

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

drug, medicine or pharmaceutical or medical preparation by means of any public exhibition, entertainment, performance, carnival or by vending machines, except as described in subsection 2.

2. Sale of nonprescription drugs by vending machines. The Maine Board of Pharmacy shall adopt rules to allow a pharmacy licensed as a vending machine outlet in accordance with section 13751 to sell or distribute nonprescription drugs by vending machines. The rules must include, but are not limited to, the following:

A. A requirement that only nonprescription drugs may be dispensed by a vending machine;

B. A requirement that nonprescription drugs dispensed by a vending machine must be stored in accordance with manufacturer recommendations, including those that require a stable temperature;

C. A requirement that nonprescription drugs dispensed by a vending machine must be sold only in the manufacturer's clearly labeled, original, unbroken, tamper-proof and expiration-dated packaging;

D. A requirement that nonprescription drugs dispensed by a vending machine may not be older than the manufacturer's expiration date;

E. A limitation that no more than 12 different nonprescription drugs may be dispensed by any single vending machine;

F. A requirement that a vending machine through which nonprescription drugs are dispensed must have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the board;

G. Identification of any nonprescription drugs that may not be dispensed by a vending machine; and

H. Identification of locations at which a vending machine dispensing nonprescription drugs may not be located, including the following:

(1) Private schools as defined in Title 20-A, section 1, subsection 22;

(2) Public preschool programs as defined in Title 20-A, section 1, subsection 23-A;

(3) Public schools as defined in Title 20-A, section 1, subsection 24; and

(4) Child care facilities as defined in Title 22, section 8301-A, subsection 1-A, paragraph B.

See title page for effective date.

CHAPTER 455

H.P. 277 - L.D. 351

An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry

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

Sec. 1. 22 MRSA §2157, sub-§15 is enacted to read:

15. Mislabeling poultry and meat. If it is poultry, a poultry product, meat or a meat product offered for sale, sold or distributed within the State and labeled or advertised as "Maine-raised" or by a similar designation unless the poultry or animal was raised in Maine. A determination that poultry, a poultry product, meat or a meat product is misbranded may be waived by the commissioner upon application if the commissioner finds a waiver warranted due to economic factors, including, but not limited to, the proximity of processing facilities to the in-state poultry producer or meat producer and the availability of poultry processing facilities or meat processing facilities in the State. For purposes of this subsection, "raised in Maine" means:

A. For poultry and poultry products, that the poultry was raised solely in the State from no later than the 7th day after hatching and processed solely in the State; and

B. For meat and meat products, that the animal was born, raised and processed solely in the State.

As used in this subsection, "poultry," "poultry product," "meat" and "meat product" have the same meanings as in section 2511.

See title page for effective date.

CHAPTER 456

S.P. 164 - L.D. 499

An Act To Collect Data Regarding How Payment Is Made for Collection of Signatures for Direct Initiatives and People's Veto Referendums

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

Sec. 1. 21-A MRSA §903-A, sub-§§4 and 5 are enacted to read:

4. Circulator affidavit. A person who circulates a petition shall execute an affidavit that must include:

A. The circulator's printed name, the physical address at which the circulator resides and the date the circulator signed the affidavit;

B. That the circulator read the information provided by the Secretary of State pursuant to subsection 3 and understands the laws governing the circulation of petitions in the State;

C. That the circulator was a resident of the State and a registered voter in the State at the time of circulating the petition; and

D. That the circulator understands that the circulator can be prosecuted under section 904 for violating the laws governing the circulation of petitions, including the requirement that the circulator truthfully executed the affidavit.

The circulator shall file the affidavit with the Secretary of State at the time the petition is filed.

5. Circulator payment. A person or organization that pays individuals to circulate petitions, other than by reimbursing travel expenses, shall provide a list of those individuals to the Secretary of State along with information indicating the method by which the individuals are being compensated when the petitions are filed pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

Sec. 2. 21-A MRSA §903-C, sub-§1, ¶D, as enacted by PL 2015, c. 99, §2, is amended to read:

D. A list containing the names of all individuals hired by the petition organization to assist in circulating petitions or in organizing, supervising or managing the circulation. The list must include a statement indicating the method by which the individuals hired to assist in circulating petitions are being compensated. The list must be updated and resubmitted to the Secretary of State when the petitions are filed pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

Sec. 3. 21-A MRSA §904, sub-§4, as repealed and replaced by PL 2007, c. 455, §53, is amended to read:

4. Duplicate signature. Knowingly signs the person's name more than once on initiative or referendum petitions for the same measure; or

Sec. 4. 21-A MRSA §904, sub-§5, as enacted by PL 2007, c. 455, §53, is amended to read:

5. False swearing; signature made in circulator's presence. Circulates an initiative or referendum petition and willfully swears that a signature to the petition was made in the circulator's presence when it was not; or

Sec. 5. 21-A MRSA §904, sub-§6 is enacted to read:

6. Failure to truthfully execute and file circulator affidavit. Knowingly fails to truthfully execute and timely file a circulator affidavit under section 903-A, subsection 4.

See title page for effective date.

CHAPTER 457

H.P. 582 - L.D. 777

An Act To Establish the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations

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

Sec. 1. 5 MRSA §12004-I, sub-§74-J is enacted to read:

74-J.

Racial, Indigenous and Maine Tribal Populations	Permanent Commission on the Sta- tus of Ra- cial, Indige- nous and Maine Trib- al Popula- tions	Not Au- thorized	5 MRSA §25001
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Sec. 2. 5 MRSA Pt. 31 is enacted to read:

PART 31

RACIAL, INDIGENOUS AND MAINE TRIBAL POPULATIONS

CHAPTER 631

PERMANENT COMMISSION ON THE STATUS OF RACIAL, INDIGENOUS AND MAINE TRIBAL POPULATIONS

§25001. Commission established

The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established by section 12004-I, subsection 74-J and referred to in this chapter as "the commission," is an independent commission. The commission shall promote, implement and coordinate programs that create and improve opportunities and incorporate the goal of eliminating disparities for historically disadvantaged racial, indigenous and tribal populations in the State.