

# 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.**

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**Augusta, Maine**  
**2022**

(1) One member representing forest landowners; and

(2) One member with experience in dispute resolution and arbitration representing forest products harvesters from a list submitted by the Maine AFL-CIO or its successor organization; and

B. The chair of the State Board of Arbitration and Conciliation, who serves as an ex officio member and as chair of the board.

2. Terms; alternates. Members of the board appointed under subsection 1, paragraph A serve terms of 2 years. The Governor shall appoint 2 alternate members to represent each interest set forth in subsection 1, paragraph A. Alternate members serve for the same terms, have the same responsibilities and duties and are entitled to the same privileges and emoluments as members. The alternate chairs of the State Board of Arbitration and Conciliation under section 931 shall serve as alternate chairs of the board. When for any reason a member of the board cannot participate in a particular proceeding, an alternate member having the same qualifications shall act as a member of the board in that proceeding. The member described in subsection 1, paragraph B does not need to be the same individual in each proceeding.

3. Compensation of members. Notwithstanding Title 5, section 12004-B, subsection 1, the chair of the board is entitled to a rate of compensation of \$300 per day for participating in board proceedings. The other members are entitled to a rate of compensation of \$200 per day. All board members are entitled to travel and other expenses in the same manner as for State Board of Arbitration and Conciliation members under section 931.

4. Quorum. Two members of the board constitute a quorum. A vacancy in the board does not impair the power of the remaining members to exercise the powers of the board.

**§3704. Board duties**

The board may hear and decide disputes between a forest products harvester and forest landowner in accordance with this section related to wage violations, payout amounts, contract violations or disputes related to hiring.

At a hearing, the board shall hear all interested persons who come before it and make an award, if appropriate, and written opinion, which is binding on the parties to the complaint. The chair of the board shall publish the board's written opinion and any award.

**§3705. Filing of complaint**

1. Who may file complaint. A forest products harvester or forest landowner may file a complaint with the board stating the facts of a dispute. The filing must

contain any information as required by the board by rule.

2. Limitation on time to file complaint. A forest products harvester or forest landowner may not file a complaint more than 2 years after an alleged dispute.

**§3706. Proceedings**

1. Cost. The costs of board members' per diem and necessary expenses, as well as related state allocation program charges, must be borne by the party against whom the board decides. The Executive Director of the Maine Labor Relations Board is authorized to collect any sums due and payable pursuant to this subsection through civil action. In such an action, the court shall allow litigation costs, including court costs and reasonable attorney's fees, to be deposited in the General Fund if the executive director is the prevailing party in the action.

2. Appeal. A decision of the board under this chapter constitutes a final agency action and is subject to judicial review pursuant to Title 5, chapter 375, subchapter 7.

3. Enforcement. A party to a decision of the board under this chapter may bring a civil action in Superior Court to enforce a decision of the board.

4. Applicability of State Board of Arbitration and Conciliation provisions. The following provisions apply to board proceedings under this chapter:

A. To the extent not inconsistent with this chapter, section 931; and

B. Sections 932 and 939.

**§3707. Rules**

The State Board of Arbitration and Conciliation in accordance with section 931 may adopt rules to implement this chapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

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**CHAPTER 666**

**H.P. 1323 - L.D. 1772**

**An Act To Amend the Remote Meeting Law in Maine's Freedom of Access Act**

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

**Sec. 1.** 1 MRSA §403-B, sub-§2, ¶B, as enacted by PL 2021, c. 290, §1, is repealed.

**Sec. 2.** 1 MRSA §403-B, sub-§2, ¶E, as enacted by PL 2021, c. 290, §1, is amended to read:

E. Notice of the proceeding must be provided in accordance with section 406. When the public may attend by remote methods pursuant to paragraphs C and D, the notice must include the means by which members of the public may access the proceeding using remote methods. The notice must also identify a location for members of the public to attend in person. The body may ~~not determine that limit~~ public attendance at a proceeding ~~will be limited~~ solely to remote methods ~~except under the conditions in paragraph B, subparagraph (1) if there is an emergency or urgent situation that requires the body to meet only by remote methods;~~

**Sec. 3. 1 MRSA §403-B, sub-§2**, as enacted by PL 2021, c. 290, §1, is amended by enacting at the end a new first blocked paragraph to read:

The policy adopted pursuant to this subsection applies to a board or committee that is within the jurisdiction of the public body, unless the board or committee adopts its own policy under this subsection.

See title page for effective date.

**CHAPTER 667**

**H.P. 1360 - L.D. 1827**

**An Act To Permit Curbside Pickup and Limited Delivery of Adult Use Marijuana**

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

**Sec. 1. 28-B MRSA §504, sub-§2, ¶C**, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

C. Sell adult use marijuana, adult use marijuana products or marijuana plants using:

- (1) An automated dispensing or vending machine;
- (2) A drive-through sales window, except as provided by subsection 10;
- (3) An Internet-based sales platform; or
- (4) A delivery service, except as provided by subsection 9; or

**Sec. 2. 28-B MRSA §504, sub-§4**, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

**4. Verification of purchaser's age.** A person must be 21 years of age or older to make a purchase ~~in~~ from a marijuana store. A marijuana store may not sell any item to a person under 21 years of age.

A. Prior to initiating a sale in a marijuana store, an employee of the marijuana store licensee shall verify that the purchaser has a valid government-issued photographic identification card, or other

acceptable photographic identification, demonstrating that the purchaser is 21 years of age or older.

A-1. Prior to concluding a sale by delivery under subsection 9 or curbside pickup under subsection 10, an employee of the marijuana store licensee shall verify that the purchaser has a valid government-issued photographic identification card, or other acceptable photographic identification, demonstrating that the purchaser is 21 years of age or older.

B. The department shall by rule determine the forms of photographic identification that a marijuana store licensee may accept when verifying a purchaser's age.

**Sec. 3. 28-B MRSA §504, sub-§9** is enacted to read:

**9. Limited delivery service.** A marijuana store may operate a limited delivery service for the delivery of immature marijuana plants, seedlings, adult use marijuana and adult use marijuana products in accordance with the requirements of this subsection. A marijuana store may not deliver adult use marijuana or an immature marijuana plant, seedling or adult use marijuana product to a person under 21 years of age.

A. A marijuana store operating a limited delivery service shall ensure that marijuana store employees engaging in delivery have received training, prescribed by the department by rule, on how to properly verify the age of a person making a purchase for delivery and how to ensure that no deliveries are made to a person under 21 years of age.

B. A marijuana store operating a limited delivery service may deliver only to a residential dwelling and may not deliver to any residential dwelling located within a safe zone designated by a municipality under Title 30-A, section 3253. A marijuana store operating a limited delivery service may deliver to a residential dwelling in any municipality in the State regardless of whether the municipality has approved the operation of marijuana stores.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 4. 28-B MRSA §504, sub-§10** is enacted to read:

**10. Curbside pickup.** A marijuana store may allow curbside pickup of immature marijuana plants, seedlings, adult use marijuana and adult use marijuana products at a designated location outside of the marijuana store in accordance with the requirements of this subsection and any additional requirements imposed by the department by rule.