

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

**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**  
**2021**

Sec. 2. 34-A MRSA §1208-B, as corrected by RR 2019, c. 2, Pt. A, §32, is amended to read:

§1208-B. Standards, policies and procedures applicable to jails

1. Establishment. The commissioner shall establish mandatory standards, policies and procedures for jails. The standards, policies and procedures must be established by rule and must be evidence-based, must take into consideration cost impact and must reflect best practices for the administration and operation of jails. The rules must include policies and procedures for assisting jails to achieve compliance and for imposing penalties for noncompliance.

A. The standards, policies and procedures must address record keeping and reporting of financial data, capital improvement planning, jail staffing, administration and management of prisoners, transfer of inmates, notification to prisoners of prohibition on contact with victims and other persons, pre-trial assessments and services, evidence-based programming, literacy programs, mental health and substance use disorder programs and correctional officer training.

B. In administering and distributing funding to the jails pursuant to section 1210-D, subsection 4, the commissioner shall:

(1) Require reporting of data that indicates average daily population of prisoners, that excludes federal prisoners, that indicates sending and receiving jails for transferred prisoners and that is useful in calculating the distributions to the counties pursuant to section 1210-D, subsection 4; and

(2) Consider the performance of each jail in meeting the standards established pursuant to this section. The commissioner shall work with the jails to assist them in achieving compliance with the standards. The commissioner shall enforce the standards by imposition of monetary penalties upon a county for noncompliance by the county jail or regional jail. A monetary penalty imposed under this subsection may not in any fiscal year exceed the County Jail Operations Fund distribution payable to a county for a fiscal year pursuant to section 1210-D, subsection 4.

2. Rulemaking. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to this section must take effect January 1, 2016.

See title page for effective date.

CHAPTER 172
H.P. 434 - L.D. 591

An Act Regarding Agency Liquor Store Licensing

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

Sec. 1. 28-A MRSA §453, sub-§1-A, as enacted by PL 2019, c. 74, §1, is amended to read:

1-A. Limitation on number of agency liquor stores. The bureau may license up to:

A. Eleven Twelve agency liquor stores in a municipality with a population over 60,000;

B. Ten Eleven agency liquor stores in a municipality with a population over 45,000 but less than 60,001;

C. Nine Ten agency liquor stores in a municipality with a population over 30,000 but less than 45,001;

D. Eight Nine agency liquor stores in a municipality with a population over 20,000 but less than 30,001;

E. Seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001;

F. Six agency liquor stores in a municipality with a population over 10,000 but less than 15,001;

G. Four agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001;

H. Three agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001; and

I. One agency liquor store in a municipality with a population less than 2,000.

The bureau may issue one additional agency liquor store license beyond those otherwise authorized by this subsection in a municipality with a population of less than 10,000. 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 license.

This subsection may not be construed to reduce the number of agency liquor stores the bureau may license in a municipality as of June 30, 2009.

See title page for effective date.