

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2016 to April 29, 2016

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 29, 2016

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2016

1. Acquisition of property near existing range. Except as provided in this subsection, a person may not maintain a nuisance action, including for noise, against a shooting range located in the vicinity of that person's property if the shooting range was established as of the date the person acquired the property. If there is a substantial change in use of the range after the person acquires the property, the person may maintain a nuisance action if the action is brought within 3 years from the beginning of the substantial change.

2. Establishment of shooting range near existing property. A person who owns property in the vicinity of a shooting range that was established after the person acquired the property may maintain a nuisance action, including for noise, against that shooting range only if the action is brought within 5 years after establishment of the range or 3 years after a substantial change in use of the range.

Sec. 2. 17 MRSA §2806, sub-§4, as enacted by PL 1995, c. 231, §1, is amended to read:

4. Application. This section does not limit nuisance actions against shooting ranges established on or after the effective date of this section September 1, 2016.

Sec. 3. 30-A MRSA §3011, sub-§§2 and 3, as enacted by PL 1995, c. 231, §2, are amended to read:

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

3. Expansion of activity. Nothing in this section limits the ability of a municipality to regulate noise produced by the expansion of activity at a the location and construction of a new sport shooting range or a substantial change in use of an existing range on or after September 1, 2016.

Sec. 4. 30-A MRSA §3011, sub-§4 is enacted to read:

4. Maintenance and improvements. A municipality may not restrict a sport shooting range established prior to September 1, 2016 from performing maintenance or otherwise making improvements to the sport shooting range and its buildings, structures and grounds with regard to:

- A. Enhancing public safety and shot containment;
- B. Providing access for persons with disabilities and providing rest room facilities;

C. Otherwise maintaining or improving the habitability of buildings and grounds, if such maintenance or improvements are otherwise in compliance with the municipality's generally applicable building codes and zoning ordinances; and

D. Repairing or rebuilding a building or structure damaged by fire, collapse, explosion or an act of God, if such repairs or rebuilding is otherwise in compliance with the municipality's generally applicable building codes and is completed within 2 years of the loss or damage.

See title page for effective date.

CHAPTER 434

H.P. 1031 - L.D. 1508

An Act Regarding the Distribution and Off-site Storage of Spirits by Licensed Reselling Agents

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

Sec. 1. 28-A MRSA §453-C, sub-§3, as enacted by PL 2003, c. 639, §1, is amended to read:

3. Off-site facility license. A licensed reselling agent may obtain a license to maintain an off-site facility for the storage and distribution of spirits as provided in this subsection.

A. The off-site storage facility may be used only for the storage of spirits intended for sale to an on-premises licensee or to fulfill and distribute orders to an on-premises licensee. The sales of spirits to an on-premises licensee ~~must~~ may be transacted at the licensed retail agency store or at the licensed off-site facility.

B. The off-site storage facility must be equipped with a security system providing 24-hour response.

C. A licensed reselling agent may have only one off-site storage facility, which may not be located further than ~~30~~ 5 miles from the licensed retail agency store.

D. The fee for an off-site storage facility license is \$100 annually.

See title page for effective date.