

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**September 27, 2011**

**SECOND REGULAR SESSION**  
**January 4, 2012 to May 31, 2012**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**LAWS IS**  
**SEPTEMBER 28, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 30, 2012**

**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**  
**2012**

**CHAPTER 583  
H.P. 1201 - L.D. 1595**

**An Act To Impose a Penalty  
for Making False Claims  
Regarding Affiliation with a  
Federally Recognized Tribe**

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

**Sec. 1. 17 MRSA §1637** is enacted to read:

**§1637. False claims of membership in federally  
recognized tribe in the State**

**1. Prohibition.** A person may not:

A. Knowingly claim falsely to be a member of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe or the Penobscot Nation;

B. Have the intent to obtain property to which the person is not entitled by making the claim under paragraph A; and

C. Obtain property to which the person is not entitled by making the claim under paragraph A.

**2. Penalty.** A person that violates subsection 1 commits a civil violation for which a fine of not more than \$2,500 may be adjudged.

**3. Definition.** For purposes of this section, "property" has the same meaning as set forth in Title 17-A, section 352, subsection 1.

See title page for effective date.

**CHAPTER 584  
H.P. 1266 - L.D. 1714**

**An Act To Restrict Further the  
Amount of Methamphetamine  
Precursors That May Be  
Bought or Sold**

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

**Sec. 1. 32 MRSA §13796, sub-§1,** as amended by PL 2007, c. 402, Pt. DD, §32, is repealed.

**Sec. 2. 32 MRSA §13796, sub-§1-A** is enacted to read:

**1-A. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Electronic logging system" means a system that:

(1) Blocks the illegal sale of over-the-counter cold and allergy medications containing a targeted methamphetamine precursor;

(2) Is available free of charge to the State and its taxpayers, retailers and law enforcement;

(3) Operates in real time and communicates across state lines in real time with similar systems; and

(4) Complies with the requirements of the national Criminal Justice Information Exchange or its successor program and the National Information Exchange Model or its successor program.

B. "Override function" means a function in an electronic logging system that may be used to override a stop-sale alert and allows the completion of a sale.

C. "Package" means an item packaged and marked for retail sale that is not designed to be broken down or subdivided for the purpose of retail sale.

D. "Retailer" or "retail store" means a person or business entity engaged in this State in the business of selling products to the general public on a retail basis, including pharmacies.

E. "Sale" or "sold" includes barter, exchange, transfer and gift.

F. "Stop-sale alert" means a notification that alerts the retailer that completion of the sale would result in the seller's or purchaser's violating the targeted methamphetamine precursor quantity limits.

**Sec. 3. 32 MRSA §13796, sub-§3,** as amended by PL 2007, c. 402, Pt. DD, §33, is further amended to read:

**3. Restrictions on the sale of targeted methamphetamine precursors.** The following restrictions on location in the retail store, manner of sale and amount of sale apply to sales of targeted methamphetamine precursors. The limits under this subsection on the amount of targeted methamphetamine precursors that may be sold apply to the total amount of base ephedrine, phenylpropanolamine and pseudoephedrine contained in packages and not the overall weight of the packages.

A. A retailer may not sell more than 3 packages of a targeted methamphetamine precursor per transaction to the same person a targeted methamphetamine precursor that causes the sales to that person of targeted methamphetamine precursors within a 24-hour period to exceed 3.6 grams.