MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

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1987

means any application of any pesticide ~~for hire~~ under contract or for which compensation is received or any application of a pesticide to a property open to use by the public.

Sec. 3. 22 MRSA §1471-C, sub-§24, as enacted by PL 1975, c. 397, §2, is amended to read:

24. Under the direct supervision of a certified applicator. "Under the direct supervision of a certified applicator," unless otherwise prescribed by its labeling, means the act or process by which a pesticide is applied by a competent person acting under the instructions and control of a certified applicator who is available, if and when needed, even though such certified applicator is not physically present at the time and place the pesticide is applied. In the case of an application made by a commercial applicator, the certified applicator must be physically present at the time and on the site of the application.

Effective September 29, 1987.

CHAPTER 244

S.P. 274 — L.D. 784

AN ACT Relating to Check Cashing.

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

10 MRSA c. 202-A is enacted to read:

CHAPTER 202-A

PAYMENT BY NEGOTIABLE INSTRUMENT

§1131. Limitation on requests for certain types of identification

No person accepting a negotiable instrument as payment in full or in part for goods or services may require the payor to use a bank credit card as a form of identification if the payor does not possess a bank credit card. This section does not limit the other reasonable forms of identification a payee may require before accepting a negotiable instrument.

Effective September 29, 1987.

CHAPTER 245

H.P. 649 — L.D. 877

AN ACT to Require the Use of Seat Belts for Children 12 Years of Age and Younger.

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

29 MRSA §1368-C is enacted to read:

§1368-C. Use of seatbelts; children 4 to 12 years of age

1. Children 4 to 12 years of age. When a child 4 years of age or older, but less than 12 years of age, is a passenger in a motor vehicle, which is required by the United States Department of Transportation to be equipped with seat belts, the operator of the motor vehicle shall have the child properly secured in a seat belt or in a child safety seat that meets the requirements set out in 49 Code of Federal Regulations, Part 571.

2. Exception. Subsection 1 does not apply when the number of passengers exceeds the seating capacity of the vehicle.

3. Warnings. Any person stopped for a violation of this section, during the initial 6 months after this section takes effect, shall be issued a warning that a violation of this section has occurred.

4. Penalty. Following the initial 6-month warning period, violation of this section is a civil violation for which a forfeiture of $25 for the first violation and $50 for each subsequent violation may be adjudged.

5. Failure to secure child; use as evidence. Failure to secure a child, in accordance with this section, may not be considered negligence imputable to the child, nor may that failure be admissible as evidence in any civil or criminal action.

Effective September 29, 1987.

CHAPTER 246

S.P. 283 — L.D. 793

AN ACT to Provide a Bill of Rights for Persons with Long-term Mental Illness.

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

Sec. 1. 34-B MRSA §3003, sub-§2, ¶¶J and K, as enacted by PL 1983, c. 459, §7, is amended to read:

J. The right to assistance in protecting a right or advocacy service in the exercise or protection of a right; ~~and~~

K. Provisions for a fair, timely and impartial grievance procedure for the purpose of ensuring appropriate administrative resolution of grievances with respect to infringement of rights.; and

Sec. 2. 34-B MRSA §3003, sub-§2, ¶L is enacted to read:

L. To the extent that state and community resources