

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

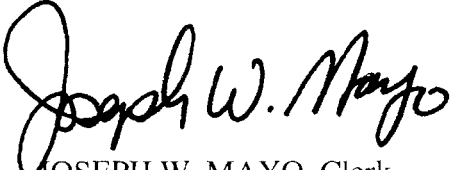
No. 1699

H.P. 1189

House of Representatives, March 9, 1999

**An Act to Ensure Compliance With Disability Access Laws by the
Baxter State Park Authority.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CLARK of Millinocket.
Cosponsored by Representatives: CAMERON of Rumford, JOY of Crystal, O'NEAL of
Limestone, SCHNEIDER of Durham, STANLEY of Medway, TRACY of Rome, WHEELER
of Bridgewater, Senator: MICHAUD of Penobscot.

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

4 **Sec. 1. 12 MRSA §903-A is enacted to read:**

6 **§903-A. Limitations on rules**

8 **1. Accessibility and human rights.** Notwithstanding
10 sections 900 and 903, the Baxter State Park Authority may not
12 adopt rules or act in a way that interferes or conflicts in any
14 way with any state or federal law concerning accessibility or
16 prohibiting discrimination based on a physical condition or
characteristic, including, but not limited to, the federal
Vocational Rehabilitation Act of 1973, Section 504, Public Law
93-112; the federal Americans with Disabilities Act, 42 United
States Code, Section 12101, et seq.; and the Maine Human Rights
Act.

18 **2. Preadoption procedures.** Before finally adopting any
20 rules pursuant to section 903 and under the Maine Administrative
22 Procedure Act, the Baxter State Park Authority shall submit the
24 proposed rules to the Attorney General. If the Attorney General
26 certifies that the proposed rules are in conformity with the law,
28 the Baxter State Park Authority shall publish the proposed rules
30 together with the 2nd and 3rd paragraphs of section 903 once a
week for 2 successive weeks in a newspaper published and printed
in whole or in part in either Penobscot County or Piscataquis
County and post the same information in at least 2 places within
Baxter State Park. A certificate of such publication and posting
must be executed by a majority of the members of Baxter State
Park Authority and filed with the Secretary of State, who shall
record the certificate.

32

34 **SUMMARY**

36 This bill ensures that rules of the Baxter State Park
38 Authority are in conformance with state and federal laws that
deal with persons with disabilities.