

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.

Augusta, Maine
2019

and 1205, the retail licensee may offer spirits and wine for tasting at the same time as malt liquor.

I. ~~Taste testing~~ A taste-testing event is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5.

J. ~~The retail licensee 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.~~

K. The retail licensee must purchase all malt liquor served at a ~~taste testing~~ taste-testing event from a wholesale licensee.

L. Prior to a taste-testing event, the retail licensee shall post prominently at the entrance to the store a sign that announces the date and time of the event.

M. An ~~off-premise~~ off-premises retail licensee, with prior approval from the bureau, may conduct an invitation-only taste-testing event at the ~~off-premise~~ off-premises retail licensee's premises in place of or to coincide with a taste-testing event that is open to the public. A taste-testing event that is exclusively invitation only is not subject to the posting requirement in paragraph L.

2-A. Written permission from the bureau. An ~~off-premises~~ retail licensee must obtain the written permission of the bureau before conducting a taste-testing event using the following procedure.

A. The retail licensee shall request authority to conduct a taste-testing event using forms prescribed by the bureau.

B. The retail licensee may submit a separate form for each taste-testing event or a single form listing some or all of the taste-testing events the retail licensee requests authority to conduct in a calendar month under this section, section 460 and section 1205.

C. The request must indicate the date and time for each taste-testing event and the liquor product or products that will be offered at each event.

D. The request must indicate whether a sales representative licensed under section 1502 will be pouring or providing samples, or both, for each taste-testing event and include verification that the sales representative has successfully completed an alcohol server education course approved by the bureau.

3. Rules. The bureau may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective May 8, 2019.

CHAPTER 80

H.P. 829 - L.D. 1140

An Act To Improve the Investigation and Prosecution of Sexual Assault Cases

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

Sec. 1. 25 MRSA c. 411 is enacted to read:

CHAPTER 411

SUBMISSION OF SEXUAL ASSAULT CASES FOR REVIEW FOR PROSECUTION

§3851. Submission of sexual assault cases for review for prosecution

A law enforcement agency in possession of a complaint for an alleged sexual assault under Title 17-A, chapter 11 shall within 60 days of receiving the complaint inform the appropriate prosecutor of any evidence and submit the complaint for review and a decision by the prosecutor regarding further investigation and commencement of prosecution. Failure of a law enforcement agency to inform the appropriate prosecutor of any evidence and submit a complaint to the appropriate prosecutor within 60 days as required by this section does not affect the validity of a later submission and prosecution.

See title page for effective date.

CHAPTER 81

H.P. 425 - L.D. 581

An Act To Direct Electric Utilities To Provide Comparative Usage Data on Customer Billing Statements

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

Sec. 1. 35-A MRSA §3106 is enacted to read:

§3106. Comparative usage data on billing statements

1. Definitions. For the purposes of this section, the following terms have the following meanings.

A. "Comparative usage data" means data regarding a customer's energy usage for the previous 24

months that compares each month's usage between the first 12 months and the 2nd 12 months of usage.

B. "Medium commercial customer" means a non-residential customer that meets the availability criteria to take service under a core customer class of the transmission and distribution utility that includes a demand charge and in which a customer's maximum demand does not exceed 500 kilowatts or the utility's kilowatt break-point between classes that is closest to but does not exceed 500 kilowatts, whichever is lower.

C. "Residential customer" means a customer defined as residential under the terms and conditions of the transmission and distribution utility.

D. "Small commercial customer" means a nonresidential customer that meets the availability criteria to take service under a core customer class of the transmission and distribution utility that does not include a demand charge.

2. Billing statements. Except as provided in subsection 3, an investor-owned transmission and distribution utility shall provide comparative usage data on customer billing statements of residential customers, small commercial customers and medium commercial customers.

3. Waiver. The commission, by rule or order, may waive the requirements of this section for an investor-owned transmission and distribution utility for the portion of the service territory of that utility that is located in an area of this State in which the retail market is administered by the independent system administrator for northern Maine if the commission finds that implementation of the requirements of this section is unduly burdensome or cost-prohibitive in that portion of the utility's service territory.

See title page for effective date.

CHAPTER 82

H.P. 9 - L.D. 8

An Act To Allow and Recognize a Legal Name Change upon Marriage

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

Sec. 1. 19-A MRSA §651, sub-§2, as repealed and replaced by PL 2013, c. 424, Pt. B, §5, is amended to read:

2. Application. The parties wishing to record notice of their intentions of marriage shall submit an application for recording notice of their intentions of marriage. The application may be issued to any 2 per-

sons otherwise qualified under this chapter regardless of the sex of each person and must include the names of both parties. If a party intends to change that party's name upon marriage, the application must include the proposed new name of that party. The application must include a signed certification that the information recorded on the application is correct and that the applicant is free to marry according to the laws of this State. The applicant's signature must be acknowledged before an official authorized to take oaths. An application recording notice of intention to marry is not open for public inspection for 50 years from the date of the application except that:

A. The names of the parties for whom intentions to marry are filed and the intended date of marriage are public records and open for public inspection; and

B. A person with a researcher identification card under Title 22, section 2706, subsection 8 is permitted to inspect records and may be issued a noncertified copy of an application.

Sec. 2. 19-A MRSA §654, sub-§3, as amended by PL 2011, c. 111, §1, is further amended to read:

3. Statement including officiant and witnesses.

The marriage license returned must contain a statement giving the names of the parties united in marriage, place and date of the marriage, the new name of either party if either party intends to change that party's name, the signature of the person by whom the marriage was solemnized and the names of the 2 witnesses. The person who solemnized the marriage shall add the title of the office by virtue of which the marriage was solemnized, the residence of the person who solemnized the marriage and:

A. The date ordained or authorized by a religious faith to perform marriages;

B. The date the notary public's commission expires;

C. The date the lawyer was admitted to the Maine Bar; or

D. The date the person's temporary registration certificate was issued under section 655, subsection 1-A.

Sec. 3. 19-A MRSA §656, sub-§3 is enacted to read:

3. Name change. If the marriage license indicates that a party intends to change that party's name under section 654, subsection 3, the new name indicated on the license becomes effective upon completion of the marriage license pursuant to subsection 2.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.