

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

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

Penmor Lithographers
Lewiston, Maine
2004

I. Malt liquor from a mobile service bar is purchased and consumed only by those patrons engaged in a round of golf;

J. The operator of a mobile service bar is at least 21 years of age and has successfully completed an alcohol server education course; and

K. The operator of a mobile service bar has the ability and necessary tools to immediately contact a golf course employee working at the part of the golf course licensed as an on-premises establishment for assistance in enforcing the provisions of this section.

3. Penalty. A person who brings alcoholic beverages onto the premises of a golf course commits a civil violation for which a fine of not less than \$250 nor more than \$1,500 may be adjudged.

4. Revocation of license. Licenses issued by the bureau under this section and any other license to sell liquor for on-premises consumption held by a licensee under this section must be revoked for violation of the liquor laws or any rule adopted by the bureau.

5. Transportation of open containers prohibited. A patron of a golf course licensed under this section who operates a golf cart is prohibited from transporting an open container of liquor across a public way as defined by Title 29-A, section 2112-A, subsection 1, paragraph D.

6. Repeal. This section is repealed January 1, 2006.

See title page for effective date.

CHAPTER 580

S.P. 356 - L.D. 1025

An Act To Adopt a Model Building Code

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

Sec. 1. 10 MRSA Part 14 is enacted to read:

PART 14

BUILDING CODE

CHAPTER 1101

MAINE MODEL BUILDING CODE

§9701. Definitions

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

1. Maine Model Building Code. Except as provided in section 9703, "Maine Model Building Code" includes:

A. The 2003 version of the International Residential Code; and

B. The 2003 version of the International Building Code.

§9702. Limitation on code adoption

A town, city or municipality may not adopt a residential building code or nonresidential building code other than the Maine Model Building Code after the effective date of this chapter. A town, city or municipality that adopts the Maine Model Building Code may adopt amendments to the code at any time, as long as such an amendment does not result in the adoption of all or a significant portion of any code other than the code adopted pursuant to this section. This section may not be construed to prevent a town, city or municipality from selectively adopting parts or portions of the Maine Model Building Code or from adopting a building rehabilitation code.

§9703. Laws in conflict with Maine Model Building Code

To the extent that provisions of the Maine Model Building Code conflict with the following provisions of law, those provisions of the Maine Model Building Code are not applicable and may not be enforced:

1. Fire safety codes and standards. Fire safety codes and standards adopted pursuant to Title 25, sections 2452 and 2465;

2. Electrical standards. Electrical standards adopted pursuant to Title 32, section 1153-A;

3. Plumbing code. The plumbing code adopted pursuant to Title 32, section 3403-B;

4. Oil and solid fuel burning equipment standards. Oil and solid fuel burning equipment standards adopted pursuant to Title 32, section 2313;

5. Propane and natural gas equipment standards. Propane and natural gas equipment standards adopted pursuant to Title 32, section 14805;

6. Boiler and pressure vessel standards. Boiler and pressure vessel standards adopted pursuant to Title 32, section 15104-A;

7. Elevator standards. Elevator standards adopted pursuant to Title 32, section 15228; and

8. Energy efficiency standards. Energy efficiency standards adopted pursuant to section 1415-D.

§9704. References within code

Codes and standards other than the International Residential Code and the International Building Code that are referenced within the Maine Model Building Code are not automatically adopted as part of the Maine Model Building Code.

§9705. Municipal codes adopted prior to effective date of chapter

A residential building code or nonresidential building code adopted by a town, city or municipality prior to the effective date of this chapter is not invalidated by this chapter, and nothing in this chapter may be construed to affect the validity of such a residential building code or nonresidential building code.

§9706. Additional training not required

This chapter does not require the Executive Department, State Planning Office to provide any training or certification of code enforcement officers in any areas other than those enumerated in Title 30-A, section 4451, subsection 2-A.

See title page for effective date.

CHAPTER 581

S.P. 617 - L.D. 1685

An Act To Improve Awareness of Meningococcal Disease

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

Sec. 1. 20-A MRSA §10008 is enacted to read:

§10008. Information on meningococcal disease and vaccine

1. Provision of information; report of vaccination. Each postsecondary educational institution incorporated, chartered or established under the laws of the State that has a residential campus shall provide information on meningococcal disease and the meningococcal vaccine to each newly entering student who plans to live on the residential campus. This information must include any recommendations issued by the national Centers for Disease Control and Prevention regarding meningococcal disease and the meningococcal vaccine. The information must be accompanied by a statement directing the student to

share the information with the student's parents or legal guardians.

2. Construction. This section may not be construed to require a postsecondary educational institution to provide the meningococcal vaccine to students.

3. Review; repeal. The joint standing committee of the Legislature having jurisdiction over health and human services matters shall review the operation and effectiveness of this section by January 30, 2008 and may report out to the Second Regular Session of the 123rd Legislature a bill to amend or repeal this section. As part of its review, the committee shall consider the current recommendations of the national Centers for Disease Control and Prevention regarding meningococcal disease and the meningococcal vaccine. This subsection is repealed June 30, 2008.

See title page for effective date.

CHAPTER 582

S.P. 647 - L.D. 1715

An Act To Facilitate the Recovery of Stolen Property

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

Sec. 1. 15 MRSA §456, as repealed and replaced by PL 1981, c. 232, is repealed.

Sec. 2. 30-A MRSA c. 183, sub-c. 7 is enacted to read:

SUBCHAPTER 7

DEALERS IN USED PERSONAL PROPERTY

§3971. Records of sales of used merchandise

1. Records required. Every dealer in used personal property shall record the following information before completing the purchase of any used personal property:

- A. The date of the purchase;
- B. The seller's name and address; and
- C. A brief description of the property, including any identification numbers.

Before recording the information required by this subsection, a dealer shall require reasonable written proof of the seller's identification in the form of a motor vehicle operator's license, military identification card, adult liquor identification card or similar item.