

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

(5) The unique tracking number for each shipment; and

(6) The date of each delivery.

A failure by a common carrier to comply with the reporting requirements of this paragraph that continues for more than 30 days after receiving from the bureau a notice of that failure may result in the suspension of the common carrier's license to operate in the State or the imposition of any other penalty the relevant licensing authority in the State is authorized to impose.

D. If no wine was shipped to a recipient in this State and, for a direct shipper located in the State, no wine was shipped to a recipient outside the State during the reporting period, a report containing that information must be submitted to the bureau.

Sec. 7. 28-A MRSA §1403-A, sub-§12, as enacted by PL 2009, c. 373, §1, is amended to read:

12. Audit and records retention. The bureau may perform an audit of a direct shipper's, fulfillment provider's or common carrier's records relevant to compliance with this section. A direct shipper, fulfillment provider or common carrier shall provide copies of any records requested by the bureau within 40 20 business days of that request.

A. A direct shipper shall maintain the books, records and documents supporting a report submitted under subsection 11, paragraph A or D for 2 years after the reporting date, unless otherwise directed by the bureau.

B. A fulfillment provider shall maintain the books, records and documents supporting a report submitted under subsection 11, paragraph B or D for 2 years after the reporting date, unless otherwise directed by the bureau.

C. A common carrier shall maintain the books, records and documents supporting a report submitted under subsection 11, paragraph C or D, including an electronic or paper copy of each recipient's signature, for 2 years after the reporting date, unless otherwise directed by the bureau.

Sec. 8. 28-A MRSA §1403-A, sub-§13, as enacted by PL 2009, c. 373, §1, is amended to read:

13. Violation. A person, including a common carrier or fulfillment provider, who knowingly causes a direct shipment in violation of this section is subject to a fine up to \$500 for a first offense and up to \$1,000 for any subsequent violation of this section. A direct shipper, fulfillment provider or common carrier who knowingly delivers wine to a person under 21 years of age is subject to a fine up to \$5,000. The bureau may suspend or revoke a wine direct shipper license for failure to comply with the shipping limits and reporting requirements required by this section. The bureau may

accept payment of an offer in compromise in lieu of suspension; such payments must be determined by rules adopted by the bureau.

Sec. 9. Direct shipment of wine report. The Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations shall examine the direct shipment of wine under the Maine Revised Statutes, Title 28-A, section 1403-A in order to evaluate the effectiveness of the regulations related to compliance and enforcement. The bureau shall submit a report no later than February 1, 2026 to the joint standing committee of the Legislature having jurisdiction over alcoholic beverage matters summarizing their findings, which must include information regarding the total volume and sales figures of wine shipped to recipients in the State and outside the State, the entities and locations from which wine shipments are made, where wine shipments are being delivered in the State, broken down at a minimum by county, auditing procedures and compliance and enforcement data. The report may include suggested legislation necessary to support conclusions reached in the report. The committee may submit legislation related to the report to the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 605
S.P. 923 - L.D. 2171

**An Act Establishing
Concurrent Jurisdiction with
the Federal Courts in Certain
Juvenile Matters**

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

Sec. 1. 1 MRSA §11 is amended to read:

§11. State processes executed in places ceded

Civil, criminal, juvenile and military processes, lawfully issued by an officer of the State, may be executed in places ceded to the United States, over which a concurrent jurisdiction has been reserved for such purpose.

Sec. 2. 15 MRSA §3101, sub-§2, ¶F is enacted to read:

F. The jurisdiction of the Juvenile Court is concurrent with that of a federal court sitting in the State over proceedings involving an alleged violation of federal law committed by a juvenile on a military installation of the United States Department of Defense if:

(1) The United States Attorney for the District of Maine or the federal court waives exclusive jurisdiction; and

(2) The violation of federal law is also a juvenile crime as defined in section 3103, subsection 1.

Sec. 3. 17-A MRSA §10-A, sub-§3 is enacted to read:

3. Except as provided in subsections 1 and 2, when concurrent jurisdiction has been established pursuant to Title 15, section 3101, subsection 2, paragraph F, the Juvenile Court has exclusive original jurisdiction over a case involving a juvenile who is alleged to have committed a juvenile crime as defined in Title 15, section 3103, subsection 1.

See title page for effective date.

CHAPTER 606

H.P. 1430 - L.D. 2228

An Act to Establish the Wabanaki Veterans Memorial

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

Sec. 1. 3 MRSA §902, sub-§1-E is enacted to read:

1-E. Wabanaki veterans memorial. Notwithstanding section 902-A, subsection 2, paragraph B, the commission shall arrange for and oversee the development and implementation of a memorial in a portion of Capitol Park to honor the Wabanaki's defense and protection of their homelands and their service in the United States Armed Forces. The memorial is subject to available funding for the park.

See title page for effective date.

CHAPTER 607

H.P. 1440 - L.D. 2241

An Act to Eliminate Inactive Boards and Commissions

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

Sec. 1. 5 MRSA §55, as amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4, is repealed.

Sec. 2. 5 MRSA §285, sub-§1, ¶F-11, as enacted by PL 2015, c. 363, §1, is repealed.

Sec. 3. 5 MRSA §12004-C, sub-§8, as enacted by PL 2011, c. 346, §1, is repealed.

Sec. 4. 5 MRSA §12004-C, sub-§9, as enacted by PL 2015, c. 363, §2, is repealed.

Sec. 5. 5 MRSA §12004-I, sub-§2-E, as enacted by PL 1999, c. 566, §2, is repealed.

Sec. 6. 5 MRSA §12004-I, sub-§7, as amended by PL 1991, c. 832, §1, is repealed.

Sec. 7. 20-A MRSA §11, as amended by PL 2021, c. 144, §§1 to 3, is repealed.

Sec. 8. 20-A MRSA §3802, sub-§3, ¶D, as enacted by PL 2017, c. 284, Pt. VVVVVV, §6, is amended to read:

~~D. Magnet schools~~ The magnet school pursuant to ~~chapters chapter 312 and 312-A;~~

Sec. 9. 20-A MRSA §5205, sub-§11, as enacted by PL 2015, c. 363, §3, is repealed.

Sec. 10. 20-A MRSA c. 312-A, as amended, is repealed.

Sec. 11. 20-A MRSA §11801, sub-§3, as amended by PL 1989, c. 698, §15 and affected by §76, is repealed.

Sec. 12. 20-A MRSA §11803, sub-§2, as amended by PL 1989, c. 698, §17 and affected by §76, is further amended to read:

2. Forgiveness of indebtedness. The agreement must provide that 1/4 of the indebtedness is forgiven for each year in which the state contract student practices the student's profession within the State in primary care or other specialized areas as determined by the chief executive officer, ~~with the advice of the Advisory Committee on Medical Education.~~ For other state contract students returning to practice their profession in Maine, 1/4 of their indebtedness is forgiven for each of the first 2 years of practice.

Sec. 13. 20-A MRSA §12102, as amended by PL 2009, c. 488, §1, is further amended to read:

§12102. Comprehensive programs

The chief executive officer shall administer the comprehensive programs established in this chapter and chapter 424-A to address the shortage of primary health care professionals and veterinarians in the State. ~~With the assistance of the Advisory Committee on Medical Education, established by Title 5, section 12004-I, subsection 7, the~~ The chief executive officer shall plan, evaluate and update the programs to ensure that Maine residents have access to medical education and veterinary education and that Maine residents have access to primary health care and to veterinary care for their animals.

Sec. 14. 20-A MRSA §12106, as amended by PL 2009, c. 488, §13, is repealed.

Sec. 15. 20-A MRSA §15689-A, sub-§26, as reallocated by RR 2015, c. 1, §15, is repealed.