

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
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Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Effective May 12, 1987.

CHAPTER 112

S.P. 440 — L.D. 1349

**AN ACT Relating to Enforcement of
Accessibility Standards for Places of
Public Accommodations.**

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

5 MRSA §4594-B is enacted to read:

§4594-B. Public accommodations constructed, remodeled or enlarged after January 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 January 1, 1988, or when the estimated total costs for remodeling or enlarging an existing building exceeds \$150,000 and the remodeling or enlarging is begun after January 1, 1988.

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

A. Facilities subject to this section constructed on or after January 1, 1988, shall meet the standards of construction.

B. Plans to reconstruct, remodel or enlarge an existing place of public accommodation, when the estimated total cost exceeds \$150,000, shall be subject to this section when the proposed reconstruction, remodeling or enlargement will substantially affect that portion of the building normally accessible to the public.

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

standards of construction:

(1) 4.3 accessible routes;

(2) 4.3 doors;

(3) 4.17 toilet stalls; 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 certification 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.

Effective September 29, 1987.

CHAPTER 113

H.P. 1003 — L.D. 1350

AN ACT Relating to Social Worker License Fees.

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

Whereas, the Committee on Audit and Program Review has determined that, in the absence of an increase in license fees, as of the January 1, 1987, renewal date the expenditures of the State Board of Social Worker Registration will exceed their revenues during the licensing period 1987-88; and

Whereas, a deficit in the board's budget will induce obligations for the Department of Professional and Financial Regulation; and

Whereas, at the recommendation of the Joint Standing Committee on Audit and Program Review, the board has not mailed renewal notices for renewals due January 1987, pending passage of this Act; 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. 32 MRSA §7028, as repealed and replaced by PL 1983, c. 812, §253, is repealed and the following enacted in its place:

§7028. Compensation and expenses

Compensation of members shall be in accordance with Title 5, chapter 379, provided that expenses do not exceed the fees collected by the board. If the fees to be collected under this chapter are insufficient to pay the expenses provided by this section, the board members shall be entitled to a pro rata payment in any years in which the fees are insufficient.

Sec. 2. 32 MRSA §7056, as amended by PL 1985, c. 736, §16, is further amended to read:

§7056. Application; fees

Application for license as a licensed clinical, licensed master or licensed social worker shall be on a form prescribed and furnished by the board. An application fee and an examination fee may be established by the board in amounts which are reasonable and necessary for their respective purposes. All fees shall accompany the application.

The license fee for a licensed social worker shall be established by the board in an amount not to exceed \$50 \$70.

The license fee for a licensed master social worker shall be established by the board in an amount not to exceed \$75 \$110.

The license fee for a licensed clinical social worker shall be established by the board in an amount not to exceed \$125 \$175.

Fees for initial and renewal licenses shall be set so that total fee receipts do not exceed the amount required to cover properly the expense of performing the duties imposed upon the board.

If the board denies the issuance of a license to any applicant, the application and examination fees shall be non-refundable.

Sec. 3. 32 MRSA §7060, first ¶, as amended by PL 1985, c. 736, §19, is further amended to read:

Licenses shall expire biennially on December 31st or at such other times as the Commissioner of Business, Oc-

~~cupational and Professional and Financial Regulation~~ may designate. Biennial fees for renewal of license shall be set by the board in an amount not to exceed \$50 those amounts specified in section 7056 and shall be due and payable biennially on or before the first day of January. License renewal fees for certified social workers shall be the same as those for licensed master social workers. Every 2nd renewal shall be contingent upon evidence of participation in a continuing professional education course or program as approved by the board. A license may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the renewal date shall be subject to all requirements governing new applicants under this chapter, except that the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is made within 2 years from the date of the expiration.

Sec. 4. Allocation. The following funds are allocated from other special revenue funds to carry out the purposes of this Act.

	1987-88	1988-89
<u>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</u>		
State Board of Social Worker Registration		
Positions-other count	(1.0)	(1.0)
Personal Services	\$21,500	\$22,700
All Other	(3,200)	(3,200)
Total	\$18,300	\$19,500

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

Effective May 12, 1987.

CHAPTER 114

H.P. 659 — L.D. 892

AN ACT to Allow Per Pupil Reimbursement to School Administrative Units for Home Instruction Pupils.

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

20-A MRSA §5001-A, sub-§3, ¶C is enacted to read:

C. A student who is educated under the provisions of paragraph A in any manner other than in a private school approved under chapter 117, subchapter I shall be counted as 1/2 a student for the purpose of computing state aid under chapter 606.

Effective September 29, 1987.

CHAPTER 115

H.P. 1019 — L.D. 1372