-testing or product sampling take place or, where applicable, by the owner or employee of the licensed Maine manufacturer that produced the product being tasted or sampled;
 - D. Clarifying that, other than during an authorized taste-testing or product sampling event, an off-premises retail licensee has a duty to prevent the consumption of liquor on that retail licensee's premises;
 - E. Resolving a conflict in the law by providing that, when an authorized taste-testing event is held on a portion of the premises of an on-premises retail licensee, the bureau must

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- temporarily suspend the retailer's authority to sell liquor for on-premises consumption only in the area designated for the taste-testing event;
- F. Moving the statutory language granting licensed Maine manufacturers the authority to sell their products at certain taste-testing events from the manufacturer licensing statute to the relevant taste-testing event statute for clarity and granting small distilleries new authority to self-distribute their spirits products for sale at these taste-testing events; and
 - G. Restricting to the owner and supervisory or managerial employees of the retail licensee the types of individuals who may receive partial-bottle samples of spirits or wine under statutes authorizing sampling by retail licensees.
22. It clarifies that the District Court's authority to suspend or revoke the license of a mobile service bar; the mobile service bar licensee's underlying golf course, disc golf course, Class A restaurant/lounge or Class I hotel license; and any other licenses held by the mobile service bar licensee for a violation occurring at the mobile service bar is an exception to the general rule that license suspensions apply only to the specific premises where a violation occurs.
23. It changes the term "liquor enforcement officer" where used in the Title to "liquor inspector," the current term for the position.
24. It streamlines the process for disposal of spirits subject to a court's forfeiture order by newly authorizing the bureau or a wholesale spirits provider to choose, without obtaining an additional court order, to destroy the forfeited spirits rather than to restock and resell the forfeited spirits in agency liquor stores.
25. It makes a number of changes to the laws governing the sale of spirits in the State, including:
- A. Resolving a conflict in the law regarding the pricing of spirits by clarifying that, as is current practice, the State Liquor and Lottery Commission establishes the retail price of spirits and the bureau establishes the wholesale price of spirits, which is the price that agency liquor stores pay to purchase spirits from the bureau;
 - B. Resolving a conflict in the laws governing the purchase of spirits by removing statutory language suggesting that agency liquor stores may purchase spirits from a wholesale spirits provider and retaining provisions of law correctly stating that agency liquor stores purchase spirits only from the bureau; and
 - C. Amending statutory provisions incorrectly suggesting that all agency liquor stores may sell or deliver spirits to on-premises retailers and clarifying that only agency liquor stores that are licensed as reselling agents may make these sales and deliveries.
26. It makes a number of additional changes to section 1355-A, the statute governing the licensure of Maine liquor manufacturers, including:

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- A. Restoring the statutory authority of bottlers and rectifiers to obtain licenses, which authority was unintentionally repealed by Public Law 2019, chapter 529, and newly specifying the sampling activities that may be conducted by bottlers and rectifiers;
- B. Combining several scattered provisions describing the authority of breweries, small breweries, wineries, small wineries, distilleries and small distilleries, at the manufacturing facilities where their products are produced, to sell samples of those products to the public or offer samples of those products to the public at no cost. It newly clarifies that samples may not be served to minors or visibly intoxicated persons and that the area of the manufacturing facility where these samples are sold or offered need not be separate from and may be accessed by the same entrance as the area of the manufacturing facility that is licensed for on-premises retail sales;
- C. Combining several scattered provisions describing the authority of breweries, small breweries, wineries, small wineries, distilleries and small distilleries, at the manufacturing facility where their products are produced, to sell their products for off-premises consumption;
- D. Moving the provision authorizing breweries and small breweries to sell malt liquor for off-premises consumption in kegs from a generally applicable subsection of the statute to the subsection specifically applicable to breweries and small breweries and moving the provision requiring small breweries and small wineries to keep and maintain records of their sales to retail licensees from a generally applicable subsection of the statute to the two subsections specifically applicable to these entities;
- E. Clarifying the provision authorizing each brewery, small brewery, winery, small winery, distillery and small distillery to obtain one license to conduct on-premises retail sales per licensed manufacturing facility. It also eliminates the requirements that a distillery's or a small distillery's on-premises retail establishment must be a Class A restaurant or Class A restaurant/lounge owned by the same person who owns the distillery or small distillery. Instead, like the other categories of manufacturers, a distillery or small distillery may obtain any type of on-premises retail license as long as the same person or persons holds a majority ownership interest in the on-premises retail license and the distillery or small distillery;
- F. Clarifying, as is current practice, that when calculating whether a manufacturing facility's one statutorily authorized establishment for on-premises sales has satisfied any applicable statutory requirement that 10% of its gross annual income be from the sale of food, income from the sale of liquor samples or sale of liquor for off-premises consumption is not included;
- G. Newly authorizing a manufacturer that has its one statutorily authorized licensed establishment for on-premises sales at a location separate from its manufacturing facility to conduct sales of its products for off-premises consumption at that separate licensed location including, if the manufacturer is a brewery or a small brewery, malt liquor packaged in refillable containers that are commonly referred to as growlers;

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- H. Clarifying that a person must obtain authority to produce malt liquor or wine from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau to be eligible to obtain, respectively, any type of brewery or winery license;
 - I. Clarifying that, like distilleries and small distilleries, the license issued to any type of brewery or winery authorizes that manufacturer to bottle its products. It also adds a definition of “bottle,” when used as a verb, to the definitions section of the Title;
 - J. Resolving a conflict and conforming the law to current practice by specifying that, when a small distillery serves samples of its products at its manufacturing facility or when it sells its own products for off-premises or on-premises consumption at its one licensed establishment for on-premises sales, it need not first send those products through the State’s spirits warehouse and distribution system;
 - K. Clarifying the fee that a small winery or small distillery, each of which may under current law obtain licenses to conduct off-premises retail sales at up to two additional locations other than the manufacturing facility, must pay for the licensure of each additional location. It further clarifies that the small winery or small distillery may itself transport its products from its manufacturing facility to each of these two additional locations, as long as the same person owns a majority interest in the manufacturing facility and the relevant additional location; and
 - L. It corrects an omission in the law by specifying that, as is current practice, a tenant brewery or tenant winery seeking licensure may pay the reduced small brewery or small winery license fee if it qualifies as a small brewery or small winery.
27. It reorganizes, clarifies and removes inconsistencies in the laws governing the importation of liquor into and the transportation of liquor within the State. It clarifies that wineries, small wineries and tenant wineries may import spirits or purchase spirits manufactured in the State for the purpose of producing fortified wine and that breweries, small breweries and tenant breweries may import spirits or purchase spirits manufactured in the State for the purpose of producing low-alcohol spirits products containing malt liquor. It also changes the units of measurement applicable to spirits and wine in these provisions from quarts and gallons to liters, the unit of measurement typically used when referring to spirits and wine products, and it changes the unit of measurement applicable to malt liquor from gallons to fluid ounces, the unit of measurement typically used when referring to malt liquor products.
28. It provides that the language in the definitions section of the Title may not be construed to affect the current practice by which some breweries and small breweries enter contracts with other breweries to produce a portion of their malt liquor products and directs the bureau to study the issues of contract brewing and minimum Maine liquor manufacturer production requirements and submit a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters on these topics by January 15, 2023.
29. It corrects scattered typographical, cross-reference and drafting errors in the Title, including by removing all gendered pronouns as required by Public Law 2019, chapter 475, section 52.

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Public Law 2021, chapter 658 also amends for clarity the headnote of the Maine Revised Statutes, Title 17, section 2003-A, which prohibits public drinking.

LD 1743 An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board

ENACTED LAW SUMMARY

Public Law 2021, chapter 513 amends the statutes governing the Department of Public Safety, Gambling Control Board to change the defined term “electronic facsimile” to “electronic table game” and to conform the definition of “table game” to that change. It also corrects a cross-reference.

LD 1745 An Act To Amend the Laws Governing the Gambling Control Board

ENACTED LAW SUMMARY

Public Law 2021, chapter 697 allows an employee license issued by the Department of Public Safety, Gambling Control Board to be renewed for either a one-year term or a three-year term. The renewal fee for a one-year employee license is \$25, and the renewal fee for a three-year employee license is \$50.

LD 1750 An Act To Create a Framework for Maine’s Spirits Contract

ENACTED LAW SUMMARY

Part A of Public Law 2021, chapter 592:

1. Directs the Commissioner of Administrative and Financial Services to award a single 10-year contract for spirits administration and spirits trade marketing through a competitive bidding process for a contract term that will begin when the current contracts for spirits administration and spirits trade marketing expire;
2. Directs the commissioner to develop a request for proposals that is designed to encourage vigorous bidding and that requires bidders to provide detailed information, including: information regarding the bidder’s prior experience and knowledge of the relevant industries; a description of the bidder’s proposed marketing strategies and the scope of the spirits administration services the bidder will provide, as well as the fee that the bidder will charge for these strategies and services; an identification of the services for which the bidder proposes to use a subcontractor and the identity of that subcontractor; information demonstrating the bidder’s financial capacity and access to capital; a description of the bidder’s capabilities for providing transportation and distribution of spirits to agency liquor stores, including its

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capability to make deliveries on a minimum of 250 days per year and, for each agency liquor store, a minimum of two deliveries per week; information demonstrating the bidder's warehousing capabilities and ability to expand its warehouse capacity over the term of the contract; a description of the bidder's information technology capabilities related to invoicing, inventory management and sales data analysis; and information demonstrating that the bidder's proposal will enhance services to agency liquor stores, assist the State in achieving a responsible growth rate for the spirits business and positively impact the state economy. In addition, the commissioner shall require each bidder to demonstrate that the bidder, each principal officer of the bidder and any named subcontractor have not been found to have violated any state or federal law or rule governing the manufacture, distribution or sale of spirits. Each bidder must also affirm that neither the bidder nor any of the bidder's principal officers has a direct financial interest in a license or permit in any state for the manufacture of spirits, other than a minor investment in not more than 1% of the securities of a business entity holding such a license or permit;

3. Establishes the criteria for issuance of the contract and mandatory contract provisions, including those regarding auditing, oversight and performance review, which closely adhere to the law that was in effect when the commissioner entered into the current spirits administration and spirits trade marketing contracts; and
4. Authorizes the commissioner and the successful bidder to agree to a single extension of the contract for a period of no more than three years following the end of the original 10-year contract term.

Part B of Public Law 2021, chapter 592:

1. When the new spirits administration and spirits trade marketing contract described in Part A takes effect, increases from 12% to 18% the statutory minimum discount rate for agency liquor stores. The discount rate is the percentage taken off of the retail price when calculating the wholesale price that an agency liquor store pays to purchase spirits from the State;
2. Combines within one statutory provision the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations' authority to adopt rules establishing discount rates above the statutory minimum, including graduated discount rates and increased discount rates to be awarded as part of a sales incentive program for agency liquor stores and specifies that these are routine technical rules;
3. Requires the bureau to submit a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by February 1, 2023 on its proposals to adopt new or to amend existing rules governing discount rates. The committee is authorized to report out legislation based on the report to any session of the 131st Legislature; and
4. Directs the bureau to convene a stakeholder group to consider changes to the law that would allow the production, importation and sale of spirits products containing between 8% and 15% alcohol by volume by certificate of approval holders under the Maine Revised Statutes, Title

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28-A, section 1361 and by in-state manufacturers of malt liquor or wine licensed under section 1355-A.

LD 1751 An Act To Extend the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91

ENACTED LAW SUMMARY

Public Law 2021, chapter 514 extends through March 30, 2025:

1. The authority granted to qualified on-premises retailers and qualified distilleries by Public Law 2021, chapter 3 to sell liquor for off-premises consumption; and
2. The authority granted to licensed Maine distilleries and small distilleries by Public Law 2021, chapter 91 to sell cocktails containing samples of their spirits products for on-premises consumption.

LD 1754 An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns and To Make a Technical Change to the Campaign Finance Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 530 amends in the following ways the law requiring major contributors, that are non-individuals who contribute more than \$100,000 to a single ballot question committee or political action committee for any one direct initiative or people's veto referendum campaign, to file a report with the Commission on Governmental Ethics and Election Practices disclosing the five largest sources of funds received by the major contributor during a specified time period prior to and during the time in which the major contributor made its contributions related to the ballot question.

1. It exempts from the major contributor reporting requirement ballot question committees and political action committees that qualify as major contributors but that are already registered with the commission.
2. It exempts from disclosure any funds that are received by the major contributor in the ordinary course of the major contributor's regular trade or business or as investment income; that are restricted to purposes unrelated to the ballot question; or that derive from a source that provided no more than \$5,000 to the major contributor during the specified time period.
3. It restructures and clarifies the enforcement provisions regarding potential violations of the major contributor law and the factors that the commission must consider in assessing penalties.

Public Law 2021, chapter 530 also provides that, notwithstanding that ballot question committees are distinct from political action committees under Maine law, the electronic filing system through

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which these committees submit their campaign finance reports may categorize ballot question committees as a subcategory of political action committees.

LD 1779 An Act To Protect Election Integrity by Regulating Possession of Ballots and Voting Machines and Devices

ENACTED LAW SUMMARY

Public Law 2021, chapter 536 makes the following changes to the election laws.

1. It requires the municipal clerk to retain possession, custody and control over sealed containers of state election materials, municipal election materials and unused ballots until the contents of the containers are destroyed in accordance with law, except that the municipal clerk may open or transfer the contents of the containers when the opening or transfer is expressly authorized by state law or rule or by federal law.
2. If a municipal clerk or the Secretary of State produces original ballots in response to a request for inspection by the Governor, either branch of the Legislature, a legislative committee or a court, it requires the requester to maintain sole custody of the ballots until they are returned to the municipal clerk or Secretary of State and requires the municipal clerk, the Secretary of State or the Secretary of State's designee to oversee the ballot inspection process.
3. It prohibits a municipal clerk from transferring possession, custody or control of a voting machine or voting device unless the transfer is expressly authorized by the Secretary of State.

LD 1782 An Act Regarding Contributing to Candidates and Political Action Committees

ENACTED LAW SUMMARY

Public Law 2021, chapter 607 amends the State's campaign finance laws by making the following changes, effective January 1, 2023, to the provisions of Public Law 2021, chapter 274, which also take effect January 1, 2023.

1. It authorizes a ballot question committee to make contributions to a candidate or a leadership political action committee to the same extent that an individual, a party committee or a political action committee may make contributions to a candidate or a leadership political action committee. Funds contributed to a candidate or a leadership political action committee by a party committee, political action committee or a ballot question committee may not derive, in whole or in part, from a business entity.
2. It provides for a biennial adjustment, based on the Consumer Price Index, of the aggregate amount that an individual may make to a separate segregated fund committee in a calendar year.

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3. It authorizes a corporation, membership organization, cooperative or labor or other organization that has established a separate segregated fund committee to make in-kind contributions of the paid staff time of its employees and independent contractors to establish the separate segregated fund committee and to provide fundraising and administrative services to that committee.

LD 1784 An Act To Ensure Legislative Review of Rules for Maine’s Medical Use of Marijuana Act

ENACTED LAW SUMMARY

Public Law 2021, chapter 652 requires that, notwithstanding the Maine Revised Statutes, Title 5, section 8072, subsection 11 or any other provision of law to the contrary, major substantive rules that are provisionally adopted by the Department of Administrative and Financial Services, office of marijuana policy relating to the Maine Medical Use of Marijuana Act and submitted for legislative review may not be finally adopted by the department unless legislation authorizing final adoption of those rules is enacted into law and includes a repeal date of November 1, 2025 for that provision.

Public Law 2021, chapter 652 was enacted as an emergency measure effective April 23, 2022.

LD 1817 An Act To Allow the State’s Adult Use Marijuana Tracking System To Track Plants and Products by Group

ENACTED LAW SUMMARY

Public Law 2021, chapter 628 does the following.

1. It requires the adult use marijuana tracking system to allow for marijuana plants to be tracked as a group and allows the Department of Administrative and Financial Services to implement a tracking system to allow marijuana and marijuana products to be tracked as a group.
2. It designates how marijuana plants may be grouped for the purpose of tracking.
3. It specifies tracking tag requirements and restrictions for marijuana plants tracked as a group.
4. It requires a manifest to be provided upon transfer when tracking marijuana plants as a group.
5. It directs the Department of Administrative and Financial Services, office of marijuana policy to conduct a review of the adult use marijuana tracking requirements and evaluate whether the current tracking system implemented by the department includes the functionality necessary to track marijuana plants, adult use marijuana and adult use marijuana products from immature marijuana plants to the point of retail sale, disposal or destruction. The department is also required to review relevant feedback it has previously received regarding the tracking system

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implemented for the adult use marijuana program, solicit additional feedback from relevant stakeholders and evaluate whether the current tracking system implemented by the department can be used or streamlined in a way that addresses those concerns. No later than January 1, 2023, the department is required to submit a report to the joint standing committee of the Legislature having jurisdiction over adult use marijuana matters summarizing its findings and any recommendations based on the reviews.

LD 1821 An Act To Protect Public Election Officials

ENACTED LAW SUMMARY

Public Law 2021, chapter 568 establishes a new Class D crime of intentionally interfering by force, violence or intimidation with a public official, including but not limited to an election official, municipal clerk or registrar of voters, who is in fact performing or who the person believes is performing an official function relating to a federal, state or municipal election.

Public Law 2021, chapter 568 also directs the Secretary of State to adopt rules establishing a process for reporting election-related threats to or harassment of public officials and to annually submit to the joint standing committee of the legislature having jurisdiction over election matters a report on the number and types of the election-related threats or harassment reports received by the Secretary of State during the previous calendar year. It also directs the Secretary of State to incorporate de-escalation training and information on how to report election related threats to and harassment of public officials in the training provided to municipal clerks and registrars of voters.

LD 1827 An Act To Permit Curbside Pickup and Limited Delivery of Adult Use Marijuana

ENACTED LAW SUMMARY

Public Law 2021, chapter 667 does the following.

1. It allows a marijuana store to deliver immature marijuana plants, seedlings, adult use marijuana and adult use marijuana products to residential dwellings.
2. It prohibits a marijuana store from delivering immature marijuana plants, seedlings, adult use marijuana or adult use marijuana products to a safe zone designated by a municipality.
3. It allows a marijuana store to sell immature marijuana plants, seedlings, adult use marijuana or adult use marijuana products at a location marked for curbside pickup.

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LD 1830 An Act To Amend the Election Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 570 makes the following changes to the laws governing elections.

1. It adds an identification card issued by a federally recognized Indian tribe as acceptable proof of identity when an applicant is registering to vote.
2. It provides that the deadline for a political party to caucus and nominate a candidate for a special election for State Representative or State Senator must be no less than 15 days after the Governor declares a vacancy in the office.
3. Under current law, the municipal clerk must designate a time in the 30-day period prior to an election when they will be present in licensed nursing homes, residential care facilities and assisted living programs for the purpose of conducting absentee voting by residents of the facilities. Public Law 2021, chapter 570 authorizes the Secretary of State to designate alternative procedures for conducting absentee voting by residents of such facilities when the Department of Health and Human Services declares a health emergency or determines that a public health threat threatens the health, welfare or safety of the municipal clerk or the residents of the facility; when the Governor declares an extreme public health emergency; or when the facility prohibits entry by the municipal clerk.
4. It provides that the fiscal impact statement and summary of the proposed law must appear only on the first page of a direct initiative petition directly below the statement informing voters that they have the right to read the fiscal impact statement and summary. It also removes the requirement to print in bold type or capital letters the instructions for municipal clerks, petition circulators and petition signers that are printed on the direct initiative petition.
5. It establishes an expedited process for appealing a Secretary of State determination of the validity of a people's veto referendum petition or a direct initiative petition, if the Secretary of State's determination is made within 120 days of the election in which the referendum or initiative may appear on the ballot.
6. It requires the Secretary of State to draft and to provide public notice of the proposed ballot question for a direct initiative no later than 15 days after the Secretary of State determines that the direct initiative petition is valid, rather than within 10 days after the adjournment of the Legislature that precedes the election at which the direct initiative will be submitted to the voters.

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LD 1846 An Act To Allow for a Variance Rate in the Amount and Potency of Cannabinoids in Adult Use Edible Marijuana Products

ENACTED LAW SUMMARY

Public Law 2021, chapter 558 allows for a variance in the amount and potency of tetrahydrocannabinol, or THC, and other cannabinoids in edible marijuana products under the Marijuana Legalization Act.

LD 1852 Resolve, Authorizing the Maine National Guard To Sell Certain Property in Hallowell

ENACTED LAW SUMMARY

Resolve 2021, chapter 136 authorizes the Maine National Guard to sell to the City of Hallowell a parcel of land located off of Granite Hill Road in Hallowell.

LD 1883 An Act To Update the Setoffs against Lottery Winnings

ENACTED LAW SUMMARY

Public Law 2021, chapter 543 amends the laws governing the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations' processes for determining setoffs against lottery winnings for unpaid court fines imposed by state courts; liquidated child support debt due to the Department of Health and Human Services; liquidated unemployment compensation debt; and liquidated tax liabilities to the state in the following ways.

1. It provides that the processes for determining setoffs against lottery winnings apply only if the amount of lottery winnings is large enough that it must be reported to the United States Internal Revenue Service for federal income tax withholding purposes.
2. It requires the relevant agencies to provide the bureau access to an electronic database containing information on these financial liabilities rather than periodically providing the bureau with lists of this information.
3. It allows the bureau to immediately pay a lottery winner the amount of winnings that exceed the amount of the liability set forth in an agency's electronic database of outstanding liabilities, rather than waiting up to 90 days to receive confirmation that the winner either did not request a hearing on the amount of the liability or that a hearing has been completed and the amount of the liability upheld.

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LD 1906 An Act To Streamline and Modernize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations

ENACTED LAW SUMMARY

Public Law 2021, chapter 622 makes the following changes to the State's liquor laws.

1. It requires the State Liquor and Lottery Commission to adopt, through routine technical rulemaking, a procedure for a spirits supplier to request an adjudicatory hearing for reconsideration of a retail price determination made by the commission.
2. It requires the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to submit a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by January 15, 2023 that describes the process by which the commission establishes the retail price of spirits sold in the State; describes the process by which the bureau develops recommended retail prices for the commission's consideration; explains how any pricing formula or calculator employed by the bureau to establish such recommended retail prices operates; and informs the committee of the status of the commission's establishment of a process for a spirits supplier to seek a reconsideration of a commission retail price determination. The committee is authorized to submit legislation related to the report to the 131st Legislature in 2023.
3. Under current law, the bureau must enter into a contract with a trade association representing states that control and manage the sale of spirits for the monthly collection of data, by product code, on spirits sales made by each reselling agent to establishments licensed to sell spirits for on-premises consumption. Public Law 2021, chapter 622 requires the trade association to compile this data and make available aggregate data, by product code, on the monthly sales made by reselling agents to establishments licensed to sell spirits for on-premises consumption. It also requires the bureau to provide to the same trade association monthly data, by product code, on aggregate spirits sales made by the State to agency liquor stores. The trade association must make this data available to spirits suppliers.
4. It updates and streamlines the procedures for purchase order forms that bonded and unbonded wholesale licensees must fill out when ordering malt liquor or wine.

LD 1914 An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities

ENACTED LAW SUMMARY

Public Law 2021, chapter 546 makes technical changes to add clarity to the provision of law that, as a general rule, prohibits an off-premises retailer from selling or transferring malt liquor or wine to another retailer.

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Public Law 2021, chapter 546 also authorizes a single retailer within a group of commonly owned retailers licensed to sell wine for off-premises consumption to obtain authority from the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to sell or transfer wine by the case or by the bottle to the other retailers within the group. A retailer is commonly owned with another retailer if the same person or persons hold a majority ownership in both retailers. Before making its first transfer or sale of wine to a commonly owned retailer, the retailer must demonstrate to the bureau that the group of commonly owned retailers shares an inventory tracking system capable of identifying which retailer within the group has possession of each container of wine at all times; that it has a safe and secure method for transferring wine; and that it will not transfer wine to a commonly owned retailer unless that retailer is located within the same wholesaler's territory for the specific wine product being sold or transferred. The retailer making the wine sales or transfers may designate an area within its licensed premises to which customers do not have access of no more than 750 square feet for the storage of wine and may not store wine in any other area or facility.

LD 1927 An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana Products

ENACTED LAW SUMMARY

Public Law 2021, chapter 735 authorizes a marijuana store to sell adult use marijuana products at a specified event located outside the licensed premises of the marijuana store and describes the contents of the application the store must submit to the Department of Administrative and Financial Services to obtain a permit make such sales. It requires the marijuana store to submit a permit application at least 30 days prior to the specified event and to include proof of municipal approval. It also specifies the conditions for adult use marijuana product sales at specified events, including that all sales be recorded using a video recording device and that adult use marijuana products that are consumed by smoking may not be sold under a specified event permit.

LD 1928 An Act To Update and Clarify the Maine Medical Use of Marijuana Act

ENACTED LAW SUMMARY

Public Law 2021, chapter 662 makes the following changes to the Maine Medical Use of Marijuana Act.

1. It provides definitions for “complete application,” “immature plant canopy,” “marijuana tincture,” “telehealth services” and “timely filed” and amends definitions for “cultivation area,” “plant canopy” and “written certification.”
2. It amends requirements for medical providers providing written certification to qualifying patients who are minors, including by imposing a requirement for medical providers to be available after hours for questions about a minor patient's medical use of marijuana.

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3. It authorizes the use of telehealth services for medical providers to meet with patients seeking a written certification for the medical use of marijuana.
4. It limits the circumstances under which a law enforcement officer may enter a location in which a qualifying patient, caregiver, registered dispensary, manufacturing facility or marijuana testing facility conducts activities authorized under the Maine Medical Use of Marijuana Act or by a registry identification card or registration certificate issued under that law.
5. It provides that a medical marijuana program registrant is not required to disclose to a law enforcement officer information that could reasonably identify an individual person's identity without a warrant requiring the disclosure and that a person who accompanies a patient to obtain marijuana plants or harvested marijuana may not be required to disclose to a law enforcement officer information that could reasonably identify a patient's identity without a warrant requiring disclosure.
6. It authorizes a person providing a qualifying patient with harvested marijuana to provide the patient with required educational materials in printed or electronic form.
7. It authorizes the Department of Administrative and Financial Services to issue to an assistant of one or more registered caregivers or registered dispensaries a single registry identification card that allows the assistant to assist one or more caregivers or dispensaries.
8. It provides that in the case of a caregiver's application for renewal of a registry identification card or registered dispensary's application for renewal of a registration certificate, upon receipt of a timely filed, complete application submitted by the caregiver or dispensary, the department must provide the caregiver or dispensary with a written statement acknowledging receipt of the application that authorizes the caregiver or dispensary to continue operating under the caregiver's or dispensary's current card or certificate until the application is approved and a renewed card or certificate is issued by the department, the application is denied and the current card or certificate expires, 90 days elapse from the date of the written statement or the current card or certificate is suspended or revoked, whichever occurs first, and, if the department fails to issue or deny a renewal within 90 days, the renewal is deemed granted.
9. It clarifies the definition of "cultivation area" to provide that a cultivation area may include multiple indoor or outdoor areas, whether contiguous or noncontiguous, on the same parcel or tract of land. It provides that a cultivation area for a dispensary must be on a single parcel or tract of land, that a caregiver may maintain up to two cultivation areas that may be located on separate parcels or tracts of land, whether contiguous or noncontiguous, and that a caregiver must ensure that mature marijuana plants and immature marijuana plants and seedlings are cultivated in separate cultivation areas and a dispensary must ensure that mature marijuana plants and immature marijuana plants and seedlings are cultivated in separate spaces within the same cultivation area. Dispensaries and caregivers must disclose the locations of all cultivation areas to the department.
10. It authorizes a caregiver to cultivate either up to 30 mature marijuana plants, up to 60 immature marijuana plants and unlimited seedlings or up to 500 square feet of mature plant canopy, up

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to 1,000 square feet of immature plant canopy and unlimited seedlings but provides that a caregiver must cultivate mature marijuana plants and immature marijuana plants both by plant count or both by plant canopy.

11. Subject to specified requirements, it authorizes medical providers to provide a qualifying patient with a digital image of the patient's written certification for the medical use of marijuana, which may be used in place of a written certification document.
12. It clarifies that a caregiver may transfer immature marijuana plants, seedlings, seeds and harvested marijuana to a qualifying patient, another caregiver or a registered dispensary for reasonable compensation or for no remuneration.

LD 1930 Resolve, Regarding Legislative Review of Portions of Chapter 1: Adult Use Marijuana Program Rule, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy

ENACTED LAW SUMMARY

Resolve 2021, chapter 143 provides legislative approval of portions of Chapter 1: Adult Use Marijuana Program Rule, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy.

Resolve 2021, chapter 143 was enacted as an emergency measure effective April 7, 2022.

LD 1957 An Act To Promote Equity and Increase Opportunities in the Cannabis Industry by Reducing Restrictions Related to Convictions for Drug Offenses and To Replace the Term "Marijuana" with the Term "Cannabis" in the Maine Revised Statutes

ENACTED LAW SUMMARY

Public Law 2021, chapter 669 does the following.

1. It amends the prohibitions on participation in the cannabis industry under the Maine Medical Use of Marijuana Act and the Marijuana Legalization Act for persons convicted of drug offenses by reducing from 10 years to 5 years the time that must elapse after any term of probation, incarceration or supervised release is completed in order for the relevant offense to no longer be considered a disqualifying drug offense.
2. It exempts from the definition of "disqualifying drug offense" in both of those Acts an offense for activity that would have been allowed under the Maine Revised Statutes, Title 28-B.
3. It directs by a revision clause that the term "marijuana" be replaced with the term "cannabis" in the Maine Revised Statutes except in the Maine Criminal Code and adjusts language in certain sections of Title 17-A and Title 22 to be consistent with that change.

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4. It provides that when adopting or amending rules and developing or publishing forms, policies and publications, the Department of Administrative and Financial Services' office of marijuana policy and the Department of Health and Human Services must replace references to "marijuana" with references to "cannabis."

LD 1980 An Act To Allow Internet Payment for Tickets and Chances for Raffles Held by Nonprofit Organizations and Other Eligible Organizations and To Require the Gambling Control Unit To Adopt Certain Rules

ENACTED LAW SUMMARY

Public Law 2021, chapter 636 does the following.

1. It establishes that an eligible organization may conduct a raffle that is not an Internet raffle by using a payment management system to accept the purchase of a raffle ticket or chance over the Internet.
2. It establishes conditions for an eligible organization using a payment management system to accept the purchase of a raffle ticket or chance over the Internet.
3. It establishes requirements for the approval of a payment management system by the Executive Director of the Gambling Control Unit within the Department of Public Safety.
4. It establishes that a payment management system approved by the executive director may permit the use of a debit card or other payment method that the eligible organization uses to accept membership dues from out-of-state members and may allow a member of the eligible organization to request that payment for a raffle ticket or chance be made using the member's funds already within the possession of the eligible organization.
5. It requires the executive director to provide an eligible organization using a payment management system with a guidance document that summarizes any information the executive director determines necessary to assist the eligible organization in complying with the requirements regarding payment management systems.
6. It establishes record-keeping and reporting requirements for an eligible organization that uses a payment management system to conduct a raffle.
7. It requires the Department of Public Safety, Gambling Control Unit to adopt certain rules by September 30, 2022, after a public hearing and the opportunity for written comment.

Public Law 2021, chapter 636 was enacted as an emergency measure effective April 20, 2022.

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LD 1985 An Act To Improve Testing Requirements for Adult Use Marijuana

ENACTED LAW SUMMARY

Public Law 2021, chapter 612 does the following.

1. It allows adult use marijuana and adult use marijuana products to be transferred between licensees without requiring mandatory testing.
2. It keeps the requirement in current law that requires mandatory testing before adult use marijuana or adult use marijuana products may be sold or transferred to a consumer.
3. It requires additional testing of previously tested adult use marijuana or adult use marijuana products prior to sale or transfer to a consumer only if the marijuana or marijuana product has undergone further processing, manufacturing or alteration since the previous testing that would result in an increase in the concentration of any contaminants or factors that are required to be assessed as part of the testing.

LD 2001 An Act To Clarify State Policy and Legislative Intent Regarding the Maine Veterans' Homes, To Require Notification of Closure of the Maine Veterans' Homes to the Legislature and To Fund Public Homes in Caribou and Machias in Order To Keep Them Open

ENACTED LAW SUMMARY

Public Law 2021, chapter 528 does the following.

1. It establishes the policy and intent of the Legislature in establishing the Maine Veterans' Homes, which must have locations in the municipalities of Augusta, Bangor, Caribou, Machias, Scarborough and South Paris. It also requires the Board of Trustees of the Maine Veterans' Homes, in collaboration with the Commissioner of Defense, Veterans and Emergency Management and the Commissioner of Health and Human Services, to convene a group of relevant stakeholders to develop a plan for the long-term viability and continuous operation of the Maine Veterans' Homes at these locations. The board is required to report that plan to the joint standing committee of the Legislature having jurisdiction over veterans affairs in its annual report presented to the committee in February 2023.
2. It adds three civilian members, appointed by the Governor, to the Board of Trustees of the Maine Veterans' Homes.
3. It requires the Maine Veterans' Homes to seek funds from private and public sources, including, but not limited to, state and federal appropriations and grants for which the State or the homes may be eligible.

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4. It requires the Board of Trustees of the Maine Veterans' Homes to seek comments from the public when adopting rules.
5. It requires the Maine Veterans' Homes to submit in its annual report to the Governor and the joint standing committee of the Legislature having jurisdiction over veterans affairs a description of any efforts to seek funding and any amendments to the rules necessary to administer the homes and authorizes the committee to report out legislation based upon the report.
6. It establishes requirements that the Board of Trustees of the Maine Veterans' Homes must follow when discontinuing services at or closing a public home for veterans.
7. It directs the Department of Health and Human Services to make supplemental payments to the Maine Veterans' Homes in fiscal years 2021-22 and 2022-23 to offset budget shortfalls. As a condition of receiving the supplemental payments, the Maine Veterans' Homes must commit to continue providing services in Caribou and Machias.

Public Law 2021, chapter 528 was enacted as an emergency measure effective March 31, 2022.

LD 2029 An Act To Enhance the Prevention of and Response to Sexual Assault and Sexual Harassment in the Maine National Guard

ENACTED LAW SUMMARY

Public Law 2021, chapter 634 enhances the prevention of and response to sexual assault and sexual harassment within the Maine National Guard. Part A directs the Attorney General to review the manner in which law enforcement agencies and prosecutors within the State investigated and prosecuted allegations of sexual assault or the crime of harassment by members of the Maine National Guard against other members of the Maine National Guard during the five-year period ending on March 31, 2022. The Attorney General shall submit a report to the joint standing committee of the Legislature having jurisdiction over veterans affairs summarizing the results of the review by February 15, 2023. The committee may report out legislation regarding the subject matter of the report to the 131st Legislature in 2023.

Part B of Public Law 2021, chapter 634:

1. Expands the crime of harassment to provide that a person commits harassment if the person engages in any course of conduct with the intent to harass, torment or threaten another person and during the previous year the person, while a member of the Maine National Guard, was notified in writing or otherwise not to engage in such conduct by a commanding officer, regardless of whether the person remains a member of the Maine National Guard when the conduct occurs and regardless of where the conduct occurs;
2. Provides that a notice to cease harassment issued to a member of the Maine National Guard by a commanding officer may, to the same extent as a notice to cease harassment issued by a law

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enforcement officer, satisfy the requirements for initiating a court proceeding for protection from harassment;

3. Adds the crime of harassment to the Maine Code of Military Justice as a military offense for which discipline may be imposed;
4. Adds a member of the military community with experience in sexual assault response, who is appointed by the Governor, to the Maine Commission on Domestic and Sexual Abuse. It also reduces from four to three the number of at-large members appointed by the Governor to serve on the commission, but provides that all currently appointed commission members may continue to serve for the remainder of their terms of appointment;
5. Requires the Adjutant General to provide current and former members of the Maine National Guard who were victims of sexual assault or sexual harassment while members with financial assistance to cover the expenses of traveling to and from and participating in administrative or Maine Code of Military Justice proceedings related to the sexual assault or sexual harassment; and
6. Requires the Adjutant General, by February 15th of each year, to submit to the joint standing committee of the Legislature having jurisdiction over veterans affairs a report containing specific information regarding reported incidents of sexual assault or sexual harassment within the Maine National Guard during the preceding 10 years, to the extent that the sharing of such information is not prohibited by federal law or regulation and does not reveal the identity of victims; a description of the sexual assault and sexual harassment prevention training provided to members of the Maine National Guard in the previous year; a description of the Maine National Guard's current practices and procedures for preventing, investigating and imposing discipline for sexual assault and sexual harassment; and a summary of the activities during the preceding year of any advisory council or special study group convened by the Governor or by the Department of Defense, Veterans and Emergency Management whose duties involve examining or making recommendations regarding the Maine National Guard's prevention of or response to sexual assault or sexual harassment. The Adjutant General shall include in the report due February 15, 2023 a copy of any report prepared by the United States National Guard Bureau, Office of Complex Investigations evaluating the Maine National Guard's policies and procedures for sexual assault prevention and response, sexual assault and sexual harassment investigations and equal opportunity programs as well as a copy of any report submitted to the Governor by the Advisory Council on Military Sexual Trauma established in Executive Order 1 FY 21/22.

LD 2031 An Act To Allow Outdoor Stadiums and Pool Halls To Sell Spirits

ENACTED LAW SUMMARY

Public Law 2021, chapter 598 authorizes outdoor stadiums and pool halls to obtain licenses to sell spirits for on-premises consumption. Previously, outdoor stadiums and pool halls were only authorized to obtain licenses to sell malt liquor and wine for on-premises consumption.

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Public Law 2021, chapter 598 was enacted as an emergency measure effective April 14, 2022.