

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 16, 2020**

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

**Augusta, Maine
2020**

**CHAPTER 620
H.P. 401 - L.D. 544**

**An Act Regarding Tobacco
Product Waste**

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

Sec. 1. 17 MRSA §2263, sub-§2, as amended by PL 1995, c. 667, Pt. A, §37, is further amended to read:

2. Litter. "Litter" means all waste materials including, but not limited to, bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, offal, except waste parts or remains resulting from the normal field dressing of lawfully harvested wild game or the lawful use of waste parts or remains of wild game as bait, feathers, except feathers from live birds while being transported, abandoned ice-fishing shacks, old automobiles or parts of automobiles or similar refuse, or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of the primary processes of mining, logging, sawmilling, farming or manufacturing. "Litter" includes waste materials resulting from or associated with the use of tobacco products, including, but not limited to, cigarette butts.

For the purposes of this subsection, "tobacco product" has the same meaning as in Title 22, section 1551, subsection 3.

See title page for effective date.

**CHAPTER 621
H.P. 571 - L.D. 766**

**An Act Regarding the
Penobscot Nation's and
Passamaquoddy Tribe's
Authority To Exercise
Jurisdiction under the Federal
Tribal Law and Order Act of
2010 and the Federal Violence
Against Women
Reauthorization Act of 2013**

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

PART A

Sec. A-1. 30 MRSA §6206, sub-§3, as enacted by PL 1979, c. 732, §§1 and 31, is amended to read:

3. Ordinances. The Passamaquoddy Tribe and the Penobscot Nation each ~~shall have~~ has the right to exercise exclusive jurisdiction within its respective Indian territory over violations by members of either tribe

or nation of tribal ordinances adopted pursuant to this section or section 6207. The decision to exercise or terminate the jurisdiction authorized by this section ~~shall must~~ must be made by each tribal governing body. ~~Should If~~ Should If either tribe or nation ~~choose~~ chooses not to exercise, or to terminate its exercise of, jurisdiction as authorized by this section or section 6207, the State ~~shall have~~ has exclusive jurisdiction over violations of tribal ordinances by members of either tribe or nation within the Indian territory of that tribe or nation. The State ~~shall have~~ has exclusive jurisdiction over violations of tribal ordinances by persons not members of either tribe or nation-except as provided in the section or sections referenced in the following:

A. Section 6209-B.

Sec. A-2. 30 MRSA §6210, sub-§5 is enacted to read:

5. Reports to the State Bureau of Identification by Penobscot Nation. Penobscot Nation law enforcement agencies shall submit to the Department of Public Safety, State Bureau of Identification uniform crime reports and other information required by Title 25, section 1544.

Sec. A-3. Contingent effective date; certification. This Part does not take effect unless, within 60 days of the adjournment of the Second Regular Session of the 129th Legislature, the Secretary of State receives written certification by the Governor and Council of the Penobscot Nation that the nation has agreed to the provisions of this Part pursuant to 25 United States Code, Section 1725(e), copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes; except that in no event may this Part become effective until 90 days after the adjournment of the Second Regular Session of the 129th Legislature.

PART B

Sec. B-1. 30 MRSA §6206, sub-§3, as enacted by PL 1979, c. 732, §§1 and 31, is amended to read:

3. Ordinances. The Passamaquoddy Tribe and the Penobscot Nation each ~~shall have~~ has the right to exercise exclusive jurisdiction within its respective Indian territory over violations by members of either tribe or nation of tribal ordinances adopted pursuant to this section or section 6207. The decision to exercise or terminate the jurisdiction authorized by this section ~~shall must~~ must be made by each tribal governing body. ~~Should If~~ Should If either tribe or nation ~~choose~~ chooses not to exercise, or to terminate its exercise of, jurisdiction as authorized by this section or section 6207, the State ~~shall have~~ has exclusive jurisdiction over violations of tribal ordinances by members of either tribe or nation within the Indian territory of that tribe or nation. The State ~~shall have~~ has exclusive jurisdiction over violations of tribal ordinances by persons not members of either tribe or nation-