

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

meets the training requirements of Title 25, section 2804-I, the warden may arrest all violators. The warden may serve all process pertaining to the ordinance. The warden also has, within that warden's jurisdiction, the powers of a marine patrol officer provided in section 6025, subsection 4. All of the powers conferred in this subsection are limited to the enforcement of a municipal shellfish conservation ordinance.

At the commissioner's request, a certified municipal shellfish conservation warden may collect samples and otherwise assist the department in the detection of pollutants and contaminants. The commissioner is not required to conduct tests on samples not requested by the commissioner.

See title page for effective date.

## CHAPTER 189

S.P. 113 - L.D. 339

### An Act to Address Violence in Schools

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

**Sec. 1. 20-A MRSA §§6804 and 6806**, as enacted by PL 1981, c. 693, §§5 and 8, are amended to read:

#### §6804. Disturbing schools

A person who enters the property of a public or private school ~~building~~ or another place of instruction during or out of school hours, while the teacher or student is present, and willfully interrupts or disturbs the teacher or student by loud speaking, rude or indecent behavior, signs or gestures, or engages in hostile, aggressive or threatening behavior toward a student, teacher, administrator or other staff member, or willfully interrupts a school by prowling about the building, making noises, throwing missiles at the schoolhouse or disturbing the school, ~~shall commit~~ commits a civil offense and shall forfeit not less than ~~\$2~~ \$200 nor more than ~~\$20~~ \$500.

#### §6806. Defacing schoolhouses; outbuildings

A person who defaces, ~~damages or destroys~~ the walls, benches, seats, blackboards or other parts of a schoolhouse or school outbuildings, ~~by obscene pictures, language, marks or descriptions~~, commits a civil offense and shall pay a ~~fine of not more than \$10~~ double the damages.

**Sec. 2. 20-A MRSA §6807**, as amended by PL 1983, c. 806, §62, is further amended to read:

#### §6807. Liability for injury to books or appliances

If a public school student loses, destroys or unnecessarily injures a schoolbook or appliance furnished to the student at the expense of the school administrative unit, the student's parent ~~shall~~ must be notified. If the loss or damage is not made good to the satisfaction of the school board within ~~a reasonable time~~ 45 working days, ~~they~~ the board shall report the case to the assessors of the municipality in which the student resides. The municipal assessors shall include in the next municipal tax of the delinquent parent the ~~value~~ replacement costs of the book or appliance, to be assessed and collected as other municipal taxes, and the money collected must go the municipality.

See title page for effective date.

## CHAPTER 190

H.P. 464 - L.D. 592

### An Act to Ensure that Fishways on Tidal Waters are Working

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

**Sec. 1. 12 MRSA §6121, sub-§2**, as repealed and replaced by PL 1983, c. 388, §1, is amended to read:

**2. Examination of dams.** The commissioner shall ~~periodically~~ annually examine all dams and other artificial obstructions to fish passage within the coastal waters in order to determine whether fishways are necessary, sufficient or suitable for the passage of anadromous fish.

**Sec. 2. 12 MRSA §6121, sub-§7**, as repealed and replaced by PL 1983, c. 388, §1, is amended to read:

**7. Privileged entry.** The commissioner, ~~his~~ the ~~commissioner's~~ agents or subcontractors ~~shall be~~ are privileged to enter upon any private land in order to ~~periodically~~ at least annually examine, at least annually, fishways in dams or other artificial obstructions and the examination of dams provided in subsection 2. The commissioner shall notify the landowner, lessee or other person in control of the dam when the examination will take place and the time required to complete the examination. The commissioner shall make every effort to preserve private land and shall restore