

# 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**

B. The ordinance sets the number of building or development permits, not including permits for affordable housing, at 105% or more of the mean number of permits issued within the municipality during the 10 years immediately prior to the year in which the number is calculated. The mean is determined by adding together the total number of permits issued, excluding permits issued for affordable housing, for each year in the prior 10 years and then dividing by 10;

See title page for effective date.

## CHAPTER 156 S.P. 67 - L.D. 184

### An Act To Protect Children's Health on School Grounds

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

**Sec. 1. 20-A MRSA §6662, sub-§3** is enacted to read:

**3. Food and beverage advertising.** Brand-specific advertising of food or beverages is prohibited in school buildings or on school grounds except for food and beverages meeting standards for sale or distribution on school grounds in accordance with rules adopted under subsection 2.

For the purposes of this subsection, "advertising" does not include advertising on broadcast media or in print media such as newspapers and magazines, clothing with brand images worn on school grounds or advertising on product packaging.

**Sec. 2. 22 MRSA §1578-B, sub-§2**, as enacted by PL 1987, c. 687, is amended to read:

**2. Prohibition.** Except as provided in ~~subsections subsection 3 and 4~~, ~~no student or school employee is allowed to use tobacco use~~ in the buildings or on the grounds of any elementary or secondary school ~~while school is in session~~ is prohibited.

**Sec. 3. 22 MRSA §1578-B, sub-§4**, as amended by PL 1993, c. 342, §4 and affected by §9, is repealed.

**Sec. 4. 22 MRSA §1578-B, sub-§5**, as amended by PL 1993, c. 342, §4 and affected by §9, is repealed.

**Sec. 5. Transition.** When a school board and school employees have established a designated smoking area through collective bargaining in accordance with the Maine Revised Statutes, former Title 22, section 1578-B, subsection 4 and section 1580-A, subsection 3, use of tobacco may continue in that des-

ignated area until the effective date of the next contract negotiated after the effective date of this Act.

See title page for effective date.

## CHAPTER 157 S.P. 498 - L.D. 1420

### An Act To Make Technical Changes to the Definition of "Coastal Area" and To Aid the Implementation of the Taunton Bay Resource Management Plan

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

**Sec. 1. 12 MRSA §6171, sub-§5**, as enacted by PL 1997, c. 123, §2, is amended to read:

**5. Rules to limit taking of marine organisms.** The commissioner may adopt rules that limit the taking of a marine organism for the purpose of protecting another marine organism. Rules adopted pursuant to this subsection are major substantive rules; pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A, except that rules adopted regarding the resource management plan of Taunton Bay are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 38 MRSA §1802, sub-§1**, as enacted by PL 1985, c. 794, Pt. A, §11, is amended to read:

**1. Coastal area.** The "coastal area" encompasses all coastal municipalities and unorganized townships on tidal waters and all coastal islands. The inland boundary of the coastal area is the inland line of coastal town lines and the seaward boundary is ~~the outer limit of the United States territorial sea~~ the 3-nautical-mile line as shown on the most recently published Federal Government nautical chart.

See title page for effective date.

## CHAPTER 158 S.P. 244 - L.D. 795

### An Act Regarding the Solar Energy Rebate Program

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

**Sec. 1. 35-A MRSA §3211-C, sub-§2**, as amended by PL 2007, c. 29, §1, is further amended to read:

**2. Solar energy rebate program.** To the extent that funds are available in the fund established in sub-