

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.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

the estimated total cost exceeds \$100,000 shall be subject to this section, when the proposed reconstruction, remodeling or enlargement will substantially affect that portion of the building normally accessible to the public. For purposes of this section, a newly constructed housing unit is deemed accessible to and useable by handicapped persons if it meets the requirements of the 1981 standards of construction, Section 4.34, Dwelling Units, adopted pursuant to Title 25, chapter 331. A remodeled, renovated or enlarged housing unit is deemed accessible to and useable by handicapped persons if it meets the requirements of the following 4 parts of the 1981 standards of construction adopted pursuant to Title 25, chapter 331:

1. **Accessible route.** 4.3 accessible route;
2. **Doors.** 4.13 doors;
3. **Adaptable bathrooms.** 4.34.5 adaptable bathrooms; and
4. **Tactile warnings.** 4.29.3 tactile warnings on doors to hazardous areas.

With respect to any form of public housing or any housing that is financed in whole or in part with public funds offering housing accommodations containing 20 or more units for which construction is begun after October 1, 1988, no less than 10% of the ground level units and a minimum of 10% of the upper story units connected by an elevator shall be accessible to and useable by physically handicapped persons. For purposes of this section, a newly constructed housing unit is deemed accessible to and useable by handicapped persons if it meets the requirements of the 1986 standards set forth by the American National Standards Institute in the publication, "Specifications for Making Buildings Accessible to and Useable by Physically Handicapped People," ANSI A 117.1-1986. A remodeled, renovated or enlarged housing unit where the remodeling, renovating or enlarging is begun after October 1, 1988, is deemed accessible to and useable by handicapped persons if it meets the requirements of the following 4 parts of the 1986 American National Standards Institute standards: 4.3 accessible routes; 4.23 doors; 4.34.5 adaptable bathrooms; and 4.29.3 tactile warnings on doors to hazardous areas.

Sec. 5. 5 MRSA §4583, as repealed and replaced by PL 1975, c. 770, §37 is amended to read:

§4583. Application

Nothing in this Act shall be construed in any manner to prohibit or limit the exercise of the privilege of every person and the agent of any person having the right to sell, rent, lease or manage a housing accommodation to set up and enforce specifications in the selling, renting, leasing or letting thereof or in the furnishings of facilities or services in connection therewith which are not based on the race, color, sex, physical or mental handicap, religion or country of ancestral origin, familial status or the receipt of public assistance payments of any prospective or actual purchaser, lessee, tenant or occupant thereof. Nothing in this Act contained shall be construed in any manner to prohibit or

limit the exercise of the privilege of every person and the agent of any person making loans for or offering financial assistance in the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations, to set standards and preferences, terms, conditions, limitations or specifications for the granting of such loans or financial assistance which are not based on the race, color, sex, physical or mental handicap, religion or country of ancestral origin, familial status or the receipt of public assistance payments of the applicant for such a loan or financial assistance or, of any existing or prospective owner, lessee, tenant or occupant of such housing accommodation.

Sec. 6. 14 MRSA §6027, as amended by PL 1987, c. 770, §§1,2 and 3, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 6, 1989.

CHAPTER 246

H.P. 936 - L.D. 1304

An Act to Promote Energy Conservation and Load Management by Electric Utilities

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

35-A MRSA §3153-A, sub-§3 is enacted to read:

3. Implementation of rebate structures. The Public Utilities Commission may require an electric utility to implement rebate structures for installation or upgrade of an electric service entrance to encourage energy efficient buildings and discourage energy inefficient buildings. In designing these programs, the commission shall give due consideration to safety.

See title page for effective date.

CHAPTER 247

S.P. 237 - L.D. 567

An Act to Regulate the Installation of Fire Sprinklers

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

Sec. 1. 5 MRSA §12004-I, sub-§71-A is enacted to read:

<u>71-A. Occupations:</u>	<u>Fire Sprinkler</u>	<u>Expenses</u>	<u>32MRSA</u>
<u>Fire Protection</u>	<u>Advisory Council</u>	<u>Only</u>	<u>§1381</u>