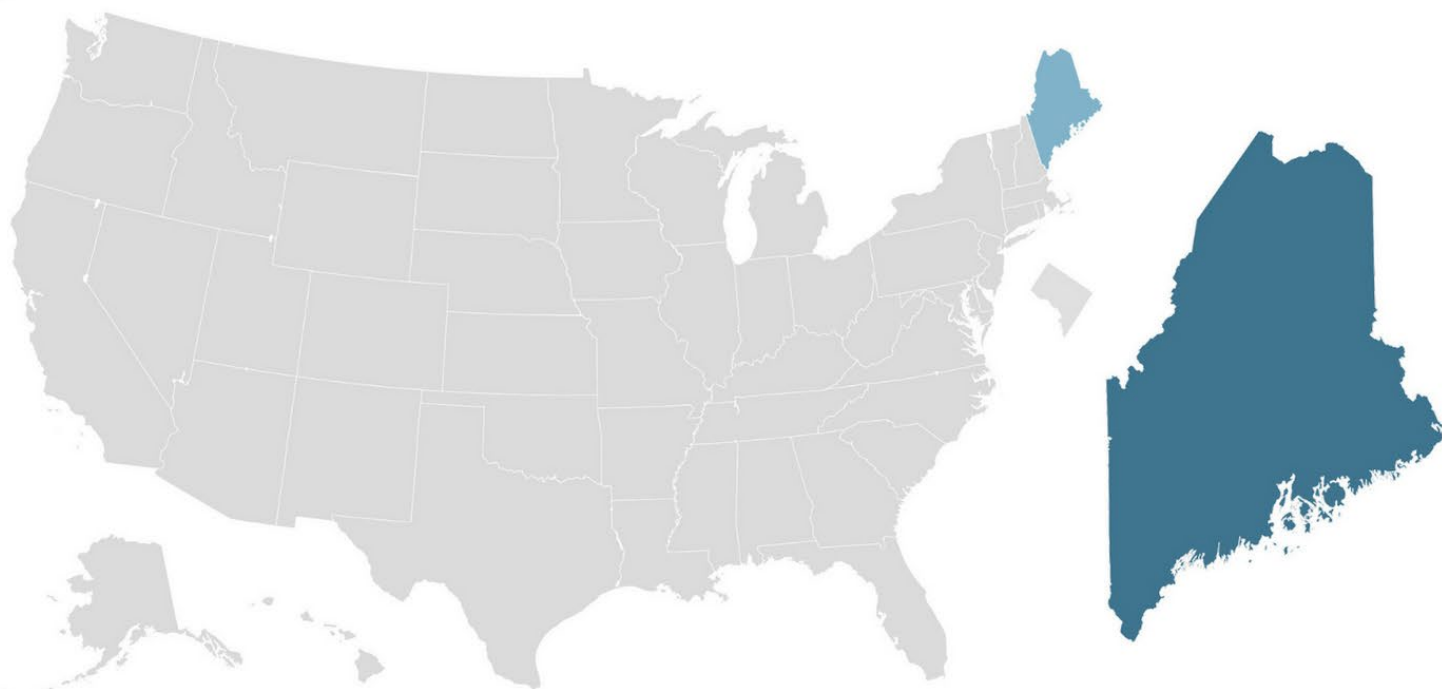




**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

**Maine**

# 2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), chaired by Miriam Delphin-Rittmon, Ph.D., the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

**Time Period Covered by this *State Report*:** This *State Report* primarily includes data from calendar year 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, were drawn from the most recent 12-month period in which the states maintained the data.

**Source of Data:** For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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# MAINE



**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



## Maine

**State Population: 1,350,141**

**Population Ages 12–20: 135,000**

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	27,000 (19.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	17,000 (12.4%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	1,000 (2.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	0 (1.0%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	7,000 (16.5%)
Past-Month Binge Alcohol Use – Number (Percentage)	4,000 (9.2%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	19,000 (40.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	12,000 (27.1%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	607,000 (58.8%)
Past-Month Binge Alcohol Use – (Percentage)	223,000 (21.6%)
Average Age of Initiation	
Average Age of Initiation	16.3
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 <sup>1</sup>	
Alcohol-Attributable Deaths (under 21)	12
Years of Potential Life Lost (under 21)	684
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>2</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	4
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	21%

<sup>1</sup> The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

<sup>2</sup> Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number; however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.



## Behavioral Health System Overview<sup>1</sup>

The Maine Department of Health and Human Services (DHHS) is dedicated to promoting health, safety, resilience, and opportunity for Maine people. The Department delivers health and social services to approximately a third of the State's population, including children, families, older Mainers, and individuals with disabilities, mental illness, and substance use disorders. The Department also promotes public health, operates two state psychiatric hospitals, and provides oversight to health care providers. As the State Public Mental Health Authority for adults, the Office of Behavioral Health (OBH), within DHHS, is a leader and an active partner in Maine's efforts to ensure timely access to a comprehensive continuum of behavioral health services around the state: from prevention, early intervention, harm reduction, all levels of treatment and crisis care, to housing and recovery assistance that support living a life of meaning for those experiencing challenges with mental health and/or substance use. OBH also provides direct service through the Intensive Case Management Program and State Forensic Service; and works closely with the Governor's Director of Opioid Response to oversee a wide array of contracted programs and set public policy regarding behavioral health in Maine.

OBH is recognized by SAMHSA as the Single State Agency (SSA) for both Mental Health and Substance Use Disorder, and as the State Opioid Treatment Authority (SOTA) for Maine. In partnership with a network of contracted community providers, consumer stakeholders, and state entities including the Maine CDC, the Governor's Director of Opioid Response, and the Office of Child and Family Services (OCFS)—the entity responsible for providing mental health services for Maine's children, adolescents, and transition aged-youth—OBH ensures community-based behavioral health care and support for the whole person and the whole community.

The OBH Substance Use Disorder Team: is responsible for the oversight of substance use services throughout the state and across the continuum of care. The SUD team is responsible for a variety of technical assistance programs targeting SUD service providers as well as Overdose Detection Mapping Application (ODMAP), Overdose Prevention Through Intensive Outreach Naloxone and Safety (OPTIONS), Naloxone Distribution, Medication Assisted Treatment (MAT), Reentry jail services, and Driver Education and Evaluation Program (DEEP).

### Substance Abuse Prevention Services

Maine's structure for the implementation of prevention services in the state is called Maine Prevention Services (MPS) and is housed at the Maine Center for Disease Control and Prevention. It includes five domains (Domain 1: Substance Use Prevention, Domain 2: Tobacco Use and Exposure Prevention, Domain 3: Youth Engagement, Domain 4: Mass Reach Health Communications, and Domain 5: Obesity.) The state of Maine contracts with five vendors to provide statewide prevention services under each domain. Each domain (with the exception of Domain 4) contracts with local level sub-recipients who provide these services to communities across Maine.

<sup>1</sup> Extracted from fiscal year (FY) 2022/2023 – (Maine) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

Statewide substance use prevention services are implemented through a Maine CDC contract with the University of New England (Domain 1 of Maine Prevention Services) who has 19 subrecipients across Maine who use the Strategic Prevention Framework (SPF) to guide their substance use prevention interventions. The sub-recipients are required to complete an assessment of their communities utilizing state and local data compiled by the State Epidemiological Outcomes Workgroup (SEOW), and conduct environmental scanning to help determine capacity to implement prevention services. Sub-recipients then develop a work plan based on those assessments after they are provided with a pre-approved list of interventions and activities. (See chart below) The sub-recipients then implement the interventions, report monthly, and go through a process to evaluate the effectiveness of the interventions for their community.

Local entities that are providing prevention services are established community coalitions and organizations who as stated earlier are sub-recipients of a larger organization (UNE) who provides oversight to the work being conducted at the community level. Sub-recipients are required to employ a Certified Prevention Specialist to implement substance use prevention interventions.

Maine also has 14 Drug Free Community Grantees (DFC). Some of these DFC's also overlap with the MPS sub-recipients and there has been increased work to ensure collaboration and coordination between the two when agencies within a community are not one in the same.

Maine has a public health infrastructure that includes nine Public Health Districts (one of them being a tribal public health district) Each district has a District Coordinating Council (DCC) that is managed by a District Liaison. Some DCC's may also implement substance use prevention strategies outside of SAPTBG funding and a protocol of communication has been created to ensure there is collaboration with MPS to prevent overlap and to ensure coordination.

Tribal substance use prevention services are provided by Wabanaki Public Health and members participate in Maine CDC workgroups and advisory board.

## **Expenditures for Substance Abuse Prevention and Treatment**

All states receive federal funds for substance abuse prevention through the Substance Abuse Prevention and Treatment Block Grant (SABG) administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Maine used for expenditures on substance abuse prevention and treatment in 2021. As indicated, state funds and other federal funds account for the largest sources (45.4 percent and 29.93 percent, respectively).<sup>2</sup>

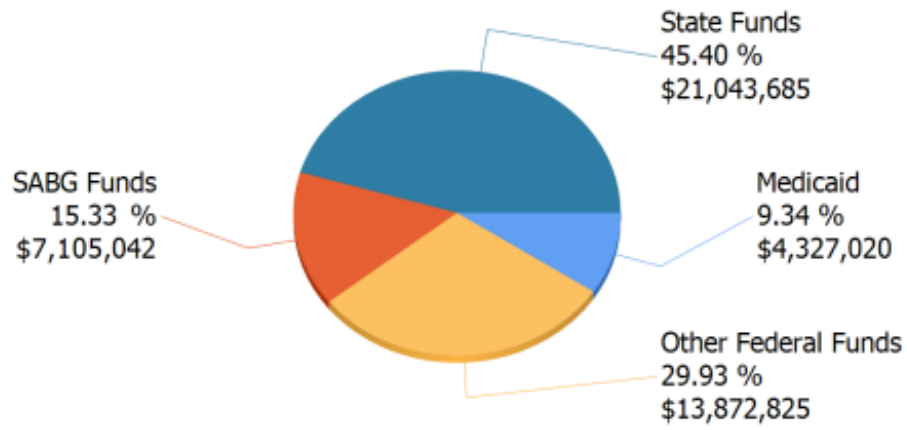
States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For fiscal year (FY) 2022–2023, Maine designated addressing youth and young adults at risk for substance use, including underage alcohol consumption, as priority number eight for use of SABG funds.<sup>3</sup>

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<sup>2</sup> WebBGAS State Profile, 2021 SABG and MHBG Reports – Maine 2021.

<sup>3</sup> FY 2022/2023 – (Maine) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

**Exhibit 1: Sources of Maine's 2021 Expenditures for Substance Abuse Prevention and Treatment**



## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Maine’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

The following sections address these measures:

***State Laws and Policies:*** These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

***STOP Act State Survey Data:*** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking



## Underage Possession or Purchase of Alcohol

Maine-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>• Is possession allowed if parent or guardian is present or consents?</li> <li>• Is possession allowed if spouse is present or consents?</li> </ul>	Yes, in specified locations – see below  No
Is there an exception based on location?	Yes, in any private residence if parent/guardian is present or consents

Maine-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>• Is consumption allowed if parent or guardian is present or consents?</li> <li>• Is consumption allowed if spouse is present or consents?</li> </ul>	Yes, in specified locations – see below  No
Is there an exception based on location?	Yes, in any private residence if parent/guardian is present or consents

Maine-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>• Is internal possession allowed if parent or guardian is present or consents?</li> <li>• Is internal possession allowed if spouse is present or consents?</li> </ul>	N/A  N/A
Is there an exception based on location?	N/A

Maine-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

Maine-Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes

Does the use of a false ID result in minor’s driver’s license suspension?	Yes, through a judicial process
<b>Provisions Targeting Suppliers</b>	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
<b>Retailer Support Provisions</b>	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Do state statutes or regulations mandate that state driver’s licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	No
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	N/A
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No
Notes: In Maine, the Provisions Targeting Suppliers apply to acts prohibited by minors. The more general laws that address adults are not collected here as they are not specific to the lending, transfer, sale, or production of false identification for a minor’s obtaining alcoholic beverages.	

### Underage Drinking and Driving

Maine-Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Maine-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Maine-Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	70 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	Midnight
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes, immediate family members only, unless accompanied by licensed driver who is at least 20 years old.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 9 months

## Alcohol Availability

Maine-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>• Is furnishing allowed if the parent or guardian supplies the alcohol?</li> <li>• Is furnishing allowed if the spouse supplies the alcohol?</li> </ul>	Yes, in specified locations  No
Is there an exception based on location?	Yes, in any private residence, if parent/guardian supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Maine-Responsible Beverage Service (RBS)—Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	Yes
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Maine-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	17
Wine	17
Spirits	17
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes

<b>Maine-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	17
Wine	17
Spirits	17
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	17
Wine	17
Spirits	17
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes

<b>Maine-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet.
To which alcohol products does requirement apply?	Beer, wine, and spirit
Notes: Exception is downtown location.	

<b>Maine-Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	Yes (A \$350,000 limit for all claims per occurrence. Medical care and treatment costs excluded from limit.)
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: Me. Rev. Stat. Ann. tit. 28-A, Â§ 2515 includes a responsible beverage service defense.	

Maine-Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	Yes (A \$350,000 limit for all claims per occurrence. Medical care and treatment costs excluded from limit.)
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No
Notes: Me. Rev. Stat. Ann. tit. 28-A, Â§ 2515 includes a responsible beverage service defense.	

Maine-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession and consumption
Property type covered by the law?	Residential/outdoor/other
What level of knowledge by the host is required?	Knowledge (Host must have actual knowledge of party)
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes, family members

Maine-Keg Registration	
How is a keg defined (in gallons)?	Equal to or greater than 5.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine \$500)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$1,000/6 months)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	No
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Maine-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No; however, this state is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Sales and Delivery to Consumers at Home

Maine-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Maine-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Maine-Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

Maine- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	Yes
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	Yes, with state permit Yes, with state permit No
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	Yes Yes Yes Yes
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	No No Yes
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> <li>• Must receive payment regardless of delivery completion</li> </ul>	Yes Yes No

### Alcohol Pricing

Maine-Alcohol Taxes	
Beer	
Control system for beer?	No



Specific excise tax per gallon for 5% alcohol beer	\$0.35
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	8.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	5.50%
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	Not relevant
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	

Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	Not relevant
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	
Additional taxes for 15 – 50% alcohol spirits if applicable	

<b>Maine-Low-Price, High-Volume Drink Specials</b>	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

<b>Maine-Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and hold (1 month minimum)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## Enforcement Policies

Maine-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
Are there appearance requirements for the decoy?	Yes, dressed in a manner consistent with age. No sunglasses or baseball caps. Male: No facial hair Female: Little or no makeup
Does decoy carry ID during compliance check?	Prohibited
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Maine-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	16 year old: \$1,500 fine and/or 14-day suspension 17 year old: \$1,200 fine and/or 7-day suspension 18 year old: \$750 fine 19 year old: \$600 fine 20 year old: \$450 fine
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A
Notes: Minor cases only; fines based on age: 20 year old: \$450.00 fine 19 year old: \$600.00 fine 18 year old: \$750.00 fine 17 year old: \$1200.00 fine; 7-day suspension	

## Maine State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Bureau of Alcoholic Beverages and Lottery Operations (BABLO)

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors BABLO

Such laws are also enforced by local law enforcement agencies Yes

### Enforcement Statistics

State collects data on the number of minors found in possession Yes

Number of minors found in possession<sup>1</sup> by state law enforcement agencies 27

Number pertains to the 12 months ending 12/31/2020

Data include arrests/citations issued by local law enforcement agencies Yes

State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors No

Data are collected on these activities No

Number of retail licensees in state<sup>3</sup> 2,400

Number of licensees checked for compliance by state agencies (including random checks) Not applicable

Number of licensees that failed state compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Not applicable

State conducts **random** underage compliance checks/decoy operations Not applicable

Number of licensees subject to **random** state compliance checks/decoy operations Not applicable

Number of licensees that failed **random** state compliance checks Not applicable

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of licensees checked for compliance by local agencies 2,000

Number of licensees that failed local compliance checks 238

Numbers pertain to the 12 months ending 12/31/2020

### Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state<sup>4</sup> 5

Total amount in fines across all licensees \$40,285

Smallest fine imposed \$475

Largest fine imposed \$1,225

Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	0
Total days of suspensions across all licensees	0
Shortest period of suspension imposed (in days)	0
Longest period of suspension imposed (in days)	0
Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	1
Numbers pertain to the 12 months ending	12/31/2020

**Additional Clarification**

Compliance checks are not completed on the state level because BABLO does not have adequate staffing levels to support active enforcement of underage drinking prevention laws.

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Maine Substance Use Prevention Services**

Number of youth served	86,112
Number of parents served	0 (Data only captured at youth level)
Number of caregivers served	0 (Data only captured at youth level)
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	<a href="http://www.substanceuseprevention.org/">http://www.substanceuseprevention.org/</a>

**Program Description:** Maine DHHS, through various grants such as the Federal Block Grant and Partnerships for Success, provides funding to the University of New England, Maine Substance Use Prevention Services. Maine Substance Use Prevention Services contracts with 20 sub-recipients throughout the state who engage in substance use prevention, including a major focus on underage drinking prevention and high-risk alcohol use reduction by 18–25-year-olds. Through these services, the following Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Substance Abuse Prevention (CSAP) interventions aimed at underage drinking prevention were implemented:

Information Dissemination—material and message dissemination around underage drinking prevention information (increasing awareness of risks and harms, tips for talking with young people about alcohol, limiting access to alcohol, parental monitoring tips);

Education—substance abuse/misuse education sessions for groups on a variety of issues (a Teen Center Group and a Move More Kids Day);

Environmental—training for people selling/serving alcohol; social hosting; establishing/reviewing/changing policies; prevention and underage drinking enforcement patrols; Parents Who Host, Lose the Most; underage drinking tip solicitation initiatives;

Community-Based Processes—multi-jurisdictional/multi-organizational coordination and planning of underage drinking prevention and enforcement efforts;

Problem Identification and Referral—promotion of alcoholscreening.org tool. The program and strategies serve a variety of individuals, including youth, parents, caregivers, retailers, law enforcement, and the general population.

#### Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

#### Additional Clarification

Parents and caregivers are reached with the underage drinking prevention work implemented locally by MPS—the number of people reached is only counted officially at the youth level.

#### Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: The tribal communities have an agreement with a public health organization to ensure the availability, coordination, and cultural appropriateness of public health services for all the federally recognized tribal governments with lands dispersed throughout the State of Maine. This organization receives funding from the State of Maine to be a sub-recipient of Maine Substance Use Prevention Services and as such, collaborates with the State and other underage drinking prevention stakeholders plan and implement efforts to reduce youth and young adult use of alcohol.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: "Talk. They Hear You."; Re-Thinking Drinkin	Yes
Regional and local media campaigns: "Find Out More. Do More", "+ Influence", "Be a Hero" "You Are Prevention", "Times Have Changed"	Yes
Local school district efforts: Various print, electronic, paid media campaigns implemented in schools designed and/or implemented in partnership with Maine Substance Use Prevention Services sub-recipients such as Parents Who Host, Lose The Most, and social norms marketing campaigns.	Yes
Other: a variety of other local, state, national campaigns	Yes
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	Yes
Other: Locally contracted sub-recipients implement campaign to their communities	Yes
<i>State procures funding for TTHY</i>	Yes
Pro bono	No
Donated air time	No
Earned media	No
Other: Federal Grant Awards	Yes
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): OJJDP - Office of Juvenile Justice and Delinquency Program	Yes
Agency(ies) within your state: BABLO - Bureau of Alcoholic Beverages and Lottery Operations; state-level task forces	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Maine developed a list of approved strategies that may be utilized by the Enforcing Underage Drinking Laws (EUDL) programs it funds. This was developed through federal grants from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and state-level task forces involving state	

and local law enforcement and prevention professionals. The Maine Department of Public Safety has a model underage drinking policy for law enforcement agencies through the Maine Chiefs of Police. BABLO maintains policies and agreements for the best practices and the protocol to follow for agencies carrying out compliance checks. All funding provided by Maine DHHS for underage drinking and alcohol use prevention must adhere to the standards developed through the process described above.

**Additional Clarification**

No data

**State Interagency Collaboration**

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

*Committee contact information:*  
 Name: Ellen Blake  
 Email: ellen.blake@maine.gov  
 Address: 286 Water St Augusta, ME 04330  
 Phone: 207-287-5762

*Agencies/organizations represented on the committee:*  
 Bureau of Highway Safety  
 Bureau of Alcoholic Beverages and Lottery operations  
 State Epidemiological Outcomes Workgroup  
 Maine Prevention Services  
 Maine CDC  
 Adcare Educational Institute  
 Department of Education  
 Maine Sheriffs Association  
 Dirigo Safety  
 Maine Department of Corrections

*A website or other public source exists to describe committee activities* No  
 URL or other means of access: Not applicable

**Underage Drinking Reports**

*State has prepared a plan for preventing underage drinking in the last 3 years* No  
 Prepared by: Not applicable  
 Plan can be accessed via: Not applicable

*State has prepared a report on preventing underage drinking in the last 3 years* Yes  
 Prepared by: State Epidemiological Outcomes Workgroup (SEOW)  
 Report can be accessed via: <https://www.maineseow.com/#/indicators>

**Additional Clarification**

No data

**State Expenditures for the Prevention of Underage Drinking**

*Compliance checks in retail outlets:*  
 Estimate of state funds expended \$93,199.80  
 Estimate based on the 12 months ending 12/31/2020

*Checkpoints and saturation patrols:*  
 Estimate of state funds expended \$0  
 Estimate based on the 12 months ending 12/31/2020

*Community-based programs to prevent underage drinking:*  
 Estimate of state funds expended \$742,856  
 Estimate based on the 12 months ending 12/31/2020

*K–12 school-based programs to prevent underage drinking:*  
 Estimate of state funds expended \$17,000  
 Estimate based on the 12 months ending 12/31/2020



*Programs targeted to institutes of higher learning:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2020

*Programs that target youth in the juvenile justice system:*

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

*Programs that target youth in the child welfare system:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2020

*Other programs:*

Programs or strategies included: The remaining programming completed in Maine is only carried out with federal funds.

Estimate of state funds expended:	\$0
Estimate based on the 12 months ending:	12/31/2020

**Funds Dedicated to Underage Drinking***State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	No
Fines	No
Fees	Yes
Other: The Funds for Healthy Maine Grant (supplied by Master Settlement Agreement)	Yes

*Description of funding streams and how they are used:*

The Tobacco Master Settlement Agreement contributes to the Funds For Healthy Maine grants that are dedicated to various substance use prevention efforts, including but not limited to underage drinking, prescription misuse, and marijuana consumption.

The Liquor license renewal fees are used to keep BABLO running; however, it should also notice that they do not feel like these funds are sufficient. There are less than 5 enforcement officers for thousands of liquor licensees.

**Additional Clarification**

The majority of our underage drinking prevention funds are federal. Our Bureau of Liquor Law enforcement is woefully underfunded and does not have the capacity for all the prevention and enforcement work that should be done.

Our answer for community-based programs included a sum of \$469,351 spent on a statewide campaign encouraging parents to have discussions at home with their kids and to stay engaged in their lives, which is proven to reduce substance use practices by youth for several substances, including alcohol. While there were specific substance-related ads and information paid for with state funds, it also included broad prevention messages in ads and on the website that focused on large-reaching protective factor messaging, like talk with your kids, recognize signs of concern, monitor your home environment, and keep substances locked safely away, etc. For more information on the campaign: <https://timeshavechanged.com/what-you-can-do/talk-to-your-kids/>.

The \$17,000 used in K–12 prevention was a portion of the funds used to purchase Second Step for local schools—a social emotional learning curriculum. Teaching youth to express their feelings, communicate in healthy ways, and manage their stress is a protective factor that addresses all substance use later in life across the board. Children who learn to process their stress early on are less likely to feel like they need to reach for a substance or other unhealthy coping mechanisms later in life.





**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD