

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 489

S.P. 154

In Senate, January 31, 2019

**An Act To Allow Municipalities To Enforce New Noise Ordinances
on Existing Shooting Ranges**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CHENETTE of York. (BY REQUEST)
Cosponsored by Representative BAILEY of Saco and
Senator: MILLETT of Cumberland.

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

2 **Sec. 1. 30-A MRSA §3011, sub-§2,** as amended by PL 2015, c. 433, §3, is
3 further amended to read:

4 **2. Limitation.** A Except as authorized under subsection 5, a municipal noise control
5 or other ordinance may not require or be applied so as to require a sport shooting range to
6 limit or eliminate shooting activities that have occurred on a regular basis at the range
7 prior to the enactment date of the ordinance, as long as the range conforms to generally
8 accepted gun safety and shooting range operation practices or is constructed in a manner
9 not reasonably expected to allow a projectile to cross the boundary of the range.

10 **Sec. 2. 30-A MRSA §3011, sub-§5** is enacted to read:

11 **5. Noise control ordinance exception; authorization.** A municipality may adopt a
12 noise control or other ordinance that applies to an existing sport shooting range if the
13 Commissioner of Public Safety approves the ordinance prior to adoption. The
14 commissioner shall establish the authorization process, including criteria to allow
15 enforcement of an ordinance to a sport shooting range, through rulemaking. Rules
16 adopted pursuant to this section are major substantive rules as defined in Title 5, chapter
17 375, subchapter 2-A.

18 **SUMMARY**

19 Current law prohibits the application of a municipal noise control or other ordinance
20 to an existing sport shooting range. This bill gives the Commissioner of Public Safety the
21 power to authorize the application of a municipal noise ordinance to a sport shooting
22 range that existed prior to the adoption of the ordinance. The Commissioner of Public
23 Safety is required to adopt major substantive rules to establish the criteria and the process
24 for the authorization process.