

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

1981

means the transactions of any functions affecting any or all citizens of the State by any of the following:

A. The Legislature and its committees and subcommittees;

B. Any board or commission of any state agency or authority, the Board of Trustees of the University of Maine and any of its committees and subcommittees, the Administrative Council of the University of Maine, the Board of Trustees of the Maine Maritime Academy and any of its committees and subcommittees; and

C. Any board, commission, agency or authority of any county, municipality, school district or any other political or administrative subdivision.

4. No smoking signs posted. There shall be posted in conspicuous places where these public proceedings are held an adequate number of "no smoking" signs.

5. Exception. Smoking at a public proceeding shall be allowed, provided all members present have given their consent for others to smoke.

Effective September 18, 1981

CHAPTER 334

S. P. 495 — L. D. 1395

AN ACT to Adopt Revised Standards for Access by the Handicapped to Certain Buildings.

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

Sec. 1. 5 MRSA § 4593, sub-§ 1, first ¶, 2nd sentence, as amended by PL 1977, c. 80, § 1, is further amended to read:

For any building or facility constructed specifically as a place of public accommodation on or after September 1, 1974, **but before January 1, 1982**, or when the estimated total costs for remodeling or enlarging an existing building exceeds \$250,000 **and the remodeling or enlarging is begun before January 1, 1982**, the following standards of construction shall be met.

Sec. 2. 5 MRSA § 4593, sub-§ 2, as amended by PL 1975, c. 355, § 14, is further amended to read:

2. Places of employment. Existing places of employment or structures to be used for this purpose currently under construction or where proposed construction has been submitted for bid before September 1, 1974, are exempt

from the requirements of this chapter as they relate to accessibility for the physically handicapped. For any building or facility constructed specifically as a place of employment on or after September 1, 1974, **but before January 1, 1982**, or when the estimated total costs for remodeling or enlarging an existing building exceeds \$100,000, **and the remodeling or enlarging is begun before January 1, 1982**, the public accommodation provisions relating to walks, entries, restroom facilities and doors shall apply.

Sec. 3. 5 MRSA § 4594 is enacted to read:

§ 4594. **Public accommodations and places of employment constructed, remodeled or enlarged after January 1, 1982**

1. **Facilities attested.** This section applies for the following facilities:

A. Any building or facility constructed specifically as a place of public accommodation on or after January 1, 1982, or when the estimated total costs for remodeling or enlarging an existing building exceeds \$250,000 and the remodeling or enlarging is begun after January 1, 1982; and

B. Any building or facility constructed specifically as a place of employment on or after January 1, 1982, or when the estimated total costs for remodeling or enlarging an existing building exceeds \$100,000, and the remodeling or enlarging is begun after January 1, 1982.

2. **Application.** Facilities subject to this section shall meet the requirements of the 1981 standards of construction adopted pursuant to Title 25, chapter 331, to implement the following 4 parts of the American National Standards Institute's "Specification for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People," (ANSI A 117.1-1980):

A. 4.3 Accessible Route;

B. 4.13 Doors;

C. 4.17 Toilet Stalls; and

D. 4.29.3 Tactile Warnings on doors to Hazardous Areas.

Sec. 4. 25 MRSA § 2701, sub-§ 6 is enacted to read:

6. **1981 standards of construction.** "1981 standards of construction" means the standards adopted by rule by the Director of Public Improvements.

Sec. 5. 25 MRSA § 2702, first ¶, as repealed and replaced by PL 1977, c. 80, § 2, is repealed and the following enacted in its place:

All buildings affected by this chapter which are constructed, remodeled or

enlarged before January 1, 1982, shall be in substantial compliance with standards of construction, including the following.

Sec. 6. 25 MRSA § 2702-A is enacted to read:

§ 2702-A. 1981 standards of construction

1. Standards. The Director of Public Improvements shall adopt by rule 1981 standards of construction. The standards shall be adopted in order to fully implement the specifications in the American National Standards Institute publication "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People," (ANSI A 116.1-1980), except as otherwise exempted or provided by the National Fire Protection Association's Life Safety Code 101.

Prior and subsequent to adopting the standards, the director shall consult with physically handicapped people and their representatives and with persons regulated by this law and their representatives, to obtain their advice on the advisability, form and effect of the standards.

2. Application. All construction, remodeling and enlarging begun after January 1, 1982, of buildings subject to this chapter shall comply with the 1981 standards of construction.

Sec. 7. 25 MRSA § 2703, sub-§ 1, as amended by PL 1973, c. 571, § 58, is repealed and the following enacted in its place:

1. State. Where state funds are used, including for space in buildings rented or leased by the State pursuant to agreements concluded with effective dates of January 1, 1982, or later, the Director of Public Improvements; except in respect to elementary and secondary school buildings, it shall be the Commissioner of Educational and Cultural Services;

Sec. 8. 25 MRSA § 2703, sub-§ 5, first ¶, as repealed and replaced by PL 1977, c. 80, § 3, is repealed and the following enacted in its place:

The state, county or municipal authority who reviews plans for any building covered under this chapter shall:

Effective September 18, 1981

CHAPTER 335

H. P. 1254 — L. D. 1478

AN ACT to Diversify Maine's Participation in the Eastern States Exposition.