

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

Sec. 1. 29-A MRSA §2054, sub-§2, ¶H, as enacted by PL 2001, c. 10, §1, is amended to read:

H. A vehicle in a funeral procession may be equipped with a flashing light. The light must emit a yellow beam of light. The light may not be more than 5 inches in diameter and must be placed on the dashboard. The light must be shielded so that the emitted light does not interfere with the operator's vision. The flashing light may be used only when the vehicle is used in a funeral procession. In addition, a vehicle operated by a licensed funeral home and used as a lead vehicle in a funeral procession may use a device that provides for a white flashing strobe light in the front grille.

See title page for effective date.

CHAPTER 63

H.P. 480 - L.D. 631

An Act To Strengthen OUI Laws As They Pertain to Drugs

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

Sec. 1. 16 MRSA §357, 2nd ¶, as amended by PL 2005, c. 477, §26, is further amended to read:

Notwithstanding this section, the result of a laboratory or any other test kept by a hospital or other medical facility that reflects blood-alcohol ~~concentration~~ level, detectable urine-drug level, and detectable blood-drug level may not be excluded as evidence in a criminal or civil proceeding by reason of any claim of confidentiality or privilege and may be admitted provided that the result is relevant and reliable evidence if the proceeding is one in which the operator of a motor vehicle, snowmobile, all-terrain vehicle or watercraft is alleged to have operated under the influence of intoxicating liquor or drugs; and the court is satisfied that probable cause exists to believe that the operator committed the offense charged.

See title page for effective date.

CHAPTER 64

H.P. 127 - L.D. 145

An Act To Include Undeveloped Archeological Sites in the Acquisition Criteria for the Land for Maine's Future Fund

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

Sec. 1. 5 MRSA §6207, sub-§2, ¶A, as amended by PL 1995, c. 462, Pt. D, §1, is further amended to read:

A. Contains recreation lands, prime physical features of the Maine landscape, areas of special scenic beauty, farmland or open space, undeveloped shorelines, significant undeveloped archeological sites, wetlands, fragile mountain areas or lands with other conservation, wilderness or recreation values;

See title page for effective date.

CHAPTER 65

H.P. 454 - L.D. 587

An Act To Protect and Improve Lake Water Quality by Reducing Phosphorus in Lawn Care Fertilizer

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

Sec. 1. 38 MRSA §419, as amended by PL 1991, c. 838, §§21 and 22, is further amended to read:

§419. Cleaning agents and lawn and turf fertilizer containing phosphate banned

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

A. "Dairy equipment", ~~as used in this section,~~ means equipment used by farmers or processors for the manufacture or processing of milk and dairy products.

A-1. "Compost" means a biologically stable material derived from the composting process.

A-2. "Composting" means the biological decomposition of organic matter. It is accomplished by mixing and piling organic matter in such a way as to promote aerobic decay, anaerobic decay or both.

A-3. "Fertilizer" means a substance containing one or more recognized plant nutrients that is used for its plant nutrient content and designed for use or claimed to have value in promoting plant growth. "Fertilizer" does not include animal and vegetable manures that are not manipulated, marl, lime, limestone or topsoil.

A-4. "Fertilizer containing phosphorus" means a fertilizer containing more than 0.67% phosphate by weight.

B. "Food processing equipment", ~~as used in this section,~~ means equipment used for the processing