

# 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.**

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**Augusta, Maine**  
**2025**

writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

**2. Rules.** The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may 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 367

### H.P. 1297 - L.D. 1938

#### An Act Regarding the Regulation of Tobacco

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

**Sec. 1. 10 MRSA §1202, sub-§2, ¶D** is amended to read:

D. Sales made by a cigarette distributor to a licensed wholesale dealer ~~or to the operator of 15 or more vending machines shall not be~~ are not subject to a markup of 2% as stated in paragraph C, but such sales ~~shall be~~ are subject to full trade discount only.

**Sec. 2. 22 MRSA §1541, sub-§1-A**, as enacted by PL 2015, c. 318, §1, is amended to read:

**1-A. Electronic smoking device.** "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person ~~to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.~~

**Sec. 3. 22 MRSA §1542, sub-§2, ¶H**, as enacted by PL 1993, c. 342, §1 and affected by §9, is repealed.

**Sec. 4. 22 MRSA §1551-A, sub-§1**, as enacted by PL 1995, c. 470, §9 and affected by §19, is amended to read:

**1. Retail tobacco license.** It is unlawful for any person, partnership or corporation that engages in retail sales, ~~including retail sales through vending machines or in free distribution of tobacco products, to sell, keep for sale or give away in the course of trade any tobacco~~

products to anyone without first obtaining a retail tobacco license from the department, in accordance with this chapter. The department may not issue a license under this chapter that permits the retail sale of tobacco products through vending machines.

**Sec. 5. 22 MRSA §1552, sub-§3**, as amended by PL 2005, c. 145, §1, is further amended to read:

**3. Multiple licenses.** Except as provided in subsection 3-A, a licensee applying for licenses to operate more than one premises ~~or more than one vending machine~~ shall obtain a separate license for each premises ~~and each machine~~ and shall pay the fee prescribed for each premises ~~and each machine~~.

**Sec. 6. 22 MRSA §1552, sub-§3-A**, as amended by PL 2009, c. 199, §3, is further amended to read:

**3-A. Seasonal mobile tobacco vendor license.** An applicant who is a seasonal mobile tobacco vendor may purchase a single annual license authorizing that vendor to operate at 2 or more agricultural fairs, festivals or exhibitions held during the agricultural fair season. A license issued under this subsection must clearly specify the name and location of each fair, festival or exhibition at which the licensee is authorized to operate and, for each location, the specific dates ~~and number of machines~~ for which the licensee is authorized. A licensee may not operate at any agricultural fair, festival or ~~exhibit~~ exhibition except as specifically provided in that license. A seasonal mobile tobacco vendor license expires upon the conclusion of the agricultural fairs, festivals or exhibitions for which it was issued. Upon issuing a license under this subsection, the department shall immediately provide the information required by this subsection to the Office of the Attorney General for purposes of inspection and enforcement.

**Sec. 7. 22 MRSA §1553-A**, as amended by PL 2017, c. 308, §5, is repealed.

**Sec. 8. 22 MRSA §1554-B, sub-§1**, as enacted by PL 2003, c. 452, Pt. K, §6 and affected by Pt. X, §2, is amended to read:

**1. License required.** A person may not engage in retail tobacco sales ~~or in free distribution of tobacco products~~ in the ordinary course of trade in this State without a valid license issued under subchapter 1.

**Sec. 9. 22 MRSA §1555-B, sub-§2**, as amended by PL 2017, c. 308, §6, is further amended to read:

**2. Sales to persons who have not attained 21 years of age prohibited.** A person may not sell, ~~or furnish, give away or offer to sell, or furnish or give away,~~ a tobacco product to any person who has not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018. Tobacco products may not be sold at retail to any person who has not attained 30 years of age unless the seller first verifies that person's age by

means of reliable photographic identification containing the person's date of birth. That a person appeared to be 30 years of age or older does not constitute a defense to a violation of this section.

**Sec. 10. 22 MRSA §1555-B, sub-§3**, as enacted by PL 1997, c. 305, §5, is repealed.

**Sec. 11. 22 MRSA §1555-B, sub-§10**, as amended by PL 2017, c. 308, §6, is further amended to read:

**10. Affirmative defense.** It is an affirmative defense to prosecution for a violation of subsection 1, 2 or 4 that the defendant sold, ~~or~~ furnished, ~~gave away~~ or offered to sell, ~~or~~ furnish ~~or give away~~, a tobacco product in violation of subsection 5-A in reasonable reliance upon a fraudulent proof of age presented by the purchaser.

**Sec. 12. 22 MRSA §1555-B, sub-§12** is enacted to read:

**12. Prohibition on giving away a tobacco product.** A tobacco retailer or tobacco distributor may not give away a tobacco product.

**Sec. 13. 22 MRSA §1558, sub-§5, ¶B**, as enacted by PL 1995, c. 470, §9 and affected by §19 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

B. If a licensee is interested directly or indirectly in more than one license, the District Court may order that a revocation apply to any of those premises ~~or machines.~~

**Sec. 14. 22 MRSA §1580-A, sub-§2, ¶D**, as enacted by PL 1985, c. 126, is amended to read:

D. "Smoking" means carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe ~~or other object giving off or containing any substance giving off tobacco smoke~~ a lighted or heated tobacco or other plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device as defined in section 1541, subsection 1-A.

**Sec. 15. 36 MRSA §4362-A, sub-§4**, as repealed and replaced by PL 2003, c. 452, Pt. U, §9 and affected by Pt. X, §2, is amended to read:

**4. Penalties.** The following penalties apply to violations of this section.

A. A distributor who imports into this State any cigarettes without holding a distributor's license issued by the assessor pursuant to this section commits a civil violation for which a fine of not less than ~~\$250~~ \$500 and not more than ~~\$500~~ \$1,000 must be adjudged.

B. A distributor who violates paragraph A after having been previously adjudicated as violating paragraph A commits a civil violation for which a fine of not less than ~~\$500~~ \$1,000 and not more than ~~\$1,000~~ \$2,000 must be adjudged for each subsequent violation.

C. A distributor who sells at wholesale, offers for sale at wholesale or possesses with intent to sell at wholesale any cigarettes without holding a distributor's license issued by the assessor pursuant to this section commits a civil violation for which a fine of not less than ~~\$250~~ \$500 and not more than ~~\$500~~ \$1,000 must be adjudged.

D. A distributor who violates paragraph C after having been previously adjudicated as violating paragraph C commits a civil violation for which a fine of not less than ~~\$500~~ \$1,000 and not more than ~~\$1,000~~ \$2,000 must be adjudged for each subsequent violation.

**Sec. 16. 36 MRSA §4365-F, sub-§2**, as enacted by PL 2005, c. 457, Pt. AA, §3 and affected by §8, is amended to read:

**2. Liability.** A person possessing cigarettes for resale is liable for the difference between the tax rate of 100 mills per cigarette and the tax rate of 50 mills per cigarette in effect before September 19, 2005. Stamps indicating payment of the tax imposed by this section must be affixed to all packages of cigarettes held for resale as of September 19, 2005, ~~except that cigarettes held in vending machines as of that date do not require that stamp.~~

**Sec. 17. 36 MRSA §4365-F, sub-§3**, as enacted by PL 2005, c. 457, Pt. AA, §3 and affected by §8, is repealed.

**Sec. 18. 36 MRSA §4401, sub-§2-A**, as enacted by PL 2019, c. 530, Pt. A, §1 and affected by §7, is amended to read:

**2-A. Electronic smoking device.** "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person ~~to simulate smoking~~ through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.

**Sec. 19. 36 MRSA §4401, sub-§4**, as enacted by PL 1985, c. 783, §16, is amended to read:

**4. Place of business.** "Place of business" means any place where tobacco products are sold or where tobacco products are manufactured, stored, ~~or~~ kept for the purpose of sale or consumption, including any vessel, vehicle, airplane, or train ~~or vending machines.~~

**Sec. 20. Effective date.** This Act takes effect January 5, 2026.

Effective January 5, 2026.

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**CHAPTER 368**  
**H.P. 430 - L.D. 662**

**An Act to Support Survivors of  
Military Sexual Trauma and  
Active Duty Military Members  
Transitioning to Civilian Life**

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

**Whereas,** veterans have made significant sacrifices to protect our country and ensure our freedom, and many of those veterans in Maine may face challenges transitioning back to civilian life; and

**Whereas,** the Legislature remains committed to supporting efforts that assist military service members and their families as they separate from military service and transition back to civilian life by helping them find stable employment, access health care and housing and find their place in society; and

**Whereas,** it is particularly important to support those veterans who have sacrificed more than others because they have experienced military sexual trauma while serving their country in the military; and

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period to provide desperately needed funding to organizations that support veterans and their families; 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:**

**Sec. 1. 5 MRSA §13056-K** is enacted to read:

**§13056-K. Active Duty Military Transition to Civilian Life Fund and Program**

**1. Fund established; purpose.** The Active Duty Military Transition to Civilian Life Fund, referred to in this section as "the fund," is established within the department as an Other Special Revenue Funds account for the purpose of receiving funds for the program.

**2. Program established; purpose.** The Active Duty Military Transition to Civilian Life Program, referred to in this section as "the program," is established within the department to support organizations in the

State conducting outreach and providing support services to active duty military members and their families who are transitioning to civilian life.

**3. Fund sources; administration.** The fund consists of money appropriated or allocated to the fund or received from public or private sources. Through agreements or cooperative arrangements, the department may receive, administer and disburse any funds or contributions from a state or federal agency, person, firm or corporation, either independently or in conjunction with state funds appropriated or allocated to the fund for the purposes of this section.

**4. Funds held separate; interest credited; nonlapsing.** The funds in the fund must be held separate and apart from all other money, funds and accounts. Interest earned by the fund must be credited to the fund. Any unexpended balances remaining in the fund at the end of any fiscal year do not lapse and must be carried forward to the next fiscal year.

**Sec. 2. 22 MRSA §2430, sub-§3,** as amended by PL 2021, c. 181, Pt. A, §2, is repealed.

**Sec. 3. 22 MRSA §2430, sub-§3-A** is enacted to read:

**3-A. Uses of fund.** As allocated by the Legislature, the fund may be used for:

A. Expenses of the department to administer this chapter;

B. Grants for research regarding cannabis for medical use in accordance with subsection 5;

C. Grants to organizations in the State conducting outreach and providing support services to active duty military members and their families who are transitioning to civilian life. Notwithstanding any provision of law to the contrary, on or before September 30, 2025, and by every September 30th thereafter, the State Controller shall transfer \$200,000 from the fund to the Active Duty Military Transition to Civilian Life Fund established within the Department of Economic and Community Development under Title 5, section 13056-K to administer grants issued pursuant to this paragraph; and

D. Grants to organizations in the State providing housing and support services for unhoused veterans and their children and for survivors of military sexual trauma. Notwithstanding any provision of law to the contrary, on or before September 30, 2025, and by every September 30th thereafter, the State Controller shall transfer \$285,000 from the fund to the Survivors of Military Sexual Trauma Fund under section 3971 to administer grants issued pursuant to this paragraph.

**Sec. 4. 22 MRSA c. 1069** is enacted to read:

**CHAPTER 1069**