

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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CHAPTER 33**AN ACT Concerning those Buildings which must be made Accessible to Physically Handicapped.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, since the enactment of PL 1967, chapter 367, by the 103rd Legislature, there has been ample evidence for the need to set forth in law more specific standards of construction necessary to assure that our public buildings are made accessible to all of the public; and

Whereas, provisions of this Act relate primarily to those new public buildings to be constructed with either state or federal funds; and

Whereas, it is recognized that most new construction of public buildings in this State begins during the first half of any calendar year; and

Whereas, it is essential that the following amendment be made without delay; 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:

25 MRSA § 2703, sub-§ 4, 1st sentence, as enacted by PL 1969, c. 98, is amended to read:

Plans to reconstruct, remodel or enlarge an existing building, when the estimated total cost exceeds ~~\$250,000~~ \$100,000, shall be subject to this chapter, when, in the opinion of the administrative authority, the proposed reconstruction, remodeling or enlargement will substantially affect that portion of said building normally accessible to the public.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 21, 1977

CHAPTER 34**AN ACT Relating to Public Utilities Commission Declarations of Public Convenience and Necessity Required by Statute.**

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

35 MRSA § 2302, as amended by PL 1967, c. 382, § 2, is further amended by adding at the end the following new sentence:

The Public Utilities Commission, in its discretion, may make a declaration without public hearing, if it appears the utility serving or authorized to serve, the utility seeking consent from the commission to provide service and the customer or customers to receive service agree that the utility seeking consent to serve should provide service.

Effective October 24, 1977

CHAPTER 35

AN ACT Relating to Cruelty to Animals.

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

17-A MRSA § 510, sub-§ 1, ¶ C, as enacted by P. L. 1975, c. 499, § 1, is amended to read:

C. He deprives any animal which he owns or possesses of necessary sustenance, shelter, protection from the weather or humanely clean conditions;

Effective October 24, 1977

CHAPTER 36

AN ACT Relating to Livestock Disease Control.

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

7 MRSA § 1756, as last amended by PL 1973, c. 41, is repealed and the following enacted in its place:

§ 1756. Appraisal and indemnity

Upon discovery of any contagious or infectious disease among domestic animals, the commissioner may cause the affected or exposed animals to be appraised and destroyed, and a proper disposition of the carcasses made in accordance with rules and regulations made by him, as authorized and provided. The commissioner shall appraise each domestic animal at its true market value at the time it is condemned, provided that no indemnity shall be paid except as established in state-federal cooperative eradication programs for domestic animals and in those amounts as set by those agreements. In no case shall the combined amount received from salvage and state and federal indemnity exceed the amount of appraisal.