

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2016 to August 2, 2017**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**NOVEMBER 1, 2017**

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

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**Augusta, Maine**  
**2017**

**CHAPTER 6**  
**H.P. 92 - L.D. 124**

**An Act To Make Changes to  
the Potato Marketing  
Improvement Fund**

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

**Sec. 1. 7 MRSA §974-A, sub-§1, ¶¶A and B,** as enacted by PL 1987, c. 319, §4, are amended to read:

A. No state loan for any project under this article, the total cost of which exceeds ~~\$50,000~~ \$150,000, may exceed 45% of the project cost and no state loan may be provided for such a project unless the applicant demonstrates a commitment of private funds of at least 10% of the total cost of the project, except that, in order to encourage the undertaking of cooperative projects by 2 or more farmers, no state loan for such a project may exceed 50% of the total cost of the project and no state loan may be provided unless the cooperating farmers as a group demonstrate a commitment of private funds of at least 5% of the total cost of the project.

B. No state loan for any project under this article, the total cost of which is ~~\$50,000~~ \$150,000 or less, may exceed 55% of the total cost of the project.

See title page for effective date.

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**CHAPTER 7**  
**H.P. 119 - L.D. 161**

**An Act To Remove the  
Treasurer of State from the  
Maine Vaccine Board**

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

**Sec. 1. 22 MRSA §1066, sub-§3, ¶A,** as enacted by PL 2009, c. 595, §2, is amended to read:

A. The board consists of ~~10~~ 9 members.

(1) The commissioner shall serve as an ex officio, nonvoting member.

~~(2) The Treasurer of State shall serve as an ex officio, nonvoting member.~~

(3) The Governor shall appoint 8 members, as follows:

(a) Three representatives of health insurance carriers, appointed from a list of

nominees submitted by a statewide association of health insurance carriers;

(b) Three representatives of providers in the State, appointed from lists of nominees submitted by statewide associations of providers, including associations of primary care providers, allopathic and osteopathic physicians, nurse practitioners and persons with expertise in public health;

(c) A representative of employers that self-insure for health coverage, appointed from lists of nominees submitted by statewide associations of employers; and

(d) A representative of the pharmaceutical manufacturing industry, appointed from a list of nominees submitted by a statewide association of pharmaceutical manufacturers.

See title page for effective date.

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**CHAPTER 8**  
**H.P. 127 - L.D. 171**

**An Act To Add the Air Medal  
as an Option for a Special  
Commemorative Decal on  
Special Veterans Registration  
Plates**

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

**Sec. 1. 29-A MRSA §523, sub-§5,** as amended by PL 2011, c. 22, §1, is further amended to read:

**5. Special commemorative decals for medals, badges or ribbons awarded.** The Secretary of State may issue special commemorative decals for use with special veterans registration plates to any person who served in the United States Armed Forces, was honorably discharged and was awarded a medal, badge or ribbon described in paragraphs A to ~~AA~~ BB when that person's application is accompanied by the appropriate military certification verifying that the medal, badge or ribbon was awarded to the applicant. One set of commemorative decals may be issued for each set of special veterans registration plates issued under this section. One set of 2 commemorative decals must be displayed on the front and back plates. The fee for a set of commemorative decals may not exceed \$5.

Special commemorative decals may be issued to applicants awarded the following medals, badges or ribbons:

A. Distinguished Service Cross;

- B. Navy Cross;
- C. Air Force Cross;
- D. Silver Star;
- E. Distinguished Flying Cross;
- F. Bronze Star;
- G. Soldier's Medal;
- H. Navy or Marine Corps Medal;
- I. Airman's Medal;
- J. Coast Guard Medal;
- K. Asiatic-Pacific Campaign Medal;
- L. European-African-Middle Eastern Campaign Medal;
- M. Korean Service Medal;
- N. Vietnam Service Medal;
- O. Southwest Asia Service Medal;
- P. Armed Forces Expeditionary Medal;
- Q. Kosovo Service Medal;
- R. Korea Defense Service Medal;
- S. Global War on Terrorism Medal;
- T. Iraq Campaign Medal;
- U. Afghanistan Campaign Medal;
- V. United States Army Combat Infantry Badge;
- W. United States Army Combat Medic Badge;
- X. United States Army Combat Action Badge;
- Y. United States Navy, Marine Corps or Coast Guard Combat Action Ribbon;
- Z. United States Air Force Combat Action Medal; ~~and~~
- AA. National Emergency Service Medal; and
- BB. Air Medal.

See title page for effective date.

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**CHAPTER 9**

**S.P. 80 - L.D. 236**

**An Act To Update Accessibility Requirements on Highways**

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

**Sec. 1. 23 MRSA §706**, as amended by PL 1987, c. 604, §§1 and 2, is further amended to read:

**§706. Curbs**

**1. Location or construction.** The Department of Transportation shall develop or approve standards for the location or construction of curbs on each side of a way in the business district or area as defined by the department; of any municipality for which curbs have been prescribed. ~~Prior to October 1, 1988, these standards shall be adopted in a form to fully implement the specifications in the American National Standards Institute publication "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People" (ANSI A 117.1, 1986).~~

**2. Federal compliance.** ~~Standards set developed by the Department of Transportation for curb ramping under subsection 1 shall not apply to any existing curb on October 3, 1973; but shall apply, to the extent reasonable, to all new curb construction and to all replacement curbs constructed in order to allow reasonable access to crosswalks after that date and prior to October 1, 1988, and shall apply to any new construction or reconstruction commenced after October 1, 1988 must comply with applicable federal standards.~~

**3. Physically handicapped; adequate ramping.** ~~Adequate and reasonable access shall be provided for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State.~~

See title page for effective date.

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**CHAPTER 10**

**S.P. 73 - L.D. 227**

**An Act To Exclude Cardboard Beverage Containers from the Laws Governing Returnable Beverage Containers**

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

**Sec. 1. 38 MRSA §3102, sub-§2**, as enacted by PL 2015, c. 166, §14, is amended to read:

**2. Beverage container.** "Beverage container" means a bottle, can, jar or other container made of glass, metal or plastic that has been sealed by a manufacturer and at the time of sale contains 4 liters or less of a beverage. "Beverage container" does not include a container composed, in whole or in part, of aluminum and plastic or aluminum and paper in combination as long as the aluminum content represents 10% or less of the unfilled container weight, the container materials represent 5% or less of the total weight of the container and its contents and the container is filled with a nonalcoholic beverage. "Beverage con-