

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

boards, utensils and hands, after touching raw rabbit meat. Cook thoroughly to an internal temperature of at least 160 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

2. Restrictions on point of sale. Rabbit products sold under this section may be sold only by the rabbit producer and in the following locations or manner:

- A. At the farm on which the rabbits were raised;
- B. At a farmers' market as defined in Title 7, section 415, subsection 1, paragraph A;
- C. Delivered to a consumer's home by the rabbit producer whose name and registration number appear on the label under subsection 1, paragraph G;
- D. Received by an individual who is a member of a community supported agriculture farm that has a direct marketing relationship with the rabbit producer. For the purposes of this paragraph, "community supported agriculture" means an arrangement whereby individual consumers have agreements with a farmer to be provided with food or other agricultural products produced on that farm;
- E. To a locally owned grocery store; or
- F. To a locally owned restaurant.

3. Rules. The commissioner shall adopt rules to establish requirements for the physical facilities and sanitary processes used by rabbit producers whose rabbit products are exempt from inspection under this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Enforcement. The commissioner shall enforce the provisions of this section.

5. Violation; penalties. A person that violates this section is subject to penalties under section 2524.

Sec. 6. 22 MRSA §2518, sub-§1, as repealed and replaced by PL 2015, c. 329, Pt. A, §11, is amended to read:

1. Review by inspector. The commissioner may require establishments that are required to be licensed under section 2514 or registered under section 2514-A but are exempt from inspection under section 2512, subsection 2, paragraph K to be periodically reviewed by inspectors to ensure that the provisions of this chapter and the rules adopted under this chapter are satisfied and that the public health, safety and welfare are protected. The commissioner shall require establishments that are required to be licensed under section 2514 or registered under section 2514-A but are exempt from inspection under section 2517-C or 2517-E to be reviewed annually by inspectors to ensure that

the provisions of this chapter and the rules adopted under this chapter are satisfied and that the public health, safety and welfare are protected.

See title page for effective date.

CHAPTER 74

H.P. 801 - L.D. 1078

An Act Regarding the Number of Agency Liquor Store Licenses Permitted in a Municipality

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

Sec. 1. 28-A MRSA §453, sub-§1-A is enacted to read:

1-A. Limitation on number of agency liquor stores. The bureau may license up to:

- A. Eleven agency liquor stores in a municipality with a population over 60,000;
- B. Ten agency liquor stores in a municipality with a population over 45,000 but less than 60,001;
- C. Nine agency liquor stores in a municipality with a population over 30,000 but less than 45,001;
- D. Eight agency liquor stores in a municipality with a population over 20,000 but less than 30,001;
- E. Seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001;
- F. Six agency liquor stores in a municipality with a population over 10,000 but less than 15,001;
- G. Four agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001;
- H. Three agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001; and
- I. One agency liquor store in a municipality with a population less than 2,000.

The bureau may issue one additional agency liquor store license beyond those otherwise authorized by this subsection in a municipality with a population of less than 10,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store license.

This subsection may not be construed to reduce the number of agency liquor stores the bureau may license in a municipality as of June 30, 2009.

Sec. 2. 28-A MRSA §453, sub-§2-A, as repealed and replaced by PL 2015, c. 494, Pt. A, §31, is repealed.

See title page for effective date.

CHAPTER 75

H.P. 175 - L.D. 212

An Act To Provide a Source of Funding for the ATV Recreational Management Fund and To Establish the ATV Enforcement Fund

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the provisions of this Act need to become effective before 90 days after the adjournment of the First Regular Session of the 129th Legislature in order for changes to all-terrain vehicle registration fees to take effect during 2019; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §10206, sub-§1, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

A. After administrative costs and the disbursements required under section 13155, subsection 5, revenues received under the provisions of this Part relating to ATVs, including chapter 939, are credited as undedicated revenue to the General Fund except that 50% of those revenues is credited to the ATV Recreational Management Fund of the Department of Agriculture, Conservation and Forestry. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this subsection. Those administrative costs must be verified by the Department of Agriculture, Conservation and Forestry and the Department of Administrative and Financial Services.

Sec. 2. 12 MRSA §10267 is enacted to read:

§10267. ATV Enforcement Fund

1. Fund established. The ATV Enforcement Fund, referred to in this section as "the fund," is established in the Bureau of Warden Service to be used by the Game Warden Colonel for the purposes established in subsection 2. All funds collected by the department pursuant to this section must be deposited in the fund. Unexpended balances in the fund at the end of the fiscal year are nonlapsing and must be carried forward to the next fiscal year to be used for the same purposes.

2. Fund uses. The Game Warden Colonel may use money in the fund only for:

A. Supplementing other funds appropriated to the enforcement operations program;

B. Regular or overtime personnel services costs of the warden service related to enforcement of ATV laws;

C. Safety or other education programs conducted by the department or authorized by the department that are related to the operation of ATVs; or

D. The purchase of equipment or machinery determined by the Game Warden Colonel as necessary for effective ATV safety and enforcement activities.

Sec. 3. 12 MRSA §13155, sub-§5, as repealed and replaced by PL 2011, c. 116, §1 and affected by §2, is amended to read:

5. Fees. The ATV registration fee is:

A. For a resident, ~~\$33~~ \$45 annually. The registration for an ATV owned by a resident is valid for one year, beginning on July 1st of each year; and

B. For a nonresident:

(1) ~~Fifty-three~~ Seventy-five dollars for a registration valid for 7 consecutive days. A person may purchase more than one 7-day registration in any season; and

(2) ~~Sixty-eight~~ Ninety dollars for a registration valid for one year.

The registration for an ATV owned by a nonresident must specify the dates for which the registration is valid.

Twelve dollars of each fee collected pursuant to this subsection must be deposited in the ATV Recreational Management Fund established in section 1893, subsection 2.

Ten dollars of each fee collected pursuant to paragraph B must be deposited in the ATV Enforcement Fund established in section 10267.