

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

B. An offense that consisted of conduct that would have been permitted under this chapter; or

C. An offense that consisted of conduct that would be authorized under Title 28-B or that, if the person convicted of the offense had been acting under the authority of a license pursuant to Title 28-B, would have been authorized under Title 28-B.

Sec. 4. 28-B MRSA §102, sub-§15, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

15. Disqualifying drug offense. "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, except that "disqualifying drug offense" does not include:

A. An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed ~~40~~ 5 or more years prior to the submission of an application for a license under this chapter; or

B. An offense that consisted of conduct that ~~is~~ would be authorized under chapter 3 this Title or that, if the person convicted of the offense had been acting under the authority of a license pursuant to this Title, would have been authorized under this Title.

Sec. 5. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the word "marijuana" appears, it is amended to read "cannabis" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes, except that the word "marijuana" is not amended to read "cannabis" in Title 17-A.

Sec. 6. Rules, forms, policies and publications. On or after the effective date of this section, when adopting or amending rules and developing or publishing forms, policies and publications, the Department of Administrative and Financial Services' office of marijuana policy and the Department of Health and Human Services shall replace references to "marijuana" with references to "cannabis."

See title page for effective date.

CHAPTER 670

H.P. 1414 - L.D. 1908

An Act To Limit Eligibility for Commercial Menhaden Fishing Licenses

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

Sec. 1. 12 MRSA §6502-C, sub-§1-A is enacted to read:

1-A. Commercial menhaden fishing license eligibility in 2023. The commissioner may not issue a 2023 resident commercial menhaden fishing license or a 2023 nonresident commercial menhaden fishing license to an individual unless that individual:

A. Possessed a license to fish commercially for menhaden in at least 2 of the following 3 years, 2019, 2020 or 2021; and

B. According to department records, reported legal landings of menhaden of 25,000 pounds or more in at least one of the following 4 years, 2019, 2020, 2021 or 2022.

Documentation, acceptable to the department, showing that the landing requirement in this paragraph has been met must be submitted to the department by January 1, 2023.

Sec. 2. 12 MRSA §6502-C, sub-§1-B is enacted to read:

1-B. Commercial menhaden fishing license eligibility after 2023. The commissioner may not issue a resident commercial menhaden fishing license or a non-resident commercial menhaden fishing license to an individual in any year subsequent to 2023 unless that individual possessed that license in the previous calendar year.

Sec. 3. Report. By January 15, 2023, the Commissioner of Marine Resources shall submit a report to the joint standing committee of the Legislature having jurisdiction over marine resources matters with details on the implementation of the Maine Revised Statutes, Title 12, section 6502-C, subsections 1-A and 1-B. The committee has the authority to report out a bill to the 131st Legislature in 2023 based on the report.

See title page for effective date.

CHAPTER 671

S.P. 90 - L.D. 201

An Act To Reduce Greenhouse Gas Emissions and Promote Weatherization in the Buildings Sector by Extending the Sunset Date for the Historic Property Rehabilitation Tax Credit

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

Sec. 1. 30-A MRSA §4722, sub-§1, ¶DD, as amended by PL 2019, c. 659, Pt. J, §1, is further amended by amending subparagraph (4) to read:

(4) Annually by every August 1st until and including August 1, ~~2025~~ 2030, the Maine State