

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**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**  
**2019**

2. Contact visitation. Subject to any conditions and limitations required for the safety and security of a county jail as determined on a case-by-case basis by the sheriff, the sheriff shall provide opportunities for in-person visitation involving physical contact between a prisoner and a visitor of the prisoner, unless the sheriff determines that the jail facility is unable to provide a safe and secure location for any in-person visitation involving physical contact.

See title page for effective date.

**CHAPTER 77  
H.P. 92 - L.D. 110**

**An Act Regarding Credit  
Ratings Related to Overdue  
Medical Expenses**

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

**Sec. 1. 10 MRSA §1310-H, sub-§3**, as enacted by PL 2013, c. 228, §1, is amended to read:

**3. Nonliability.** A person may not be held liable for any violation of this section if the person shows by a preponderance of the evidence that at the time of the alleged violation the person maintained reasonable procedures to ensure compliance with the provisions of subsections 1 ~~and~~ 2 and 4.

**Sec. 2. 10 MRSA §1310-H, sub-§4** is enacted to read:

**4. Reporting of medical expenses on a consumer report.** Notwithstanding any provision of federal law, a consumer reporting agency shall comply with the following provisions with respect to the reporting of medical expenses on a consumer report.

A. A consumer reporting agency may not report debt from medical expenses on a consumer's consumer report when the date of the first delinquency on the debt is less than 180 days prior to the date that the debt is reported.

B. Upon the receipt of reasonable evidence from the consumer, creditor or debt collector that a debt from medical expenses has been settled in full or paid in full, a consumer reporting agency:

- (1) May not report that debt from medical expenses; and
- (2) Shall remove or suppress the report of that debt from medical expenses on the consumer's consumer report.

C. As long as the consumer is making regular, scheduled periodic payments toward the debt from medical expenses reported to the consumer reporting agency as agreed upon by the consumer

and medical provider, the consumer reporting agency shall report that debt from medical expenses on the consumer's consumer report in the same manner as debt related to a consumer credit transaction is reported.

See title page for effective date.

**CHAPTER 78  
H.P. 143 - L.D. 180**

**An Act To Allow for the  
Regulation of Transportation  
Network Companies at  
Airports by Certain  
Municipalities**

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

**Whereas**, most tourism in Maine occurs between Memorial Day and Labor Day each year; and

**Whereas**, this legislation allows certain municipalities to govern transportation operations at local airports; and

**Whereas**, this legislation must take effect before the expiration of the 90-day period in order for it to be in effect during 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. 29-A MRSA §1677**, as enacted by PL 2015, c. 279, §2, is repealed and the following enacted in its place:

**§1677. Municipal action**

**1. Authority restricted.** Notwithstanding any other provision of law to the contrary, a municipality or other political subdivision may not adopt an ordinance, regulation or procedure governing the operations of a transportation network company, driver or motor vehicle used by a transportation network company driver to provide a prearranged ride or impose a tax or fee on or require a license for a transportation network company, driver or motor vehicle used by a transportation network company driver to provide a prearranged ride, except as provided in subsection 2.

**2. Primary airports.** A municipality or other political subdivision operating a public airport that

receives scheduled passenger aircraft service and that had more than 20,000 passenger boardings in the previous year, may in a manner that is consistent with the airport's regulation of other prearranged for-hire transportation services including but not limited to taxicabs and limousines:

A. Regulate the parking and traffic flow of transportation network company drivers at the airport; and

B. Charge a transportation network company a reasonable fee for each trip to pick up a rider at the airport made by a driver for the transportation network company.

For the purposes of this subsection, the term "passenger boardings" means passenger boardings on an aircraft in service at the airport that generate revenue for an airline or the airport.

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

Effective May 8, 2019.

**CHAPTER 79**

**H.P. 542 - L.D. 737**

**An Act To Update Alcohol Taste-testing Requirements**

**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 Act grants agency liquor stores and other off-premises retail licensees more flexibility to conduct taste-testing events for spirits, wine and malt liquor on their premises; and

**Whereas,** it is necessary that this Act take effect before the expiration of the 90-day period in order to permit off-premises retail licensees to conduct taste-testing events under the flexible provisions of the Act during 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,** as amended by PL 2015, c. 129, §§1 and 2, c. 184, §§1 to 3 and c. 329, Pt. D, §1 and affected by §4, is further amended to read:

**§460. Agency liquor store taste testing of spirits**

**1. Taste testing on agency liquor store premises.** Subject to the conditions in ~~subsection~~ subsections 2 and 2-A, the bureau may authorize an agency liquor store stocking at least ~~200~~ 100 different codes of ~~dis~~ distilled spirits products to conduct taste testing of ~~dis~~ 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 or providing samples, or both, 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 liquor on an agency liquor store's premises is prohibited, except as permitted under section 1205 or, 1207, 1208, 1402-A or 1504.~~

**2. Conditions for conducting taste-testing events.** The conditions under this subsection apply to taste-testing ~~activities~~ events under this section.

A. ~~Distilled spirits~~ Spirits 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 1 1/2 ounces, in 1/2 ounce servings, of ~~distilled~~ distilled spirits having an alcohol content of 80 proof or less; ~~or and,~~ and, for ~~distilled~~ 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.

C. ~~Distilled spirits~~ Spirits must be dispensed using a standard measuring device.

~~D. Distilled spirits having an alcohol content of greater than 80 proof may not be offered for tasting at the same time as distilled spirits having an alcohol content of 80 proof or less.~~

E. A person may not be charged a fee for any ~~dis~~ distilled spirits served as part of a taste-testing activity event.

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

G. ~~Taste testing~~ A taste-testing event must be limited to a designated area.

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

~~I. The agency liquor store must obtain the written permission of the bureau before conducting any taste testing activity.~~

J. The agency liquor store may conduct up to ~~3 tastings~~ 15 taste-testing events per month, including ~~tastings~~ taste-testing events conducted under sections 1205 and 1207. If the agency liquor store