

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND FIRST LEGISLATURE

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**Legislative Document**

**No. 921**

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H. P. 665

House of Representatives, January 31, 1963

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Philbrick of Augusta.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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### AN ACT Revising Certain Fire Laws.

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

**Sec. 1. R. S., c. 97, § 8, amended.** Section 8 of chapter 97 of the Revised Statutes is amended to read as follows:

**'Sec. 8. Officers appointed under special laws have same powers as fire wards.** The chief ~~engineer, engineers of the department,~~ fire wards and other officers appointed for particular localities under special laws have the same power as fire wards to pull down or demolish buildings in order to prevent the spreading of fires and to do other things for the extinguishment thereof; ~~and the.~~ **The** town to which they belong is liable to pay such compensation for damages consequent upon their acts as other towns are for similar damages; ~~and the.~~ **The** members of the fire department in such localities shall enjoy all the privileges and be liable to all the duties of other firemen; but nothing herein shall be construed to control the manner of their election.'

**Sec. 2. R. S., c. 97, § 29-A, additional.** Chapter 97 of the Revised Statutes is amended by adding thereto a new section 29-A, to read as follows:

**'Sec. 29-A. Authority.** State electrical inspectors shall have the right during reasonable hours to enter any building or premises, with or without process, in the discharge of their official duties, or for the purpose of making any inspection, re-inspection or test of the electrical equipment contained therein or its installation. When any electrical equipment is found by an authorized state electrical inspector to be dangerous to persons or property because it is defective or improperly installed, the person, firm or corporation responsible for the electrical equipment or its installation shall, by the Insurance Commissioner, be

notified in writing, and shall thereupon make any changes or repairs required to place such equipment in a safe condition. In cases of emergency where in his opinion the safety of persons or property require it, the state electrical inspector having jurisdiction shall have the authority to immediately disconnect or ensure the disconnection of any hazardous equipment, installation, wiring or associated equipment, subsequently reporting his action to the Insurance Commissioner and no liability shall attach in favor of any person, firm or corporation against the state electrical inspector, his supervisors or the Insurance Commissioner for disconnecting or ensuring the disconnection of any electrical equipment deemed to be hazardous.'

**Sec. 3. R. S., c. 97, § 48-A, sub-§ IV, amended.** Subsection IV of section 48-A of chapter 97 of the Revised Statutes, as enacted by chapter 163 of the public laws of 1959, is amended to read as follows:

**IV. Violation.** Any person who violates a regulation issued by the commissioner under this section shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both; and the building or part of a building so occupied shall be deemed a common nuisance, without any other evidence than proof of its use, and the keeper shall be punished accordingly. Said officers may forbid the use of such building for any public purpose until their order has been complied with, and shall conspicuously post the entrance to any such building with signs giving notice that it does not comply with the building exits code of this State which signs are to be removed only by the inspector after the owner or keeper of said building has complied with the order.'

**Sec. 4. R. S., c. 97, § 52, amended.** Section 52 of chapter 97 of the Revised Statutes is amended to read as follows:

**'Sec. 52. Failure to comply with orders for safeguards.** Any owner or occupant who neglects to comply with such order made under the provisions of the 3 preceding sections 49 to 51, within the time so allowed, forfeits \$50, besides \$5 for every day's continuance of such neglect, and the building or part of a building so occupied shall be deemed a common nuisance, without any other evidence than proof of its use, and the keeper shall be punished accordingly. Said officers may forbid the use of such building for any public purpose until their order has been complied with and shall conspicuously post the entrance to any such building with signs giving notice that it does not comply with the state code pertaining to fire escapes and other safeguards which signs are to be removed only by the state inspector after the owner or keeper of said building has complied with the order. If the owner or occupant of said building lets or uses the same in violation of such order, he forfeits not less than \$20 nor more than \$50, for each offense.'