

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

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

Augusta, Maine
2026

CHAPTER 580
S.P. 832 - L.D. 2134

**An Act to Create an Exception
to the Prohibition of Tobacco
Sales in Retail Establishments
Containing Pharmacies for
Certain Small Grocery Stores**

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

Whereas, Public Law 2025, chapter 493 takes effect April 1, 2026, which is earlier than 90 days after the statutory adjournment date of the Second Regular Session of the 132nd Legislature; and

Whereas, the pharmacies and grocery stores that are affected by this legislation are already in business, and their licenses are renewed on April 1st of each year; and

Whereas, this legislation must be in effect by the effective date of Public Law 2025, chapter 493; 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. 22 MRSA §1551-A, as amended by PL 2025, c. 367, §4 and affected by §20 and amended by c. 493, §2 and affected by §4, is further amended by amending the section headnote to read:

§1551-A. Retail tobacco sales license required

Sec. 2. 22 MRSA §1551-A, sub-§6, as enacted by PL 2025, c. 493, §2 and affected by §4, is amended to read:

6. Pharmacies and retail establishments with a pharmacy ineligible for retail tobacco license; civil penalty; transfer of funds. This subsection governs pharmacies and retail establishments containing a pharmacy.

A. A pharmacy is ineligible for a retail tobacco license. A pharmacy that engages in retail sales, ~~including retail sales through vending machines or in free distribution of tobacco products, and sells, to anyone or keeps for sale or gives away in the course of trade any tobacco products to anyone~~ commits a civil violation for which a fine of not more than \$2,000 may be adjudged. Each day a pharmacy is in violation of this paragraph constitutes a separate offense.

B. ~~A~~ Except as provided in subsection 7, a retail establishment containing a pharmacy is ineligible for a retail tobacco license. A retail establishment containing a pharmacy that engages in retail sales, ~~including retail sales through vending machines or in free distribution of tobacco products, and sells, to anyone or keeps for sale or gives away in the course of trade any tobacco products to anyone~~ commits a civil violation for which a fine of not more than \$2,000 may be adjudged. Each day a retail establishment containing a pharmacy is in violation of this paragraph constitutes a separate offense.

Sec. 3. 22 MRSA §1551-A, sub-§7 is enacted to read:

7. Exception to prohibition on license for retail establishments with pharmacy. Subsection 6, paragraph B does not apply to a retail establishment containing a pharmacy if the following conditions are satisfied:

A. The retail establishment has no more than 26,000 square feet of indoor customer-accessible sales area at the location for which the retail establishment is seeking a retail tobacco license;

B. The retail establishment is operated primarily as a grocery store;

C. The pharmacy located on the premises of the retail establishment operates in a separately demised, leased space under a written lease and holds a separate pharmacy license;

D. The pharmacy was established by lease agreement within the retail establishment at the same geographic location prior to July 7, 2025;

E. All tobacco sales made by the retail establishment occur outside the pharmacy's leased premises, through the retail establishment's separate point-of-sale system and from the retail establishment's separate inventory; and

F. The retail establishment complies with all other provisions of this chapter.

For the purposes of this subsection, "customer-accessible sales area" means the total floor area open to customers for display and sale of merchandise. "Customer-accessible sales area" does not include stockrooms, offices, restrooms, mechanical rooms or the pharmacy's demised premises.

For the purposes of this subsection, "grocery store" means a retail food store that offers for sale a variety of foods for home preparation and consumption, including perishable items, and derives a substantial portion of sales from food.

Emergency clause. In view of the emergency

cited in the preamble, this legislation takes effect April 1, 2026.

Effective April 1, 2026.

CHAPTER 581

S.P. 852 - L.D. 2059

An Act to Provide Required Funding for the Reimbursement of Assigned Counsel

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

Whereas, the State's constitutional and statutory obligations include ensuring that each person facing a potential loss of liberty in a criminal or juvenile proceeding and each parent facing a potential loss of parental rights in a child protection proceeding is provided with effective representation; and

Whereas, on January 3, 2025, in *Robbins v. Billings, et al.* No. CV-22-054 (Me. Super. Ct., Ken. Cty., Jan. 3, 2025) (Combined Order on Partially Dispositive Motions), the Maine Superior Court concluded that the State has violated its constitutional obligations under the United States Constitution, Amendment VI to provide continuous representation to certain criminal defendants in the State; and

Whereas, the State's primary method for fulfilling its constitutional and statutory obligations is through the appointment of qualified attorneys to provide indigent legal services to eligible persons and reimbursement of these attorneys by the Maine Commission on Public Defense Services in accordance with the hourly rate established by law and the restrictions on eligible expenses established by the commission by rule; and

Whereas, due to a shortfall in funding, the Maine Commission on Public Defense Services is anticipated to exhaust available appropriations to reimburse assigned counsel in April 2026; 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. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC DEFENSE SERVICES, MAINE
COMMISSION ON**

Maine Commission on Public Defense Services Z112

Initiative: Provides one-time funding to address the shortfall in funding available to compensate constitutionally and statutorily required assigned counsel in fiscal years 2025-26 and 2026-27.

GENERAL FUND	2025-26	2026-27
All Other	\$13,000,000	\$9,000,000
GENERAL FUND TOTAL	\$13,000,000	\$9,000,000

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 19, 2026.

CHAPTER 582

H.P. 1411 - L.D. 2096

An Act Regarding Scheduling of Agricultural Fairs and Pulling Events

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

Whereas, agricultural fairs and the harness racing season will begin soon and this legislation needs to take effect before the expiration of the 90-day period to allow the change in the conditions of an agricultural fair license to occur as soon as possible; 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. 7 MRSA §84, sub-§4 is enacted to read:

4. Prohibition. Except as provided under subsection 5, a licensee may not:

A. Operate an agricultural fair outside of the fair dates assigned by the commissioner under this section; or

B. Advertise or market an agricultural fair as taking place outside of the fair dates assigned by the commissioner under this section.

For purposes of this subsection, a licensee holding an event within one week of a fair's assigned fair dates is considered to be operating a fair outside of the fair dates assigned by the commissioner.

Sec. 2. 7 MRSA §84, sub-§5 is enacted to read: