

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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

J.S. McCarthy Company
Augusta, Maine
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

custodian. A juvenile may enter an answer admitting the allegations of the petition, in accordance with ~~Rule~~ Rules 11 and 11A, Maine Rules of Criminal Procedure.

Sec. 15. 15 MRSA §3306-A is enacted to read:

§3306-A. Release or detention at first appearance

At the juvenile's first appearance or at any subsequent appearance before the court, the court may order, pending further appearances before the court, the juvenile's unconditional release, conditioned release or detention in accordance with section 3203-A.

Sec. 16. 15 MRSA §3309, as repealed and replaced by PL 1979, c. 512, §5, is amended to read:

§3309. Procedure

To the extent not inconsistent with or inapplicable to Part 6, procedure in juvenile proceedings ~~shall~~ must be in accordance with the Maine ~~District Court~~ Rules of Criminal ~~Rules~~ Procedure. The Supreme Judicial Court may promulgate rules for juvenile proceedings as provided under Title 4, section 8.

See title page for effective date.

CHAPTER 742

S.P. 821 - L.D. 2097

An Act to Clarify Definitions and Provisions of Marine Resources Laws

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

Sec. 1. 12 MRSA §6001, sub-§13-B is enacted to read:

13-B. Equipment. "Equipment" means a box, trap, crate, net or other device or machinery used to harvest or store marine organisms.

Sec. 2. 12 MRSA §6001, sub-§53, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

53. Vehicle. "Vehicle" means a machine or conveyance, including watercraft and aircraft, used to move or transport marine organisms.

Sec. 3. 12 MRSA §6207, first ¶, as enacted by PL 1977, c. 661, §5, is amended to read:

Any marine organism, ~~which~~ that is taken, bought, sold, shipped, transported or found in the possession of any person in violation of any provision of marine resources' laws, ~~shall be is~~ is contraband and ~~shall be is~~ is subject to forfeiture in accordance with this section and section 6206. All equipment and vehicles used or possessed in

violation of any provision of marine resources' laws ~~shall also be are~~ are contraband and are subject to forfeiture.

See title page for effective date.

CHAPTER 743

H.P. 1462 - L.D. 2039

An Act to Protect Public Health by Prohibiting Smoking on Public Transportation Buses

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

Whereas, recent evidence clearly demonstrates the danger of 2nd-hand smoke to health and indicates that people with hypersensitivity and infants are especially in jeopardy; 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:

22 MRSA §1580-C is enacted to read:

§1580-C. Smoking on public transportation buses prohibited

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bus" means every motor vehicle designed to carry more than 15 people, including passengers and the operator, and used for the transportation of passengers. "Bus" does not include a chartered bus.

B. "Smoking" means carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off smoke or containing any substance giving off smoke.

2. Smoking prohibited. No person may smoke tobacco or any other substance on any bus.

3. Notice. The operator of a bus subject to this section shall post a notice in a conspicuous location on the bus.

4. Violation. The following penalties apply.

A. Any person who fails to post a notice as required by this section commits a civil violation for which a forfeiture of not more than \$100 may be adjudged.