

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON VETERANS
AND LEGAL AFFAIRS**

July 2022

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LD 1906 An Act To Streamline and Modernize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations

ENACTED LAW SUMMARY

Public Law 2021, chapter 622 makes the following changes to the State's liquor laws.

1. It requires the State Liquor and Lottery Commission to adopt, through routine technical rulemaking, a procedure for a spirits supplier to request an adjudicatory hearing for reconsideration of a retail price determination made by the commission.
2. It requires the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to submit a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by January 15, 2023 that describes the process by which the commission establishes the retail price of spirits sold in the State; describes the process by which the bureau develops recommended retail prices for the commission's consideration; explains how any pricing formula or calculator employed by the bureau to establish such recommended retail prices operates; and informs the committee of the status of the commission's establishment of a process for a spirits supplier to seek a reconsideration of a commission retail price determination. The committee is authorized to submit legislation related to the report to the 131st Legislature in 2023.
3. Under current law, the bureau must enter into a contract with a trade association representing states that control and manage the sale of spirits for the monthly collection of data, by product code, on spirits sales made by each reselling agent to establishments licensed to sell spirits for on-premises consumption. Public Law 2021, chapter 622 requires the trade association to compile this data and make available aggregate data, by product code, on the monthly sales made by reselling agents to establishments licensed to sell spirits for on-premises consumption. It also requires the bureau to provide to the same trade association monthly data, by product code, on aggregate spirits sales made by the State to agency liquor stores. The trade association must make this data available to spirits suppliers.
4. It updates and streamlines the procedures for purchase order forms that bonded and unbonded wholesale licensees must fill out when ordering malt liquor or wine.

LD 1914 An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities

ENACTED LAW SUMMARY

Public Law 2021, chapter 546 makes technical changes to add clarity to the provision of law that, as a general rule, prohibits an off-premises retailer from selling or transferring malt liquor or wine to another retailer.

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Public Law 2021, chapter 546 also authorizes a single retailer within a group of commonly owned retailers licensed to sell wine for off-premises consumption to obtain authority from the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to sell or transfer wine by the case or by the bottle to the other retailers within the group. A retailer is commonly owned with another retailer if the same person or persons hold a majority ownership in both retailers. Before making its first transfer or sale of wine to a commonly owned retailer, the retailer must demonstrate to the bureau that the group of commonly owned retailers shares an inventory tracking system capable of identifying which retailer within the group has possession of each container of wine at all times; that it has a safe and secure method for transferring wine; and that it will not transfer wine to a commonly owned retailer unless that retailer is located within the same wholesaler's territory for the specific wine product being sold or transferred. The retailer making the wine sales or transfers may designate an area within its licensed premises to which customers do not have access of no more than 750 square feet for the storage of wine and may not store wine in any other area or facility.

LD 1927 An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana Products

ENACTED LAW SUMMARY

Public Law 2021, chapter 735 authorizes a marijuana store to sell adult use marijuana products at a specified event located outside the licensed premises of the marijuana store and describes the contents of the application the store must submit to the Department of Administrative and Financial Services to obtain a permit make such sales. It requires the marijuana store to submit a permit application at least 30 days prior to the specified event and to include proof of municipal approval. It also specifies the conditions for adult use marijuana product sales at specified events, including that all sales be recorded using a video recording device and that adult use marijuana products that are consumed by smoking may not be sold under a specified event permit.

LD 1928 An Act To Update and Clarify the Maine Medical Use of Marijuana Act

ENACTED LAW SUMMARY

Public Law 2021, chapter 662 makes the following changes to the Maine Medical Use of Marijuana Act.

1. It provides definitions for “complete application,” “immature plant canopy,” “marijuana tincture,” “telehealth services” and “timely filed” and amends definitions for “cultivation area,” “plant canopy” and “written certification.”
2. It amends requirements for medical providers providing written certification to qualifying patients who are minors, including by imposing a requirement for medical providers to be available after hours for questions about a minor patient's medical use of marijuana.