

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2022

or assistant for the purpose of providing education to the elected official on cultivation by the dispensary, emergency services personnel, an assistant of a marijuana testing facility or a person who needs to gain access to a cultivation area in order to perform repairs or maintenance or to do construction may access the cultivation area to provide professional services while under the direct supervision of a cardholder who is an officer, director or assistant of the dispensary.

Sec. 32. 22 MRSA §2429-A, sub-§4, as amended by PL 2019, c. 331, §28, is further amended to read:

4. Educational materials. A person that provides harvested marijuana to a qualifying patient ~~must~~ shall make educational materials about the use of harvested marijuana available in printed or electronic form to the qualifying patient at the time of the transaction. The department shall develop the minimum content of the educational materials provided under this subsection and make that content available publicly.

Sec. 33. 22 MRSA §2430-C, sub-§6-A is enacted to read:

6-A. Restrictions on law enforcement access. Notwithstanding any provision of law to the contrary, a law enforcement officer may not enter any location in which a qualifying patient, caregiver, registered dispensary, manufacturing facility or marijuana testing facility conducts activities authorized under this chapter or pursuant to a registry identification card or registration certificate issued under this chapter, except where:

A. The patient, caregiver, dispensary, manufacturing facility or marijuana testing facility voluntarily allows the law enforcement officer to enter the location;

B. The law enforcement officer's entry is authorized pursuant to a warrant issued by a duly authorized justice, judge or justice of the peace; or

C. The law enforcement officer's entry is authorized in accordance with a recognized exception to the warrant requirement, including, but not limited to, exigent circumstances.

Sec. 34. 22 MRSA §2430-C, sub-§7, ¶A, as enacted by PL 2017, c. 452, §24, is amended to read:

A. If the person is a qualifying patient or visiting qualifying patient, present upon request of a law enforcement officer the ~~original patient's~~ original patient's written certification ~~for the patient~~ and the patient's government-issued identification that includes a photo and proof of address; or

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

Effective April 26, 2022.

CHAPTER 663

H.P. 807 - L.D. 1129

An Act Relating to the Valuation of Improved Real Property

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

Sec. 1. 36 MRSA §701-A, as amended by PL 2007, c. 389, §1, is further amended by enacting after the 2nd paragraph a new paragraph to read:

For the purpose of establishing the valuation of improved real property, the property must be valued based on its highest and best use as of April 1st of each year, taking all of the following 3 approaches to value into consideration: cost, income capitalization and sales comparison. In establishing the valuation of improved real property, assessors shall consider age, condition, use, type of construction, location, design, physical features and economic characteristics.

Sec. 2. 36 MRSA §701-A, as amended by PL 2007, c. 389, §1, is further amended by enacting at the end a new paragraph to read:

In determining just value, consistent with the Constitution of Maine, Article IX, Section 8, a property subject to restrictions, contractual or otherwise, that restrict the permitted use of a property may not be considered comparable to property not so restricted.

See title page for effective date.

CHAPTER 664

H.P. 1259 - L.D. 1694

An Act To Create the Maine Redevelopment Land Bank Authority

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

Sec. 1. 5 MRSA §12004-G, sub-§7-G is enacted to read:

7-G.

<u>Economic</u>	<u>Maine Redevelopment</u>	<u>Expenses</u>	<u>30-A</u>
<u>Development</u>	<u>Land Bank Authority</u>	<u>Only</u>	<u>MRSA</u>
			<u>§5154</u>