

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
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

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B. As a condition of obtaining a leasehold from the Department of Marine Resources, the Department of Environmental Protection certifies that the aquaculture activities mentioned in this subsection will not have a significant adverse effect on water quality or violate the standards ascribed to the receiving waters' classifications.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 19, 1987.

CHAPTER 373

H.P. 912 — L.D. 1224

AN ACT to Ban the Use of Nondegradable Plastic Connectors for Containers.

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

Sec. 1. 7 MRSA §523, sub-§5 is enacted to read:

5. Container. "Container" means a glass, metal or plastic bottle, can, jar or other receptacle for holding liquids, powders or other materials, which has been sealed by a manufacturer and which, at the time of sale, contains less than one gallon or 231 cubic inches.

Sec. 2. 7 MRSA §524, as enacted by PL 1969, c. 325, is amended by adding at the end a new paragraph to read:

No person may sell, or offer for sale, containers connected to each other by a separate holding device constructed of plastic rings or other plastic holding device, unless this device decomposes by photodegradation, chemical degradation or biodegradation within a reasonable period of time upon exposure to the elements.

Sec. 3. 10 MRSA §1652-A is enacted to read:

§1652-A. Prohibition of nondegradable plastic carriers on lubricating oil containers

As set forth in Title 7, section 524, no person may sell, or keep for sale, lubricating oil containers less than one liter in size, connected by a separate holding device constructed of plastic rings.

Sec. 4. 32 MRSA §1868, sub-§2, as repealed and replaced by PL 1979, c. 703, is amended to read:

2. Connectors. With containers connected to each other by a separate holding device constructed of plastic rings or other any device or material, including plastic rings or other plastic holding device, which does not decompose by photodegradation, chemical degradation or biodegradation within a reasonable period of time upon exposure to the elements.

Sec. 5. **Effective date.** This Act shall take effect on July 1, 1988.

Effective July 1, 1988.

CHAPTER 374

H.P. 1023 — L.D. 1381

AN ACT to Strengthen the Laws Relating to Food Safety.

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

22 MRSA §2167, as enacted by PL 1979, c. 672, Pt. A, §54, is amended by adding at the end a new paragraph to read:

Any person, firm or corporation who violates this licensing requirement or any condition placed on any such license commits a civil violation for which a forfeiture of not more than \$500 may be adjudged for each offense and, in addition, the commissioner may suspend, revoke or refuse to renew any such license in accordance with Title 5, chapter 375, subchapter V.

Effective September 29, 1987.

CHAPTER 375

H.P. 977 — L.D. 1324

AN ACT to Provide for the Issuance of Summonses.

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

17-A MRSA §15-A is enacted to read:

§15-A. Issuance of summons for criminal violation

1. A law enforcement officer who has probable cause to believe a crime has been or is being committed by a person may deliver a written summons to that person directing him to appear in the District Court to answer the allegation that he has committed the crime. The summons shall include the signature of the officer, a brief description of the alleged crime, the time and place of the alleged crime and the time, place and date the person is to appear in court. A person who is issued a summons shall give a written promise to the issuing officer to appear. As soon as practicable after service of the summons, the officer shall cause a copy of the summons to be filed with the court.

2. Any person who a law enforcement officer has probable cause to believe has committed or is committing a crime other than one listed under section 15, para-