

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

MARINE RESOURCES, DEPARTMENT OF

Division of Community Resource Development 0043

Initiative: Deappropriates funds that are no longer needed for certain publication costs.

GENERAL FUND	2005-06	2006-07
All Other	(\$2,500)	(\$2,500)
GENERAL FUND TOTAL	(\$2,500)	(\$2,500)

See title page for effective date.

CHAPTER 435

S.P. 263 - L.D. 796

**An Act To Implement the
Recommendations of the Commission
To Study Public Health That
Concern Schools, Children and
Nutrition**

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

Sec. 1. 20-A MRSA c. 223, sub-c. 9 is enacted to read:

SUBCHAPTER 9

NUTRITION EDUCATION

§6661. Nutrition education

The department shall work with public schools to encourage nutrition education for students and for teachers and staff as part of coordinated school health programs and school food service programs and in accordance with chapter 222. The department shall work with public schools to encourage an outreach component for students' parents and guardians as part of a coordinated school health program. The department may adopt rules to implement the purposes of this section. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

§6662. Foods outside school meal program

1. Nutritional information. After August 31, 2008, food service programs must post caloric information for prepackaged a la carte menu items at the point-of-decision.

2. Food and beverages outside school lunch programs. The department shall adopt rules to establish standards for food and beverages sold or distributed on school grounds but outside of school meal programs. These standards must include maximum portion sizes, except for portion sizes for

milk, that are consistent with single-serving standards established by the United States Food and Drug Administration. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Rules adopted pursuant to this subsection do not apply to food and beverages sold or offered at community events or fund-raisers held outside the hours of the normal school day.

Sec. 2. Dairy vending machines. By January 31, 2006, the Department of Education, in collaboration with the Maine Dairy and Nutrition Council, shall implement a pilot program to install dairy vending machines selling flavored or unflavored milk with 1% or less fat in schools.

Sec. 3. Implementation of National Farm to School Program. By January 31, 2006, the Department of Education, in collaboration with the Department of Agriculture, Food and Rural Resources, shall implement the National Farm to School Program, funded by the United States Department of Agriculture, as fully as is practicable to provide locally grown fruits and vegetables in public schools.

See title page for effective date.

CHAPTER 436

H.P. 838 - L.D. 1220

**An Act To Improve the Process for
Reporting Accidents Involving
Recreational Vehicles**

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

Sec. 1. 12 MRSA §10501, sub-§11, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §57 and affected by §422, is further amended to read:

11. Failure to give notice of snowmobile accident. Failure of a person who is required to give notice of a snowmobile accident under ~~section 13106 A, subsection 23~~ sections 13069-C and 13106-B to give that notice to the available law enforcement officer nearest to the place where the accident occurred is prima facie evidence that the accident was not reported.

Sec. 2. 12 MRSA §13052, sub-§6, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

6. Information to federal officials or agencies. The commissioner shall transmit any information