

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2022 to March 30, 2023**

**FIRST SPECIAL SESSION**  
**April 5, 2023 to July 26, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 29, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**OCTOBER 25, 2023**

**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**  
**2023**

**Sec. 27. 28-A MRSA §1073-A**, as enacted by PL 2021, c. 658, §193, is repealed.

**Sec. 28. 28-A MRSA §1075, sub-§1-A, ¶B**, as enacted by PL 2021, c. 658, §195, is amended to read:

B. The additional premises must offer food for sale to the public consistent with the sale of food requirement for the primary licensed premises, although the food need not be prepared at the additional premises; and

**Sec. 29. 28-A MRSA §1076, sub-§3**, as amended by PL 2021, c. 658, §201, is repealed.

**Sec. 30. 28-A MRSA §1076, sub-§3-A** is enacted to read:

**3-A. Income from sale of food requirement.** At least 10% of the gross annual income must be from the sale of food for both year-round and part-time qualified catering services. For purposes of this section, "year-round" means operated for more than 6 months in a year.

**Sec. 31. 28-A MRSA §1076, sub-§4**, as amended by PL 2021, c. 658, §202, is further amended to read:

**4. Bureau to determine whether new applicant would probably meet sale of food requirement.** The bureau may not issue an initial license to a qualified catering service unless it determines that the applicant would probably meet the requirements requirement of subsection ~~3~~ 3-A.

**Sec. 32. 28-A MRSA §1076, sub-§5**, as amended by PL 2021, c. 658, §203, is further amended to read:

**5. Proof of compliance with sale of food requirement for license renewal.** The bureau may not renew a qualified catering service's license unless the licensee furnishes the bureau with proof that the previous year's business met the requirements requirement of subsection ~~3~~ 3-A. If the bureau determines that the licensee has not satisfied the requirements requirement of subsection ~~3~~ 3-A, it may renew the license for only one year, during which the licensee must meet the requirements requirement of subsection ~~3~~ 3-A to be eligible for further license renewal.

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

Effective May 1, 2023.

**CHAPTER 45  
H.P. 13 - L.D. 9**

**An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws**

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

**Sec. 1. 38 MRSA §344, sub-§2-A, ¶B**, as enacted by PL 1989, c. 890, Pt. A, §22 and affected by §40, is amended to read:

B. The commissioner shall decide whether an application meets the permit by rule provisions under subsection 7 within 20 working days after notifying the applicant of acceptance of the application, except that, in the case of an application to undertake an activity that requires a permit under chapter 3, subchapter 1, article 6, the commissioner shall decide whether the application meets the permit by rule provisions under subsection 7 within 90 calendar days after notifying the applicant of acceptance of the application unless the commissioner establishes a different time period for the decision pursuant to section 344-B.

See title page for effective date.

**CHAPTER 46  
S.P. 227 - L.D. 510**

**An Act to Protect the Public Health by Allowing the Appointment of Associate Health Officers**

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

**Sec. 1. 22 MRSA §411, sub-§1-A** is enacted to read:

**1-A. Associate health officer.** "Associate health officer" means a municipal employee who has knowledge of the community and meets the educational, training and experience standards established by the local health officer.

**Sec. 2. 22 MRSA §451, sub-§7** is enacted to read:

**7. Associate health officers.** Municipal officers may appoint one or more associate health officers, as defined in section 411, subsection 1-A, to assist the local health officer perform the local health officer's duties during an actual or threatened epidemic or other public health threat. An associate health officer is not required to meet the qualifications set out in subsection