

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 886

H.P. 671

House of Representatives, February 28, 2007

An Act To Clarify Certain Laws Related to Fire Safety

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative RINES of Wiscasset.
Cosponsored by Senator BARTLETT of Cumberland and
Representative: WEAVER of York.

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

2 **Sec. 1. 8 MRSA §162**, as repealed and replaced by PL 1967, c. 265, is amended to
3 read:

4 **§162. Violations**

5 ~~Whoever, being an~~ An owner, lessee, tenant or licensee of a pavilion, hall or other
6 building, in which a dance is held in violation of any restriction imposed by section 161;
7 ~~shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of~~
8 ~~not more than \$100 or by imprisonment for not more than 90 days, or by both. Said~~
9 ~~license may be suspended or revoked by the court~~ commits a Class E crime.

10 **Sec. 2. 25 MRSA §2395**, as amended by PL 1979, c. 44, is further amended to
11 read:

12 **§2395. Filing statement of fire occurrence**

13 The municipal fire chief, ~~his or a designee or municipal fire inspector~~ shall ~~file a~~
14 ~~written report with~~ submit to the State Fire Marshal ~~each month on forms provided by his~~
15 ~~office, setting forth all of the facts relating to the cause, origin and circumstances of fires~~
16 ~~occurring within his jurisdiction, along with a description of the kind, value and~~
17 ~~ownership of the property damage or destruction, with such other information as he may~~
18 ~~require an incident report for each response made, regardless of whether an actual fire~~
19 ~~occurred. Such~~ The report shall at all times be open to public inspection, except in such
20 ~~instances as the Attorney General may determine that it would be detrimental to a~~
21 ~~pending criminal investigation must be submitted in a manner consistent with a national~~
22 ~~fire incident reporting system.~~ fire incident reporting system.

23 **Sec. 3. 25 MRSA §2452, 2nd ¶**, as amended by PL 2003, c. 535, §3, is further
24 amended to read:

25 Existing buildings licensed pursuant to Title 22, Subtitle 6 having more than 6
26 boarders, with the exception of board and care facilities and children's homes, must
27 comply with any rules for ~~residential-custodial~~ residential board and care facilities
28 occupancies required by the Commissioner of Public Safety, except that such existing
29 facilities of not more than 2 stories in height are not required to be fire resistive, protected
30 or unprotected noncombustible, protected wood frame or heavy timber construction. Such
31 existing facilities must be protected by a complete approved automatic sprinkler system
32 and meet all other requirements of ~~residential-custodial~~ residential board and
33 facilities occupancies as required by the Commissioner of Public Safety.

34 **SUMMARY**

35 This bill clarifies that a person who violates laws applicable to dance facilities
36 commits a Class E crime. The bill requires that incident reports be submitted by
37 municipal fire officials to the State Fire Marshal that are consistent with a national fire
38 incident reporting system. In addition, the bill changes the term "residential-custodial

1 care facilities" to "residential board and care occupancies" for the purposes of
2 clarification and accuracy.