

# MAINE STATE LEGISLATURE

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L.D. 2003

STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
SECOND REGULAR SESSION

(Filing No. S-492)

SENATE AMENDMENT "A" to S. P. 799, L.D. 2003, Bill,  
"AN ACT to Assure Compliance with Existing Laws Affecting  
Disabled Persons' Access to Certain Buildings Open to the  
Public."

Amend the Bill by inserting after section 5 the  
following:

'Sec. 5-A. 5 MRSA §4613, sub-§2, ¶B, sub-¶(6-A) is  
enacted to read:

(6-A) For a violation of section 4593, an order to pay to the  
State civil penal damages not more than the sum of  
the cost to correct the violation and the damages provided  
in subparagraph 7; or an order to correct the violation.  
Each violation shall be a separate offense;'

Further amend the Bill by inserting after the first  
paragraph of subsection 6-A of section 4 the following underlined  
paragraph:

← \_\_\_\_\_ 'the State Fire Marshal shall  
ensure compliance with section 2702 and Title 5, section 4593.'

Further amend the Bill by inserting after section 10  
the following:

'Sec. 10-A. 25 MRSA §2704, first ¶, as enacted by PL  
1977, c. 80, §4, is amended to read:

Any violation of this chapter by any person, firm or  
organization responsible for the design or construction of any

public building or facility shall be a civil violation punishable by a fine of not more than the cost to correct the violation plus \$500, or subject to other appropriate equitable relief designed to secure substantial compliance with this chapter. Each violation shall be a separate offense.'

Statement of Fact

This amendment makes 2 changes to the bill.

1. It provides that the State Fire Marshal shall ensure compliance with barrier free provisions of the Human Rights Act and of Title 25. Under this authority, he may initiate an adjudicatory proceeding or a suit,

2. It provides that fines imposed under the above 2 laws may relate directly to the economic advantage associated with not observing them.

  
(Carpenter)

NAME:

COUNTY: Aroostook

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March 19, 1980

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