

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

**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**  
**2015**

**Sec. 2. 10 MRSA §9722, sub-§6, ¶M**, as re-allocated by RR 2011, c. 1, §12, is amended to read:

M. Adopt, amend and maintain the Maine Uniform Building Code and the Maine Uniform Energy Code; and

**Sec. 3. 10 MRSA §9722, sub-§6, ¶N** is enacted to read:

N. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that buildings used to house livestock or harvested crops are not subject to the code.

See title page for effective date.

## CHAPTER 127

### S.P. 279 - L.D. 781

#### An Act To Expand Turkey Hunting Opportunities

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

**Sec. 1. 12 MRSA §11109, sub-§3, ¶C**, as amended by PL 2005, c. 12, Pt. III, §4, is further amended to read:

C. A resident small game hunting license, for a person 16 years of age or older, which permits hunting for all legal species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$14.

**Sec. 2. 12 MRSA §11109, sub-§3, ¶¶G and K**, as amended by PL 2009, c. 213, Pt. OO, §2, are further amended to read:

G. A nonresident small game hunting license, which permits hunting of all legal species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$74.

K. An alien small game hunting license, which permits hunting of all species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$79.

**Sec. 3. 12 MRSA §11155, sub-§1-A**, as enacted by PL 2005, c. 12, Pt. III, §11, is amended to read:

**1-A. Eligibility; license required.** A person who possesses a valid license to hunt big game or small game may obtain a permit to hunt for wild turkey from the commissioner or an authorized agent.

**Sec. 4. 12 MRSA §11701, sub-§1, ¶B**, as enacted by PL 2013, c. 387, §3, is amended to read:

B. A person to hunt from 30 minutes before sunrise to 30 minutes after sunset. ~~This paragraph is repealed August 1, 2016; and~~

**Sec. 5. 12 MRSA §11701, sub-§2**, as enacted by PL 2013, c. 387, §3, is amended to read:

**2. Fall seasons.** Beginning with the ~~2014~~ 2016 fall open season, the commissioner shall establish by rule ~~a 2 fall open season~~ seasons for hunting wild turkeys. Unless the commissioner determines that sound management principles require otherwise, the rule must establish ~~a 2 fall open season~~ seasons that ~~includes~~ include the month of October and a week in the month of November and allow a person to take up to a total of 2 wild turkeys over both seasons regardless of sex without any additional fee for the taking of a 2nd wild turkey.

**Sec. 6. Effective date.** This Act takes effect January 1, 2016.

Effective January 1, 2016.

## CHAPTER 128

### H.P. 347 - L.D. 508

#### An Act To Amend the Laws Governing the Number of Agency Liquor Stores Allowed in a Municipality

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

**Sec. 1. 28-A MRSA §453, sub-§2-A**, as amended by PL 2013, c. 253, §1, is further amended to read:

**2-A. Limitation on number of agency liquor stores.** Beginning July 1, 2009, the bureau may license up to 10 agency liquor stores in a municipality with a population over ~~50,000~~ 45,000; up to 9 agency liquor stores in a municipality with a population over 30,000 but less than 45,001; up to 8 agency liquor stores in a municipality with a population over 20,000 but less than ~~50,001~~ 30,001; up to 5 agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001. In addition, the bureau may establish one agency liquor store in a municipality where the population is less than 2,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store location.

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

See title page for effective date.

## CHAPTER 129

### H.P. 251 - L.D. 364

#### **An Act To Allow a Sales Representative To Serve Alcoholic Beverages at a Tasting Event**

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

**Whereas**, this legislation allows sales representatives to serve alcoholic beverages at tasting events; and

**Whereas**, it is necessary to implement this change immediately in order for it to be in place for the summer tourist season; 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. 28-A MRSA §460, sub-§1**, as enacted by PL 2009, c. 459, §1, is amended to read:

**1. Taste testing on agency liquor store premises.** Subject to the conditions in subsection 2, the bureau may authorize an agency liquor store stocking at least 200 different codes of distilled spirits products to conduct taste testing of distilled spirits on that licensee's premises. An agency liquor store may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring samples for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an agency liquor store's premises is prohibited, except as permitted under section 1205 or 1207.

**Sec. 2. 28-A MRSA §460, sub-§2, ¶L**, as enacted by PL 2009, c. 459, §1, is amended to read:

L. The agency liquor store must notify the bureau of the date and time scheduled for all taste-testing

events. This notification must list the name of any sales representative licensed under section 1502 who will be pouring samples for taste testing.

**Sec. 3. 28-A MRSA §1051, sub-§8**, as enacted by PL 2013, c. 258, §1, is amended to read:

**8. Liquor taste-testing events for general public on retail licensee's premises.** The bureau may authorize an on-premise retail licensee to conduct taste testings of liquor open to the public on the licensed premises. Taste-testing events under this subsection must be conducted during hours that are authorized by the bureau for the sale of liquor on the licensed premises and may be held in collaboration with a certificate of approval holder, sales representative licensed under section 1502 or wholesale licensee. An on-premise retail licensee may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring samples of liquor for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. The following conditions apply to all taste-testing events conducted under this subsection.

A. Liquor may not be served to persons who have not yet attained 21 years of age.

B. A person may not be served more than a total of 12 ounces of malt liquor having an alcohol content of 6% or less; for malt liquor having an alcohol content greater than 6% but less than 12%, a person may not be served more than a total of 6 ounces; or, for malt liquor having an alcohol content of 12% or greater, a person may not be served more than a total of 3 ounces.

C. A person may not be served more than a total of 5 ounces of wine having an alcohol content of 14% or less; or, for wine having an alcohol content greater than 14%, a person may not be served more than a total of 3 ounces of wine.

D. A person may not be served more than a total of 1 1/2 ounces, in 1/2 ounce servings, of distilled spirits having an alcohol content of 80 proof or less; or, for distilled spirits containing an alcohol content of greater than 80 proof, a person may not be served more than a total of 3/4 of an ounce in 1/4 ounce servings.

E. A person may not be charged a fee for any liquor served as part of a taste-testing event.

F. A person may not be served who is visibly intoxicated.

G. A taste-testing event must be conducted within the hours of retail sale established in this Title.