

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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be ramped to grade at one exit. Facilities with 6 or fewer beds with a nonambulatory resident shall be ramped to grade at both exits.

E. There shall be at least one staff person available on the premises of the facility when any resident is present. Additional staff may be required at night at the direction of the Office of the State Fire Marshal.

F. If a facility with 7 or 8 beds is of new construction, any doorway in the path of egress for a nonambulatory or mobile nonambulatory resident shall be at least 36 inches in width. If the facility is of existing construction, any doorway in the path of egress for a nonambulatory or mobile nonambulatory resident shall be at least 34 inches in width; and

2. Requirements when number of nonambulatory or mobile nonambulatory residents exceed limits. Boarding care facilities may provide services to more residents who are nonambulatory or mobile nonambulatory than allowed under subsection 1 if, in addition to those requirements:

A. The structure meets all the requirements of the residential board and care occupancy section for small facilities of the National Fire Protection Association Life Safety Code, chapter 21. The structure shall be of protected wood frame construction unless it is provided with either a National Fire Protection Association Standard No. 13 or a Life Safety sprinkler system. Additional staff may be required at the direction of the Office of the State Fire Marshal; and

B. A physician certifies that the nonambulatory resident does not require nursing care. This certification is required at least annually.

See title page for effective date.

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## CHAPTER 20

H.P. 75 - L.D. 106

**An Act to Allow Additional Veterans to be Eligible for Veterans' Preference for State Positions**

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

**5 MRSA §7054, sub-§1, ¶C**, as enacted by PL 1985, c. 785, Pt. B, §38, is amended to read:

C. "Veteran" means a person, ~~male or female~~, who served on full-time active duty, exclusive of active duty for training, in the Armed Forces of the United States ~~and who does not receive a nondisability retirement pension for Armed Forces service.~~

See title page for effective date.

## CHAPTER 21

S.P. 97 - L.D. 116

**An Act to Amend the Law Regarding the State Forest Nursery**

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

**Sec. 1. 12 MRSA §8701, sub-§1**, as amended by PL 1983, c. 819, Pt. A, §37, is further amended to read:

1. Establishment; purpose. The director may establish and lease within the State one or more forest nurseries, ~~the maintenance of which shall be paid for from the appropriation for that purpose.~~ The object of these nurseries is to furnish ~~at cost~~ forest tree seedlings, transplants and shrub material for use in planting the present and potential forest lands within the State. ~~Christmas tree planting stock may be grown in the event that the director determines that additional stock is needed to sustain the Christmas tree industry in the State. The Christmas tree planting stock shall be sold at competitive market prices.~~

**Sec. 2. 12 MRSA §8701, sub-§3**, as amended by PL 1983, c. 819, Pt. A, §38, is repealed.

**Sec. 3. Application.** This Act applies to any lease entered into by the State after January 1, 1989.

See title page for effective date.

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## CHAPTER 22

H.P. 111 - L.D. 148

**An Act Relating to Destroyed Permanent or Seasonal Structures in the Unorganized Territories**

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

**Sec. 1. 12 MRSA §685-B, sub-§2-A** is enacted to read:

2-A. Priority for processing. Applications to replace destroyed seasonal or permanent structures shall be given top priority for processing when hardship can be demonstrated by the applicant provided that:

A. The dimensions of the new structure are not greater than the preexisting structure; and

B. The new structure will not adversely affect surrounding uses and resources.

**Sec. 2. 12 MRSA §685-B, sub-§7**, as amended by PL 1973, c. 569, §11, is further amended to read: