

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

B. A person against whom enforcement action has been taken may not be adjudicated to have committed a subsequent violation of subsection 2 or subsection 3, paragraph A until 24 hours have elapsed from the date and time of the first violation indicated on the Violation Summons and Complaint.

**Sec. 5. 29-A MRSA §2081, sub-§4, ¶C**, as amended by PL 1995, c. 432, §3 and affected by §4, is further amended to read:

C. A violation of subsection 2 or subsection 3, paragraph A is a traffic infraction. The court shall waive the fine for a first violation of subsection 2 or subsection 3, paragraph A by a parent or legal guardian if the parent or legal guardian provides the court with satisfactory evidence that the parent or legal guardian has acquired a child safety seat or federally approved child restraint system for continuous use by the child within 30 days of the violation.

**Sec. 6. Effective date.** This Act takes effect January 1, 2003.

Effective January 1, 2003.

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**CHAPTER 586**

**H.P. 1615 - L.D. 2114**

**An Act to Provide Full Utility of Retired School Buildings**

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

**Whereas**, this legislation must take effect before the expiration of the 90-day period in order to be in place for the spring construction season and to facilitate municipal planning; 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. 20-A MRSA §4103, sub-§3, ¶C** is enacted to read:

C. Notwithstanding any other provision of law, the receiving town or towns may use the building for municipal purposes.

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

Effective April 1, 2002.

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**CHAPTER 587**

**H.P. 1646 - L.D. 2152**

**An Act to Allow Qualified Shellfish Harvesters to Continue to Sample Water Quality**

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

**Whereas**, a new policy prohibiting commercial shellfish license holders from serving as water quality samplers may result in the closure of clam flats due to a shortage of qualified water quality samplers; 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 c. 623, sub-c. I, art. 6** is enacted to read:

**Article 6**

**WATER QUALITY**

**§6691. Water quality samplers**

A commercial shellfish license holder who complies with the shellfish sanitation program's quality assurance and quality control training and certification requirements as administered by the department may serve as a volunteer water quality sampler for the department.

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

Effective April 1, 2002.