

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

CHAPTER 685

H.P. 1897 — L.D. 2592

AN ACT to Allow the Propagation and Sale of
Certain Deer for Food.

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

Sec. 1. 7 MRSA c. 202 is enacted to read:

CHAPTER 202

DEER

§1331. Propagation and sale

1. Definition. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Domesticated deer" means fallow deer, family Cervidae, sub-family Cervinae, genus Dama, kept as domestic animals for the purpose of either breeding stock or for sale as food.

2. License. The Commissioner of Agriculture, Food and Rural Resources may issue a license for the propagation, possession, purchase or sale of domesticated deer and for the sale of meat from domesticated deer. Any holder of such a license may raise domesticated deer at any season of the year for purposes of propagation. Appropriate certification shall accompany any meat from domestic deer offered for sale. The fee for the license shall be \$20 a year.

3. Propagation and sale. Domesticated deer raised by any person holding such a license may be propagated, possessed, transported, bought or sold as food. A license shall not be required of any person purchasing from a licensed seller the meat of such deer for food.

4. Penalties. Any person engaged in the business of propagating, possessing, buying or selling domesticated deer without a license as provided for in section 2 is guilty of a Class E crime.

5. Revocation. A license issued to any person for the propagation, possession, purchase or sale of domesticated deer, or for the sale of meat from domesticated deer, may be revoked at any time for violation of this chapter. Upon revocation, no similar license may be reissued for a minimum of 5 years. Any person who violates or refuses to comply with this chapter commits a civil violation for which a forfeiture not to exceed \$200 may be adjudged at the discretion of the commissioner.

6. Rules. The commissioner in consultation with the Commissioner of Inland Fisheries and Wildlife shall issue any rules necessary to the administration of this chapter.

Sec. 2. 12 MRSA §7235, sub-§4, ¶C, as enacted by PL 1979, c. 543, §24, is repealed.

Sec. 3. 12 MRSA §7458, sub-§15, ¶A, as amended by PL 1985, c. 369, §20, is further amended to read:

A. Notwithstanding subsection 3, the head, antlers, feet and hide of any deer may be sold, and the meat from domesticated deer may be possessed, bought and sold for use as food only in accordance with Title 7, chapter 202.

Sec. 4. **Application.** Meat from domesticated deer shall not be sold as food under the provisions of this Act until January 1, 1990.

Effective August 4, 1988.

CHAPTER 686

H.P. 1898 — L.D. 2593

AN ACT to Provide that Places of Public
Accommodation Install at Least One Standard
Bathroom Stall in Conformance with the
Standards of the American National
Standards Institute.

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

Whereas, alternate stalls allow only minimum access to people with ambulatory disabilities; and

Whereas, alternate stalls are too narrow for people who use wheelchairs; and

Whereas, the standard stall provides access to both those who use wheelchairs and those who are ambulatory disabled; and

Whereas, other new standards for construction became effective January 1, 1988; 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:

Sec. 1. 5 MRSA §4594-C is enacted to read:

§4594-C. Public accommodation constructed, remodeled or enlarged after September 1, 1988

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Builder" means the applicant for a building permit in a municipality that requires such permits or the owner of the property in a municipality that does not require building permits.

B. "Design professional" means an architect or professional engineer registered to practice under Title 32.

C. "Standards of construction" means the 1986 standards set forth by the American National Standards Institute in the publication "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People," ANSI A 117.1-1986.

2. Facilities attested. This section applies to any building or facility constructed specifically as a place of public accommodation on or after September 1, 1988, or when the estimated total costs for remodeling or enlarging an existing building exceed \$100,000 and the remodeling or enlarging is begun after September 1, 1988.

3. Application. Facilities subject to this section shall meet the following standards.

A. Facilities subject to this section, constructed on or after September 1, 1988, shall meet the standards of construction, except that, in the case of toilet stalls, at least one toilet stall shall be the standard stall configuration pursuant to ANSI Figure 30(a). Any additional toilet stalls may be either standard stall configuration, ANSI Figure 30(a), or alternate stall configuration, ANSI Figure 30(b).

B. Plans to reconstruct, remodel or enlarge an existing place of public accommodation, when the estimated total cost exceeds \$100,000, shall be subject to this section when the proposed reconstruction, remodeling or enlargement substantially affects that portion of the building normally accessible to the public.

Facilities subject to this section which are remodeled, enlarged or renovated on or after September 1, 1988, shall meet the requirements of the following 4 parts of the standards of construction:

(1) 4.3 accessible routes;

(2) 4.13 doors;

(3) 4.17 toilet stalls, at least one of which must be a standard toilet stall configuration pursuant to ANSI Figure 30(a). Any additional toilet stalls may be either standard stall configuration, ANSI Figure 30(a), or alternate stall configuration, ANSI Figure 30(b); and

(4) 4.29.3 tactile warnings on doors to hazardous areas.

4. Certification; inspection. The builder of a facility to which this section applies shall obtain a certifica-

tion from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to:

A. The municipal authority who reviews plans in the municipality where the facility will be constructed; or

B. If the municipality where the facility will be constructed has no authority who reviews plans, the municipal officers of the municipality.

If municipal officials of the municipality where the facility will be constructed inspect buildings for compliance with construction standards, that inspection shall include an inspection for compliance with the standards required by this section. The municipal officials shall require the facility inspected to meet the construction standards of this section before the municipal officials permit the facility to be occupied.

Sec. 2. 25 MRSA §2703-A is enacted to read:

§2703-A. Construction, remodeling or enlarging begun after September 1, 1988

All construction, remodeling and enlarging begun after September 1, 1988, of buildings subject to this chapter shall comply with the standards of construction, except that, in the case of toilet stalls, at least one standard stall configuration, ANSI Figure 30(a) shall be used. Any additional toilet stalls may either be standard stall configuration, ANSI Figure 30(a), or alternate stall configuration, ANSI Figure 30(b).

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

Effective April 6, 1988.

CHAPTER 687

H.P. 1901 — L.D. 2597

AN ACT to Restrict Smoking in Elementary and Secondary Schools.

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

22 MRSA §1578-B is enacted to read:

§1578-B. Tobacco use in elementary and secondary schools prohibited

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Elementary or secondary school" means any public elementary or secondary school approved in accordance with Title 20-A, chapter 206, subchapter I.