

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(New Title)  
New Draft of: S. P. 166, L. D. 337

---

---

ONE HUNDRED AND THIRD LEGISLATURE

---

---

**Legislative Document**

**No. 1589**

S. P. 607

In Senate, April 20, 1967

Reported by Senator Wyman of Washington, from Committee on State Government. Printed under Joint Rules No. 18.

JERROLD B. SPEERS, Secretary

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

---

**AN ACT Relating to Fallout Shelters in Public School Buildings.**

---

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

**R. S., T. 25, c. 64, additional.** Title 25 of the Revised Statutes is amended by adding a new chapter 64 to read as follows:

**CHAPTER 64**

**PUBLIC SCHOOL SHELTER**

§ 421. Preamble

The Congress of the United States of America by its formal actions and fiscal appropriations promotes the Fallout Shelter Program as a major defense policy of this nation. The Fallout Shelter Program would directly save the lives of hundreds of thousands of citizens of the State of Maine from the lethal effects of nuclear radiation and indirectly from all types of natural disasters, such as hurricanes, floods, fires, earthquakes, tornadoes and others. The State of Maine now has a deficit of several thousand public shelter spaces which are designed to provide adequate protection to its citizens and their children in the event of any kind of major disaster. The State of Maine subscribes to the National Fallout Shelter Program and recognizes the needs of this State in connection therewith.

§ 422. Policy

In furtherance of defense against the effects of a nuclear attack upon this country and State, as well as from major natural disasters, it is the policy of the State of Maine to promote the construction of public school fallout shelters by slanting or by other design techniques in all public school bulidings constructed,

renovated, modified or repaired by the State, by any of its departments or agencies and by any of its political subdivisions, their departments and agencies to the extent that citizens, persons resident within this State and their children shall find available to them adequate public school shelters. Greater than normal construction costs, if any, attributable to the shelter requirements of this chapter shall not exceed  $1\frac{1}{2}\%$  of the total cost of the facility.

#### § 423. Definitions

The following words and terms, as used in this chapter, shall be construed as follows:

1. **Analyst.** "Analyst" means a licensed professional engineer or architect having gained a competence by special study to perform the duties of a qualified fallout shelter analyst.

2. **Protection factor.** "Protection factor" means the ratio of radiation levels outside to those inside a shelter.

3. **Public school shelter.** "Public school shelter" means habitable space in a structure offering such a degree of protection from fallout radiation by reason of density and geometry shielding, that it qualifies for licensing, marking and stocking in accordance with criteria established by the United States Department of Defense, Office of Civil Defense, in its National Fallout Shelter program.

4. **Slanting.** "Slanting" means design technique which incorporates fallout protection in a building without adversely affecting the normal function, appearance or cost of the building.

#### § 424. Rules and regulations

The Shelter Regulatory Board shall promulgate such rules and regulations as will expedite the fallout shelter program, assist in the orderly performance of its duties and provide technical guidelines for the preparation of specifications for shelter construction in public school buildings.

#### § 425. Shelter Regulatory Board

There is established the Maine Shelter Regulatory Board consisting of the Director of the Office of Civil Defense and Public Safety as chairman thereof, the Commissioner of Education and a qualified fallout shelter analyst from the private sector who shall be appointed by the Governor from lists submitted to him by state societies of professional architects or engineers. Said analyst shall serve for a term of 4 years and shall be compensated at the rate of \$50 per day and reimbursed for expenses as provided in the State Personnel Law.

#### § 426. Inclusion in public school buildings

All plans and specifications for the construction, renovation or modification of public school buildings involving expenditure of public funds in whole or in part toward the cost thereof, before being advertised for bid, shall bear the certification of a qualified fallout shelter analyst as to the number of spaces and their protection factors provided in said plans and specifications for said structure.

Where no bid is involved and the construction is to be performed by an agency or subdivision, with public employees, the same certification by a qualified fallout shelter analyst shall be filed with the county civil defense director at the locus of construction.

§ 427. Waivers

Requirements for fallout shelter construction established in section 426 may be waived by the Maine Shelter Regulatory Board upon proof of existence of surplus shelter in the immediate construction area, cost of providing shelter would be excessive in the particular circumstances and existence of other factors justifying a waiver.