

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Report. By February 15, 2015, the division within the Department of Public Safety responsible for administering the laws relating to liquor licensing and enforcement shall submit a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverage matters regarding the administration of taste-testing events conducted in accordance with the Maine Revised Statutes, Title 28-A, section 1051, subsection 8. The report must include information pertaining to the enforcement of the laws governing taste-testing events and any administrative or enforcement concerns reported to or encountered by the division. The committee is authorized to report out a bill after consideration of the report and any recommendations made by the division.

See title page for effective date.

CHAPTER 259

H.P. 793 - L.D. 1121

An Act To Promote the Production of Maine Beverages

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

Sec. 1. 32 MRSA §1866-E, sub-§6, as enacted by PL 2003, c. 499, §8, is amended to read:

6. Small manufacturers, bottlers and brewers exempt. Except as otherwise provided in this subsection, a manufacturer who produces no more than 50,000 gallons of its product in a calendar year is exempt from the requirements of this section for that year. A brewer who produces no more than 50,000 gallons of its product or a bottler of water who sells no more than 250,000 containers each containing no more than one gallon of its product in a calendar year is exempt from the requirements of this section for that year.

See title page for effective date.

CHAPTER 260

H.P. 800 - L.D. 1135

An Act To Provide Consistency in the Regulation of Motorized Recreational Gold Prospecting

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

Sec. 1. 38 MRSA §480-Q, sub-§5-A is enacted to read:

5-A. Motorized recreational gold prospecting. Notwithstanding section 480-C, a permit is not required for motorized recreational gold prospecting as long as the provisions of this subsection are met.

A. A person may perform motorized recreational gold prospecting only from June 15th to September 15th and only with written permission of the relevant landowner.

B. A person may not perform motorized recreational gold prospecting that causes an undue adverse effect on natural resources. The area in which the motorized recreational gold prospecting is performed must be kept free of litter, trash and any other materials that may constitute a hazardous or nuisance condition.

C. The following provisions limit the use of equipment in motorized recreational gold prospecting.

(1) Equipment may not have any fuel, oil or hydraulic leaks or cause any unlicensed discharge.

(2) Motorized equipment may not exceed 7 horsepower.

(3) The inside diameter of a suction dredge intake nozzle and hose may not exceed 4 inches.

(4) The area of a sluice may not exceed 10 square feet.

(5) A flume may not be used to transport water outside of a stream channel.

D. A person may not use mercury, nitric acid or other chemicals for extraction in motorized recreational gold prospecting.

E. A person may not perform motorized recreational gold prospecting in a manner that:

(1) Disturbs a stream bank, including but not limited to digging into the bank or dredging or altering water flow within a stream channel in a manner that causes the bank to erode or collapse;

(2) Removes or damages vegetation or woody debris such as root wads, stumps or logs within a stream channel, on the bank or on nearby upland, including cutting or abrasion of trees;

(3) Diverts, dams or otherwise obstructs a stream;

(4) Deposits soil, rocks or any other foreign material from outside of the channel into a stream; or

(5) Deposits stream bottom sediments or rocks onto the bank or upland.