

# 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**  
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**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**

- 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-

tainer" does not include a container composed of cardboard in combination with a plastic liner.

See title page for effective date.

**CHAPTER 11**

**S.P. 96 - L.D. 308**

**An Act To Prohibit Charging  
Maine Seniors Higher  
Automobile Insurance  
Premiums Based Solely on  
Their Age**

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

**Sec. 1. 24-A MRSA §2916**, as enacted by PL 1973, c. 339, §1, is amended to read:

**§2916. Automobile insurance, cancellation, nonrenewal and certain changes because of age, prohibited**

~~No~~ An insurance company authorized to transact business in this State ~~shall~~ may not refuse to issue, cancel or ~~refuse to renew~~, reduce liability limits, ~~refuse to renew~~ for or increase the charge a higher premium of any automobile insurance for a policy of any kind whatsoever for the sole reason that ~~the~~ an applicant for coverage, a person to whom such policy has been issued or another insured driver has reached a certain age.

See title page for effective date.

**CHAPTER 12**

**H.P. 23 - L.D. 22**

**An Act To Repeal the  
Requirement That  
Municipalities License  
Roller-skating Rinks**

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

**Sec. 1. 8 MRSA §601** is repealed.

See title page for effective date.

**CHAPTER 13**

**H.P. 31 - L.D. 30**

**An Act To Amend the Law  
Governing Special Amusement  
Permits for Liquor Licensees**

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

**Sec. 1. 28-A MRSA §653, sub-§2, ¶D-1** is enacted to read:

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

**Sec. 2. 28-A MRSA §1054**, as amended by PL 1991, c. 377, §16, is further amended to read:

**§1054. Permit for music, dancing or entertainment**

~~1. Activities and entertainment prohibited. Without the permit described in subsection 2, no license for sale of liquor to be consumed on the premises may allow on the premises the following:~~

- ~~A. Any music, except radio or other mechanical device;~~
- ~~B. Any dancing; or~~
- ~~C. Entertainment of any sort.~~

**2. Permit required.** If A municipality or, in the case of an unincorporated place, the county commissioners may require a licensee for sale of liquor to be consumed on the premises provides activities or entertainment listed in subsection 1, the licensee must first to obtain a special amusement permit for music, dancing or entertainment from the municipality or, in the case of an unincorporated place, the county commissioners of the county in which the licensed premises are located. The permit must specify which activities are prohibited on the licensed premises and may include a list of which activities are authorized, in accordance with local ordinances or regulations adopted by the municipality or unincorporated place.

**3. Term of permit.** A permit is valid only for the license year of the existing license.

~~4. Public hearing on permit application. Before granting a permit and after reasonable notice to the municipality and the applicant, the municipal officers shall hold a public hearing at which the municipal officers shall take testimony of the applicant and any interested members of the public.~~

**5. Permit requirements.** The municipal officers shall grant a permit unless they find that issuance of the permit would be detrimental to the public health,