## MAINE STATE LEGISLATURE

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## 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

Legislative Document

No. 1540

H.P. 1140

House of Representatives, May 24, 1993

Resolve, Relating to Access for People with Disabilities.

Reference to the Committee on Judiciary suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative FARNSWORTH of Hallowell.

	Sec. 1. Commission	Created and Ch	arged. Resolved:	That there
2	is established the Pe	rsons with Disa	bilities Access	Commission,
	referred to in this re	esolve as "the o	commission." Th	e commission
4	shall:			

- 1. Review and compare the federal Americans with Disabilities Act and Maine law and rules concerning access for persons with disabilities, including the Maine Human Rights Act and provisions of Title 25;
- 2. Recommend changes in Maine law and rules needed to
  12 provide the greatest amount of structural and programmatic access
  currently required under either federal law or state law, so that
  14 compliance with state law will meet at least the minimum
  requirements of the federal law; and
- 3. Plan for implementation to meet the needs of people with disabilities, and businesses and others required to comply with the law; and be it further
- Sec. 2. Appointment. Resolved: That the commission consists of 25 members appointed in the following manner:
- 24 1. One member representing architects and design professionals, appointed jointly by the President of the Senate 26 and the Speaker of the House of Representatives;
- 28 2. Two members representing statewide organizations of business interests in Maine, appointed jointly by the President of the Senate and the Speaker of the House of Representatives;
- 3. One member representing the construction industry, appointed jointly by the President of the Senate and the Speaker of the House of Representatives;
- 36 4. Two members representing labor interests, appointed jointly by the President of the Senate and the Speaker of the House of Representatives;
- 5. Seven members representing persons with disabilities, including at least one person with at least one of each of the following disabilities, appointed by the Governor:
- 44 A. Mobility disabilities;
- 46 B. Blindness;

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- 48 C. Auditory impairments or deafness;
- 50 D. Mental retardation; and

	E. Other types of disabilities or diseases.
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4	<ol> <li>One member representing code enforcement officers, appointed jointly by the President of the Senate and the Speaker of the House of Representatives;</li> </ol>
б	or and notice or negrossically or,
8	7. The Executive Director of the Maine Human Rights Commission, or the executive director's designee, who shall serve
10	as the commission's chair;
12	<ol><li>8. The State Fire Marshal, or the State Fire Marshal's designee;</li></ol>
14	9. One member representing the protection and advocacy agency designated by the Governor under Title 5, section 19502,
16	appointed by the Governor;
18	10. The Attorney General, or the Attorney General's designee;
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22	11. The Commissioner of Education, or the commissioner's designee;
24	12. The Commissioner of the Department of Transportation, or the commissioner's designee;
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28	13. The Commissioner of the Department of Human Services, or the commissioner's designee;
30	14. The Commissioner of the Department of Economic and
32	Community Development, or the commissioner's designee;
34	15. The Director of the Job Service Division, Maine Department of Labor, or the director's designee; and
36	16. Two members of the public, appointed jointly by the President of the Senate and the Speaker of the House of
38	Representatives.
40	All appointments must be made within 30 days of the effective date of this resolve; and be it further
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	Sec. 3. Chair. Resolved: That the chair shall call the first
44	meeting of the commission as soon as funding permits. At the first meeting or a subsequent meeting, the commission may select
46	a vice chair from among its members and establish programmatic and structural committees; and be it further
48	and belacedial committees, and be it fulther
	Sec. 4. Meetings. Resolved: That the commission may meet as
50	often as necessary; and be it further

	bec. 5. bearing. resouved. Inde II landing permits, the
2	commission may employ staff as needed, and may contract for
	administrative, professional and clerical services; and be it
4	further
б	Sec. 6. Funding. Resolved: That the commission is authorized
	to seek, accept and expend outside sources of funding to carry
8	out the commission's activities. Expenditures may not be
	incurred that have an impact on the General Fund; and be it
10	further
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12	Sec. 7. Report. Resolved: That the commission shall present
1.6	its findings and any recommended legislation to the Joint
14	Standing Committee on Judiciary and the Executive Director of the
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	Legislative Council by January 31, 1994; and be it further
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	Sec. 8. Drafting assistance. Resolved: That, if staff assistance
18	with the preparation of recommended legislation is desired,
	assistance may be requested from the Legislative Council; and be
20	it further.
22	Sec. 9. Compensation. Resolved: That the members of the
	commission may determine whether expenses may be paid to members
24	from funds accepted by the commission.
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This resolve establishes the Persons with Disabilities Access Commission. The commission will review and compare federal and state law regarding structural and programmatic access for people with disabilities and recommend changes in Maine law to match any standards in the federal law that provide more protection and access than current state law. The goal is to ensure that compliance with the state standards will guarantee compliance with minimum federal standards.