

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

situation of the person so accosted, insulted, taunted or challenged;

C. In a private place, the person makes loud and unreasonable noise that can be heard by another person, who may be a law enforcement officer, as unreasonable noise in a public place or in another private place, after having been ordered by a law enforcement officer to cease the noise; or

D. In a private or public place on or near property where a funeral, burial or memorial service is being held, the person knowingly accosts, insults, taunts or challenges any person in mourning and in attendance at the funeral, burial or memorial service with unwanted, obtrusive communications by way of offensive, derisive or annoying words, or by gestures or other physical conduct, that would in fact have a direct tendency to cause a violent response by an ordinary person in mourning and in attendance at a funeral, burial or memorial service.

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

A. "Public place" means a place to which the public at large or a substantial group has access, including but not limited to:

- (1) Public ways as defined in section 505;
- (2) Schools and government-owned custodial facilities; and
- (3) The lobbies, hallways, lavatories, toilets and basement portions of apartment houses, hotels, public buildings and transportation terminals.

B. "Private place" means any place that is not a public place.

3. Disorderly conduct is a Class E crime.

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

Effective May 18, 2007.

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## CHAPTER 145

H.P. 1323 - L.D. 1891

### An Act To Designate Certain Rules of the Board of Pesticides Control as Major Substantive Rules

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

**Whereas,** the rule-making authority of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control is essential to ensuring the benefits derived from proper use of pesticides while safeguarding public health; and

**Whereas,** designation of certain rules as major substantive rules enhances that assurance; 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. 7 MRSA §610, sub-§6** is enacted to read:

**6. Major substantive rules.** Rules proposed for adoption by the board after July 1, 2007 that pertain to topics specified in paragraphs A to E are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Rules in effect on July 1, 2007 that pertain to topics specified in paragraphs A to E continue in effect, except that proposed amendments to those rules are major substantive rules and must be reviewed and approved prior to final adoption in accordance with Title 5, section 8072. Topics governed by this subsection are:

- A. Drift from outside spraying;
- B. Notification requirements for outside spraying;
- C. Pesticides applications in occupied buildings;
- D. A notification registry for indoor applications of pesticides; and
- E. Buffers from shorelines for broadcast applications of pesticides.

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

Effective May 21, 2007.

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