

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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
1993

LEGISLATURE		
TOTAL	\$1,720	\$5,660

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective April 15, 1994.

CHAPTER 73

H.P. 1321 - L.D. 1783

Resolve, Establishing the People with Disabilities Access Commission

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

Whereas, the commission created by this resolve needs to begin its work as soon as possible to deal with the complexity of its charge and to meet the reporting date; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission created and charged. Resolved: That there is established the People with Disabilities Access Commission, referred to in this resolve as the "commission." The commission shall:

1. Review and compare the federal Americans with Disabilities Act of 1990 with state laws and rules concerning access for persons with disabilities, including the Maine Human Rights Act and provisions of the Maine Revised Statutes, Title 25;

2. Recommend changes in state laws and rules needed to ensure that compliance with state law will meet at least the minimum requirements of federal law, so that state law can be certified by the United States Department of Justice as complying with the federal Americans with Disabilities Act of 1990 and, in part, so that, with respect to standards of construction relating to access for people with disabilities, businesses may have a more efficient and cost-effective process and a "one-stop shopping" location at the Office of State Fire Marshal for review and approval of construction plans with respect to both state and federal access laws; and

3. Plan for implementation, including development of resources and financing, to meet the needs of

people with disabilities and the needs of businesses and others required to comply with the laws pertaining to access for persons with disabilities; and be it further

Sec. 2. Appointment. Resolved: That the commission consists of 17 members appointed in the following manner:

1. One member representing design professionals, appointed by the Governor;

2. Four members representing business interests, who may come from statewide organizations of business interests in the State, including one from a large business, one from a small business and one representing restaurants and innkeepers, appointed by the Governor;

3. One member representing the construction industry, appointed by the Governor;

4. One member representing State Government as an employer and provider of services, appointed by the Governor;

5. One member representing labor interests, appointed by the President of the Senate;

6. One member representing code enforcement officers, appointed by the Speaker of the House of Representatives;

7. Six members representing the interests of persons with disabilities, 3 of whom are persons with disabilities, appointed by the Speaker of the House of Representatives and 3 of whom are from agencies who represent people with disabilities, appointed by the President of the Senate, provided that one of the agencies is the protection and advocacy agency designated by the Governor under the Maine Revised Statutes, Title 5, section 19502;

8. The Executive Director of the Maine Human Rights Commission, or the executive director's designee, who serves as the commission's chair; and

9. The State Fire Marshal, or the State Fire Marshal's designee.

All appointments must be made within 30 days of the effective date of this resolve; and be it further

Sec. 3. Chair. Resolved: That the chair shall call the first meeting of the commission as soon as funding permits. At the first meeting or a subsequent meeting, the commission may select a vice-chair from among its members and establish programmatic and structural committees; and be it further

Sec. 4. Meetings. Resolved: That the commission may meet as often as necessary; and be it further

Sec. 5. Staffing. Resolved: That, if funding permits, the commission may employ staff as needed and may contract for administrative, professional, legislative drafting and clerical services; and be it further

Sec. 6. Funding. Resolved: That the commission may seek, accept and expend outside sources of funding to carry out the commission's activities. The Maine Human Rights Commission shall administer any outside funds acquired for the purposes of this resolve. Funds may not be appropriated from the General Fund for the purposes of this resolve; and be it further

Sec. 7. Report. Resolved: That the commission shall present its findings and any recommended legislation to the joint standing committee having jurisdiction over judiciary matters, the Chair of the Legislative Council and the Executive Director of the Legislative Council by February 1, 1995; and be it further

Sec. 8. Compensation. Resolved: That the members of the commission may determine whether expenses may be paid to members from funds accepted by the commission; and be it further

Sec. 9. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

1994-95

MAINE HUMAN RIGHTS COMMISSION

Persons with Disabilities Access Commission

All Other	\$10,000
Provides funds to the Persons with Disabilities Access Commission for contracted staff and for miscellaneous commission expenses.	

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective April 15, 1994.

CHAPTER 74

S.P. 715 - L.D. 1930

Resolve, to Create the Blue Ribbon Commission on Hunger and Food Security

Sec. 1. Commission established. Resolved: That the Blue Ribbon Commission on Hunger and Food Security, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Members. Resolved: That the commission consists of 15 members as follows: one Senator from the Joint Standing Committee on Human Resources, appointed by the President of the Senate; 3 Representatives from the Joint Standing Committee on Human Resources, appointed by the Speaker of the House of Representatives; one representative of the Department of Human Services, appointed by the Commissioner of Human Services; 10 representatives of the general public, including representatives of business, labor, religion, private nonprofit charitable organizations, low-income organizations, agriculture and antihunger organizations, 4 of whom are appointed by the Governor, 3 by the President of the Senate and 3 by the Speaker of the House of Representatives; and be it further

Sec. 3. Organizational meeting. Resolved: That the commission shall hold an organizational meeting, called by the Chair of the Legislative Council, within 30 days of the effective date of this resolve and shall elect from among the members a chair and a vice-chair for the commission; and be it further

Sec. 4. Duties. Resolved: That the commission shall hold hearings on hunger and food security, which, for the purposes of this resolve, means access through normal channels to nutrition sufficient for daily life and work, and develop a plan for relieving hunger and ensuring food security for people in the State. The commission shall inquire into the experience of hunger in this State and investigate changes in policies and programs that will enable all citizens of this State to attain food security and to move toward self-reliance. This inquiry must include, but is not limited to, consideration of the reform of public welfare and the role of public and private efforts in achieving food security; and be it further

Sec. 5. Staff assistance. Resolved: That the State Planning Office and the Department of Human Services shall provide research, clerical and computer assistance to the commission; and be it further