

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1549**

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H. P. 673

In Senate, May 1, 1953

On motion of Senator Chapman of Cumberland and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Chapman, Jr., of Cumberland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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SENATE AMENDMENT "A" TO H. P. 673, L. D. 716, Bill, "An Act Relating to Inflammable Oils and Liquids."

Amend said Bill by striking out all after the enacting clause and inserting the following:

'Sec. 1. R. S., c. 85, sections 41-N and 41-O, additional. Chapter 85 of the revised statutes is hereby amended by adding thereto 2 new sections, to be numbered 41-N and 41-O, to read as follows:

**Sec. 41-N. Keeping of flammable liquids restricted.** It shall be unlawful for any person, firm or corporation to keep, store, transport, sell or use any liquefied gas, manufactured or artificial gas, crude petroleum, coal oils, burning fluids, benzine, benzol, gasoline, naphtha, ether, or other like volatile combustibles, or other compounds, in such manner or under such circumstances as will unreasonably jeopardize life or property.

**Sec. 41-O. Regulations authorized.** The insurance commissioner is hereby authorized to make, amend or rescind, after public hearing thereon, notice of which has been duly advertised in the state paper, reasonable rules and regulations to enforce the provisions of Section 41-N. Such rules shall prescribe the materials, construction and design of tanks, receptacles, buildings and vehicles used in connection with the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of the inflammables referred to in Sec. 41-N by any person, firm or corporation and

may establish minimum standards for correctness of design, construction and performance of appliances containing or using such fluids or gases, or generating the same. All rules and regulations so promulgated, when approved by the governor and council, and filed with the secretary of state, shall have the force of law, insofar as they are not inconsistent with the provisions of this section and section 4I-N, and shall be enforced by the commissioner. The commissioner and his representatives shall have free access at all reasonable hours to all premises in which inflammable liquids may be kept or stored.

Any person, including officers and agents of any corporation, violating any provision of sections 4I-N or 4I-O, or any lawful rule or regulation promulgated thereunder, shall be punished by a fine of not more than \$200, or by imprisonment for not more than 3 months, or by both such fine and imprisonment.

**Sec. 2. Appeal.** Any person aggrieved by any such rule and regulation or the reasonableness of same, or any act or order of the insurance commissioner in enforcing any such rule or order, may appeal to the justice of the superior court by presenting to him a petition therefor in term time or vacation, and such justice shall fix the time and place of hearing and cause notice thereof to be given to the commissioner; and after such hearing, the justice may affirm, modify or reverse the decision of the commissioner and shall remand the case to the commissioner for execution in accordance with the court decree.

**Sec. 3. Repealing clause.** Section 42 of chapter 85 of the revised statutes is hereby repealed, provided, however, that any rules and regulations adopted by the Insurance Commissioner under section 42 shall be deemed to have been adopted under the provisions of this act and shall continue in full force and effect until amended or revised in accordance with the provisions of this act.'