

MAINE STATE LEGISLATURE

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(NEW DRAFT OF H.P. 1498, L.D. 2048)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2558

H.P. 1869 House of Representatives, March 22, 1988
Reported by Representative MELENDY from the Committee on
Economic Development and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative JALBERT of
Lisbon. Cosponsored by Representative HOLLOWAY of Edgecomb
and Senator BUSTIN of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Ensure that a Certain
2 Percentage of Public Housing is
3 Handicapped Accessible.
4

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

7 Sec. 1. 5 MRSA §4582, 6th ¶, as enacted by PL
8 1983, c. 437, §3, is amended to read:

1 For any form of public housing or any housing that
2 is financed in whole or in part with public funds
3 offering housing accommodations, containing 20 or more
4 units, constructed on or after January 1, 1984, or
5 begun to be remodeled or enlarged at an estimated
6 total cost of more than \$100,000 after January 1,
7 1984, to not have at least one unit for each multiple
8 of 20 of those units designed so as to be accessible
9 to and useable by handicapped persons. With respect
10 to any form of public housing or any housing that is
11 financed in whole or in part with public funds
12 offering housing accommodations containing 20 or more
13 units for which construction is begun after October 1,
14 1988, no less than 10% of the units shall be
15 accessible to and useable by physically handicapped
16 persons. Plans to reconstruct, remodel or enlarge an
17 existing building when the estimated total cost
18 exceeds \$100,000 shall be subject to this section,
19 when the proposed reconstruction, remodeling or
20 enlargement will substantially affect that portion of
21 the building normally accessible to the public. For
22 purposes of this section, a newly constructed housing
23 unit is deemed accessible to and useable by
24 handicapped persons if it meets the requirements of
25 the 1981 standards of construction, Section 4.34,
26 Dwelling Units, adopted pursuant to Title 25, chapter
27 331. A remodeled, renovated or enlarged housing unit
28 is deemed accessible to and useable by handicapped
29 persons if it meets the requirements of the following
30 4 parts of the 1981 standards of construction adopted
31 pursuant to Title 25, chapter 331:

32 **Sec. 2. 22 MRS-A §3-C is enacted to read:**

33 §3-C. Clearinghouse of information on handicapped
34 housing accessibility

35 The commissioner shall establish a central
36 clearinghouse of information concerning housing
37 available throughout the State that is accessible in
38 whole or in part to handicapped people. The
39 clearinghouse of information shall also provide
40 information to the general public and building
41 construction contractors with respect to handicapped
42 accessible housing standards and costs, location of

1 need for handicapped housing, the type of handicapped
2 housing for which there is demand and any other
3 information deemed by the commissioner to be useful or
4 necessary.

5 Sec. 3. 25 MRSA §2702-A, sub-§3 is enacted to
6 read:

7 3. Construction of new public housing.
8 Notwithstanding subsection 2, all newly constructed
9 public housing containing 20 or more units for which
10 construction begins after October 1, 1988, shall meet
11 the following standards.

12 A. No less than 10% of the ground level units may
13 be accessible to and usable by physically
14 handicapped persons.

15 B. A minimum of 10% of the upper story units
16 connected by an elevator, as provided in section
17 2702, subsection 6, shall be accessible to and
18 usable by handicapped persons.

19 STATEMENT OF FACT

20 This new draft provides that all new public
21 housing construction projects, containing 20 or more
22 units, for which construction is begun after October
23 1, 1988, shall contain at least 10% of the units that
24 are fully accessible to handicapped people. In
25 addition, the Department of Human Services is required
26 to establish a central clearinghouse of information to
27 provide information concerning housing for handicapped
28 people to handicapped people, building contractors and
29 the general public. In addition, the central
30 clearinghouse will provide information relating to
31 handicapped accessible housing that is available
32 throughout the State, the location of the need for
33 this type of housing, the specific types of
34 handicapped housing required (individuals, couples,

1 families), the income levels of handicapped persons
2 requiring accessible housing and any other information
3 the department considers useful or necessary.

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