

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

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

Augusta, Maine
2025

A. A person may take, possess or sell American oysters when 20% or more of a bulk pile is composed of cultchless American oysters if those oysters were legally taken under a municipal shellfish conservation ordinance authorized under section 6671 that includes regulation of American oysters and for which a transplant permit has been issued by the department;

B. A person who is licensed under section 6810-B may take, possess or sell cultchless American oysters when 20% or more of a bulk pile is composed of cultchless American oysters if those oysters are legally taken from an aquaculture lease or license site authorized under section 6072, 6072-A, 6072-B or 6072-C; and

C. A person who is licensed under section 6851 or 6852 may possess, buy and sell cultchless American oysters when 20% or more of a bulk pile is composed of cultchless American oysters.

This subsection does not apply to a person who holds a current aquaculture lease or license site authorized under section 6072, 6072-A, 6072-B or 6072-C, as long as the person is engaged in activity authorized under those sections.

The tolerance described under this subsection is determined by numerical count of not less than one peck nor more than 4 pecks taken at random from various parts of the bulk pile or by a count of the entire pile if it contains less than one peck.

Sec. 2. 12 MRSA §6863, as amended by PL 2013, c. 509, §10, is repealed.

See title page for effective date.

CHAPTER 228

S.P. 130 - L.D. 280

An Act to Establish Lifetime Ferry Passes for Retired Maine State Ferry Service Employees

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

Sec. 1. 23 MRSA §4408 is enacted to read:

§4408. Lifetime ferry passes for retired ferry service employees

A former state employee who is receiving retirement benefits after at least 15 years of employment with the Maine State Ferry Service and who is a year-round resident of one of the served islands of the Maine State Ferry Service is eligible to receive a lifetime ferry pass and a waiver from any reservation fees if the lifetime ferry pass is presented when making the reservation. For the purposes of this section, "lifetime ferry pass"

means a nontransferable pass that provides on a ferry operated by the Maine State Ferry Service:

1. Walk-on passage. Unlimited walk-on passage for a passenger to and from the island on which the retiree resides; and

2. Passenger and vehicle passage. One round-trip passage per month for a passenger and that passenger's vehicle during peak season as determined by rules adopted by the Department of Transportation and 2 round-trip passages per month during off-peak season as determined by rules adopted by the department. A reservation for passage described in this subsection must follow rules adopted by the department. For the purposes of this subsection, "vehicle" means a noncommercial motor vehicle with 4 tires or fewer and an overall length of 20 feet or less.

See title page for effective date.

CHAPTER 229

H.P. 301 - L.D. 447

An Act to Amend the Law Governing Ferry Service to Matinicus Isle

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

Sec. 1. 23 MRSA §4401, as amended by PL 1999, c. 20, §1, is further amended to read:

§4401. Ferry service for North Haven, Vinalhaven, Islesboro, Matinicus Isle, Swan's Island and Frenchboro

It is the duty of the Department of Transportation to operate a ferry route or routes between the mainland and the towns of North Haven, Vinalhaven, Islesboro, Matinicus Isle and Swan's Island for the purpose of transporting vehicles, freight and passengers to and from these towns, and the department may operate the ferry route or routes to and from Frenchboro. Ferry service to Matinicus Isle must be at least 12 times per year and may be up to 36 times per year, with additional service authorized as agreed upon by the residents of Matinicus Isle and the department, and may be provided by state-owned or privately contracted vessels. These ferry routes are designated as the "Maine State Ferry Service." During periods of facility repair or maintenance or during periods of extraordinary demand, the department may carry out its responsibilities by utilizing privately contracted vessels to provide additional or substitute service to islands served by the Maine State Ferry Service as long as the use of privately contracted vessels is in accordance with an agreement between the

department and the State's collective bargaining agent as defined in Title 26, section 979-A, subsection 1.

See title page for effective date.

CHAPTER 230

H.P. 323 - L.D. 494

An Act to Update and Clarify Certain Provisions of State Liquor and Lottery Laws

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

Whereas, certain provisions in this legislation relate to businesses that cater to tourists, and the Legislature recognizes that the tourism season is crucial for the State's economy and public well-being; and

Whereas, the tourism season, which brings millions of visitors and significant revenue to the State, relies on a regulated and enjoyable environment, including accessible and responsible alcohol sales; and

Whereas, for these reasons, this legislation needs to take effect before the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. 28-A MRSA §2, sub-§15, ¶N-2 is enacted to read:

N-2. "Purveyor of spirits" means an agency liquor store licensed by the bureau under section 462 to conduct unlimited spirits taste-testing events on the agency liquor store's licensed premises.

Sec. A-2. 28-A MRSA §2, sub-§33-A, as enacted by PL 2021, c. 658, §32, is amended to read:

33-A. Vessel. "Vessel" means a ship, vessel or boat of any kind used for navigation of the coastal waters or for commercial navigation of inland waters and licensed for carrying no fewer than 25 12 passengers under the requirements of the Public Utilities Commission or the United States Coast Guard.

Sec. A-3. 28-A MRSA §10, sub-§1, as amended by PL 2021, c. 658, §44, is further amended to read:

1. Class A restaurant or restaurant and off-premises retail licensee on same premises not prohibited. If a portion of the premises is licensed as an off-premises retail licensee, ~~no provision within this Title may not be construed to prohibit issuance of a Class III or Class IV license to the same licensee for a restaurant or Class A restaurant for the remaining portion of the premises, as long as necessary qualifications are maintained for each separately licensed area and food is available for free or purchase at all times that liquor is sold for on-premises consumption.~~

Sec. A-4. 28-A MRSA §10, sub-§2-B, as amended by PL 2021, c. 658, §§45 and 46, is further amended to read:

2-B. Access exception. Notwithstanding subsection 2, there may be access between the 2 licensed areas by the public as provided by this subsection.

A. There may be access between the 2 licensed areas when there is a clear delineation of space, by a wall or permanent barrier that separates the 2 licensed areas and allows only one clearly defined and controlled point of access for patrons between the licensed establishments. The controlled point of access is not required to include a door that must be physically opened and closed.

B. When access between the 2 licensed areas exists for patrons of either establishment, ~~all food must be available for free or purchase at all times that malt liquor and wine is sold for on-premises consumption must be served by an employee of the licensed on-premises establishment and:~~

(1) ~~Must be accompanied by a full meal prepared in a separate and complete kitchen on the premises of the on-premises establishment if the on-premises establishment is a Class A restaurant; or~~

(2) ~~Must be accompanied by a full meal or a hot or cold meal prepared in a separate and complete kitchen on the premises of the on-premises establishment if the on-premises establishment is a restaurant. For purposes of this subparagraph, a "hot or cold meal" means a meal consisting of food items that customarily appear on a restaurant menu, including, but not limited to, sandwiches, salads, hamburgers, cheeseburgers, hot dogs and pizza. A meal consisting solely of prepackaged snack foods such as popcorn, chips or pretzels is not a "hot or cold meal" within the meaning of this subparagraph.~~

C. Malt liquor or wine sold or served on the premises may not be transported by a patron ~~or employee of either establishment~~ from one licensed area to another. The licensee shall ensure that easily readable signs are conspicuously posted to inform the public that transfer of malt liquor or wine