

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

Sec. 1. 22 MRSA §4002, sub-§5-D is enacted to read:

5-D. Family care plan. "Family care plan" means a plan of safe care as described in the federal Child Abuse Prevention and Treatment Act.

Sec. 2. 22 MRSA §4004-B, as amended by PL 2019, c. 342, §2, is repealed.

Sec. 3. 22 MRSA §4004-C is enacted to read:

§4004-C. Infants born affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder

The department shall:

1. Receive notifications. Receive notifications from health care providers, or their designees, regarding infants who are identified as having been born affected by substance abuse or having withdrawal symptoms resulting from prenatal drug exposure or who have a fetal alcohol spectrum disorder;

2. Develop family care plan. For each infant for whom the department receives a notification under subsection 1, develop, with the assistance of any health care provider involved in the infant's caregiver's or the infant's medical or mental health care, a family care plan, including any appropriate referrals for services for the child or caregiver. This subsection may not be construed as limiting a health care provider's ability to develop a family care plan for any family who could benefit from one;

3. Collect data. Collect data for reporting in a manner that complies with the federal Child Abuse Prevention and Treatment Act;

4. Comply with section 4004. For any infant about whom the department receives a report of abuse or neglect, comply with section 4004, subsection 2; and

5. Adopt rules. Adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

For the purposes of this section, "health care provider" means a person described in section 4011-A, subsection 1, paragraph A, subparagraphs (1) to (10), (15), (17) to (20) and (22) or any person who assists in the delivery or birth of a child for compensation, including, but not limited to, a midwife.

Sec. 4. 22 MRSA §4011-B, as amended by PL 2019, c. 342, §3, is repealed.

Sec. 5. 22 MRSA §4011-C is enacted to read:

§4011-C. Notification regarding infants affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder

1. Notification regarding infants affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder. A health care provider involved in the delivery or care of an infant the provider identifies as having been born affected by substance abuse, as having withdrawal symptoms resulting from prenatal drug exposure or as having a fetal alcohol spectrum disorder shall notify the department of that condition in the infant.

A. This section, and any notification made pursuant to this section, may not be construed to establish a definition of "abuse" or "neglect."

B. This section, and any notification made pursuant to this section, may not be construed to require prosecution for any illegal action, including, but not limited to, the act of exposing a fetus to drugs or other substances.

2. Report. When a health care provider suspects that an infant has been abused or neglected, the provider shall report to the department in accordance with section 4011-A, subsection 1, paragraph A. If the infant has a family care plan developed under section 4004-C, subsection 2, a copy of the family care plan must accompany the report.

3. Definition. For purposes of this section, "health care provider" means a person described in section 4011-A, subsection 1, paragraph A, subparagraphs (1) to (10), (15), (17) to (20) and (22) or any person who assists in the delivery or birth of a child for compensation, including, but not limited to, a midwife.

4. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 354

S.P. 403 - L.D. 913

An Act to Amend the Law Regulating the Resale of Tickets

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

Sec. 1. 8 MRSA c. 37, as amended, is amended to read:

CHAPTER 37

SALE AND RESALE OF TICKETS

§1301. Resale ~~Sale and resale~~ of tickets

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Entertainment event" means an event for which a ticket has been purchased, including, but not limited to, a performance, concert, exhibit, game or contest.

A-1. "Bot" means any program, device or software designed to circumvent security measures or access controls on a ticket sales platform to obtain tickets.

B. "Place of entertainment" means a facility used to host an entertainment event including, but not limited to, a theater, stadium, arena, racetrack, museum or amusement park.

B-1. "Mandatory fee" means a fee or charge required as part of the advertised price of a ticket, including, but not limited to, a service fee or convenience fee.

B-2. "Service fee" means an additional fee added to the total price of a ticket to pay for administrative costs, including, but not limited to, ticket software, credit card processing and venue fees.

B-3. "Speculative ticket" means a ticket not in the actual or constructive possession of the ticket reseller at the time the ticket is listed for resale.

C. "Ticket" means documentation of a right to attend an entertainment event.

C-1. "Ticket issuer" means a person or entity that issues tickets for original sale, including, but not limited to, musicians or their agents, venues, promoters, theater companies and marketplaces for initial purchases. "Ticket issuer" does not include a nonprofit corporation as defined in Title 13-B, section 102, subsection 9.

D. "Ticket reseller" means a business entity whose primary business is the sale or resale of tickets. "Ticket reseller" does not include any of the following: a nonprofit corporation as defined in Title 13-B, section 102, subsection 9.

(1) A nonprofit corporation as defined in Title 13-B, section 102, subsection 9; or

(2) A place of entertainment that engages in the sale or resale of tickets to entertainment events at the place of entertainment.

E. "Total price" means the maximum total of all fees or charges a consumer must pay for a ticket, except that shipping charges and government charges may be excluded.

F. "Venue" means a place of entertainment used to host an entertainment event, including, but not limited to, a theater, stadium, arena, racetrack, museum or amusement park.

1-A. Required ticket disclosures. A ticket reseller or ticket issuer advertising, offering for sale, selling or reselling a ticket shall:

A. Clearly and conspicuously disclose the total price of the ticket, including all mandatory fees, whenever the price is advertised or displayed;

B. Display the total price of the ticket more prominently than other pricing information in all advertisements, offers or displays;

C. Provide a complete itemization of the total price of the ticket that includes the nature, purpose and amount of any mandatory fee in a font size smaller than that of the total price; and

D. Clearly and conspicuously disclose to the consumer at the time of purchase the seat number or section at the venue associated with the ticket.

2. Refunds required. A ticket reseller that engages in the resale of a ticket in the State to a place of entertainment venue shall, upon the request of the consumer, refund the amount paid by the consumer for the ticket in any of the following circumstances:

A. The entertainment event is cancelled;

B. The ticket is not accepted by the entity venue holding the entertainment event because it is counterfeit or does not conform with the requirements established by the entity venue holding the entertainment event or was never inventoried by the ticket issuer or recognized at the venue as valid;

C. The ticket is cancelled by the entity venue holding the entertainment event for any reason; or

D. The person who purchased the ticket consumer does not receive the ticket in time to attend the entertainment event; or

E. The ticket reseller made a material misrepresentation relating to the sale of the ticket.

A person operating a venue shall provide a person holding a counterfeit, duplicate or otherwise invalid ticket purchased from a ticket reseller the contact information for the Office of the Attorney General.

This subsection does not prevent a ticket issuer from setting limits on maximum ticket purchases or enforcing terms and conditions. For the purposes of this subsection, a ticket to an entertainment event is deemed a license.

2-A. Prohibited practices. A ticket reseller or ticket issuer may not:

A. Misrepresent any fee or charge associated with a ticket in any advertisement, offer or display;

B. Exclude a mandatory fee from the advertised price of a ticket without clearly and conspicuously disclosing the nature, purpose and amount of the

mandatory fee prior to a consumer's consenting to pay for the ticket;

C. Sell or offer to sell or resell more than one copy of the same ticket to an entertainment event;

D. Sell speculative tickets;

E. Use deceptive website addresses or imply endorsement or ownership of any intellectual property of the venue or artist without explicit written authorization of the venue or artist;

F. Circumvent Internet sales limitations using bots or similar tools; or

G. Charge more than 10% of the total price of the original ticket, including taxes and fees, for the service of providing a marketplace for the resale of a ticket.

2-B. Enforcement. The Attorney General shall enforce this section.

3. Penalty. Violation of this section is an unfair trade practice as prohibited by Title 5, section 207.

See title page for effective date.

CHAPTER 355

H.P. 595 - L.D. 930

An Act to Amend the Law Governing Items Identified as Prison Contraband

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

Sec. 1. 17-A MRSA §757, sub-§3, as enacted by PL 1975, c. 499, §1, is amended to read:

3. Trafficking Except as provided in subsection 4, trafficking in prison contraband is a Class C crime.

Sec. 2. 17-A MRSA §757, sub-§4 is enacted to read:

4. If the prison contraband under subsection 1, paragraph B is electronic contraband that is not intended to be used to commit a separate crime, trafficking in prison contraband is a Class D crime. For purposes of this subsection, "electronic contraband" means a mobile telephone or other handheld electronic communication device not authorized or issued by the custodial authority.

Sec. 3. 17-A MRSA §757-A, as enacted by PL 2001, c. 386, §2, is amended to read:

§757-A. Trafficking of tobacco or vaping device in adult correctional facilities

1. A person is guilty of trafficking tobacco or a vaping device in an adult correctional facility if:

A. That person intentionally conveys or attempts to convey tobacco ~~or~~ tobacco products or a vaping device to a person confined in an adult correctional facility that has banned the use of tobacco ~~or~~ tobacco products or vaping devices by prisoners; or

B. That person is confined in an adult correctional facility that has banned the use of tobacco ~~or~~ tobacco products or vaping devices by prisoners and the person intentionally obtains or possesses tobacco ~~or~~ tobacco products or a vaping device.

2. As used in this section, "adult correctional facility" means a county jail or correctional facility other than a juvenile facility under the control of the Department of Corrections and "vaping device" means a device, also known as a vape, e-cigarette, electronic cigarette or electronic vaporizer, that simulates smoking using an atomizer, a power source such as a battery and a container such as a cartridge or a tank and is used for ingesting any substance, including a drug identified in section 1101, subsection 11.

3. Trafficking of tobacco or a vaping device in an adult correctional facility is a Class E crime.

See title page for effective date.

CHAPTER 356

H.P. 673 - L.D. 1044

An Act to Clarify the Qualifying Use of Tax Increment Financing for Extension of a Development District

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

Sec. 1. 30-A MRSA §5224, sub-§2, ¶H, as amended by PL 2023, c. 472, §1, is further amended by amending subparagraph (1) to read:

(1) A development district that is a tax increment financing district may not exceed a total of 30 tax years beginning with the tax year in which the designation of the development district is effective pursuant to section 5226, subsection 3 or, if specified in the development program, the subsequent tax year, except that, during the 10 calendar years after ~~the general effective date of laws enacted during the First Special Session of the 131st Legislature~~ October 25, 2023, a district may be extended an additional 20 years if the district uses in total at least 75% of tax increment financing revenue for affordable housing projects or transit-oriented development, or both. A district that