

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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Sec. 2. 32 MRSA § 2051, as amended by PL 1965, c. 226, § 73, is further amended to read:

§ 2051. License required

No Except as provided in section 2051-A, no person shall advertise, solicit, contract or in any way engage for compensation in the business of an arborist, or make representation as being able to do so, without being licensed as an arborist except that licensees under the current arborist law shall remain eligible for renewal provided they meet the provisions of this subchapter.

Sec. 3. 32 MRSA § 2051-A is enacted to read:

§ 2051-A. Exemptions to licensing requirements for tree removal in municipalities of under 2,500 persons

A municipality having a population of fewer than 2,500 persons may adopt, amend or repeal an ordinance regulating and permitting the removal of trees without an arborist's license, as otherwise required under section 2051. The ordinance may authorize the municipal officers to issue a permit to a person to remove trees in the municipality without an arborist's license. The ordinance may establish qualifications and conditions of financial responsibility for the permittee, provided those qualifications and conditions do not exceed those required for an arborist's license under this subchapter.

A permit issued under a municipal ordinance shall state the name of the permittee, the location and number of trees to be removed, the date on which the trees shall be removed and any other restrictions which the municipal officers or their designee deem necessary to ensure the safe and responsible removal of the trees. The ordinance may provide for a fee for the issuance of permits which is reasonable and necessary to cover the expenses of issuing permits and otherwise administering this section.

Effective September 14, 1979

CHAPTER 167

H. P. 622 — L. D. 779

AN ACT to Establish Standards for the Sale and Installation of Foam Plastic Insulation.

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

25 MRSA § 2447-B is enacted to read:

§ 2447-B. Foam plastic insulation standards

1. Prohibition. No individual, partnership or corporation shall install in this State any type of foam plastic insulation unless that product complies with and is installed in accordance with the following requirements.

A. Unless otherwise excepted in the following subparagraphs, all foam plastic or foam plastic cores of manufactured assemblies shall have a flame-spread rating of not more than 75 and a smoke-developed rating of not more than 450 when tested in the maximum thickness intended for use in accordance with ASTM E-84. For all such installations, the foam plastic shall be separated from habitable or occupiable spaces by an approved thermal barrier of ½ inch gypsum wallboard or equivalent thermal barrier material which will limit the average temperature rise of the unexposed surface to not more than 250° F. after 15 minutes of fire exposure complying with the ASTM E-119 standard time-temperature curve. Thermal barriers shall be installed in a manner that assures they will stay in place for a minimum of 15 minutes under the same test exposure conditions.

(1) Foam plastics may be used without the thermal barrier described in paragraph A when the foam plastic is protected by a minimum of one inch thickness of masonry or concrete.

(2) Foam plastics when tested in a thickness of 4 inches may be used in a thickness up to 10 inches when the building is equipped with an approved automatic fire suppression system.

For use in rooms within buildings, this requirement shall apply to both the room and that part of the building in which the room is located.

(3) Foam plastics having a maximum flame-spread rating of 75 may be used in thicknesses up to 4 inches in free-standing walk-in coolers or freezer units less than 400 square feet in floor area without a thermal barrier and without an automatic fire suppression system when the foam plastic is covered by a metal facing not less than 0.032 inch thick aluminum or No. 26 gauge steel. When protected by a thermal barrier, the foam plastic may be used in thicknesses up to 10 inches.

(4) Foam plastic insulation having a flame spread of 25 or less may be used in a thickness of not more than 4 inches without the thermal barrier when the foam plastic is covered by a metal facing not less than 0.032 inch thick aluminum or No. 26 gauge steel and the building is provided with an automatic fire suppression system.

(5) Foam plastic may be used in a roof covering assembly without the thermal barrier when the foam is separated from the interior of the building by plywood sheathing not less than ½ inch in thickness bonded with interior glue, with edges supported by blocking, tongue-and-groove joints or other approved type of edge support, or an equivalent material.

Foam plastic roof insulation which complies with Factory Mutual Standard 4450 or Underwriters Laboratories Subject 1256 need not meet the requirements of paragraph A.

For roofing applications, the smoke-developed rating shall not be limited.

(6) Foam plastics having a flame-spread rating of 75 or less may be used as a core material without a thermal barrier when the door is covered by a metal facing of not less than 0.032 inch thick aluminum or No. 26 gauge steel.

(7) Foam plastics may be used as a siding backer board with a maximum thickness of $\frac{1}{2}$ inch, provided it is separated from the interior of the building by not less than 2 inches of mineral fiber insulation or equivalent, or when applied as residing over existing wall construction.

(8) Within an attic or crawl space where entry is made only for service of utilities, foam plastics shall be protected against ignition by $1\frac{1}{2}$ inch thick mineral fiber insulation, $\frac{1}{4}$ inch thick plywood, particleboard, hardboard or gypsum wallboard, No. 26 gauge sheet steel or other approved material installed in such a manner that the foam plastic is not exposed.

2. Alternate installations. Foam plastics may be used in applications other than as listed in this section, when specifically approved by the State Fire Marshal based on diversified tests such as the Factory Mutual Building Corner Test Procedure or the enclosed room test procedures described in Underwriters Laboratories Subject 723. These approvals shall also be based on tests conducted in accordance with ASTM E-84 and ASTM D1929. Testing shall be performed on the finished manufactured foam plastic assemblies and on the maximum thickness intended for use.

3. Penalty. Any violation of this section shall be a Class E crime.

Effective September 14, 1979

CHAPTER 168

S. P. 72 — L. D. 126

AN ACT to Provide Birth Certificates for Foreign-born Adopted Persons.

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

Whereas, many foreign-born adopted children presently have no birth certificates; and

Whereas, birth certificates or naturalization papers are often necessary for