

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

Sec. 1. 17 MRSA §1831, sub-§17, ¶C, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

C. Any form of credit or promise directly or indirectly contemplating transfer of money or property, or of any interest therein, ~~or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.~~

Sec. 2. 17-A MRSA §952, sub-§10, as enacted by PL 1975, c. 499, §1, is amended to read:

10. "Something of value" means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise directly or indirectly contemplating transfer of money or property, or of any interest therein, ~~or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.~~

See title page for effective date.

**CHAPTER 61
S.P. 39 - L.D. 152**

An Act To Prohibit the Possession and Use of Electronic Smoking Devices on School Grounds

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

Sec. 1. 22 MRSA §1578-B, sub-§1, ¶C, as enacted by PL 1987, c. 687, is repealed.

Sec. 2. 22 MRSA §1578-B, sub-§1, ¶D, as enacted by PL 1987, c. 687, is repealed and the following enacted in its place:

D. "Tobacco use" means:

(1) Smoking as defined in section 1541, subsection 6; and

(2) Carrying or having in one's possession a tobacco product as defined in section 1551, subsection 3.

Sec. 3. 22 MRSA §1578-B, sub-§2, as amended by PL 2007, c. 156, §2, is repealed and the following enacted in its place:

2. Prohibition. A person may not engage in tobacco use in the buildings or on the grounds of any elementary or secondary school, on a school bus or at any school-sponsored event at any time.

Sec. 4. 22 MRSA §1578-B, sub-§3, as enacted by PL 1987, c. 687, is repealed.

See title page for effective date.

**CHAPTER 62
H.P. 213 - L.D. 289**

An Act To Prohibit the Use of Certain Disposable Food Service Containers

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

Sec. 1. 38 MRSA c. 15-A is enacted to read:

CHAPTER 15-A

DISPOSABLE FOOD SERVICE CONTAINERS

§1571. Definitions

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

1. Consumer. "Consumer" means an individual who purchases or accepts food or beverages for use or consumption.

2. Covered establishment. "Covered establishment" includes, but is not limited to:

A. A food establishment, as defined in Title 22, section 2152, subsection 4-A;

B. An eating establishment as defined in Title 22, section 2491, except that "covered establishment" does not include a hospital licensed under Title 22, chapter 405 or a so-called meals on wheels establishment funded in whole or in part directly or indirectly by the Department of Health and Human Services to provide meals at dispersed locations from central kitchen facilities;

C. An agricultural fair as defined in Title 7, section 81, subsection 1;

D. A farmers' market as defined in Title 7, section 415, subsection 1, paragraph A;

E. A food pantry, church or community organization that provides food or beverages without charge; and

F. A boarding home, a retirement home, an independent living place or a nursing home.

3. Disposable food service container. "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, packaged meat, eggs, bakery products and leftovers from partially consumed meals prepared by covered establishments.

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood.