

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1061

H. P. 834

House of Representatives, February 10, 1965

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

JEROME G. PLANTE, Clerk

Presented by Mr. Drigotas of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Revising the Laws Relating to Fire Protection and Prevention.

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

Sec. 1. R. S., T. 25, § 2392, amended. The first paragraph of section 2392 of Title 25 of the Revised Statutes is amended to read as follows:

'The Insurance Commissioner, his deputy, **supervising state fire inspectors** or the fire inspector, upon the complaint of any person or whenever he or they shall deem it necessary, may inspect or cause to be inspected all buildings and premises within their jurisdiction. Whenever any of said officers shall find any building or other structure which, for want of repairs or by reason of age or dilapidated condition or from any other cause, is especially liable to fire, or which is so situated as to endanger other property or the safety of the public, or whenever such officer shall find in or around any building combustible or explosive matter or inflammable or other conditions dangerous to the safety of such buildings, **or the safety of the public**, or whenever such officer shall find any building which has been gutted by fire, or whenever such officer shall find that debris remains from a building which has been destroyed by fire or otherwise, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings. ~~If such order is made by any fire inspector, such owner or occupant may within 24 hours appeal to the Insurance Commissioner, who shall within 10 days review such order and file his decision thereon, and his decision shall be final and shall be complied with within such time as may be fixed in said order or decision of the Insurance Commissioner.~~

Sec. 2. R. S., T. 25, § 2393, amended. The first sentence of section 2393 of Title 25 of the Revised Statutes is amended to read as follows:

'If any person fails to comply with the order of any officer under section 2392 ~~or with the decision of the Insurance Commissioner on review and within the time fixed within 10 days of such order,~~ then such officer or the Insurance Commissioner may file a complaint in the **District or Superior Court** in the county where the building or premises is located to enforce the order of said officer or the Insurance Commissioner.'

Sec. 3. R. S., T. 25, § 2441, amended. Section 2441 of Title 25 of the Revised Statutes is amended by inserting after the 2nd paragraph, 3 new paragraphs, as follows:

'The Insurance Commissioner shall charge a fee of not in excess of \$50 for each permit for the storage of explosives. Such fee shall be on the basis of \$5 for each 1,000 pounds of explosives and \$2 for each storage of 5,000 blasting caps or less.

No person, firm, corporation or association shall carry on blasting operations of explosives unless a blasting permit has been issued by the Insurance Commissioner. The Insurance Commissioner may revoke such blasting permit should there be a violation of the rules and regulations for the blasting of explosives. A fee of not in excess of \$25 shall be paid for such permit. This law shall not apply to farmers carrying on blasting operations on their own property.

The fees for such permit for the storage of explosives and for such blasting permit through the Division of State Fire Prevention shall be credited to the Division of State Fire Prevention to defray the expenses of the division. Any balance of said fees shall not lapse but shall be carried forward as a continuing account to be expended for the same purposes in the following fiscal year.'

Sec. 4. R. S., T. 25, § 2452, amended. Section 2452 of Title 25 of the Revised Statutes is amended by inserting after the first paragraph, a new paragraph, as follows:

'The commissioner, the Director of State Fire Prevention and the assistant director of state fire prevention, in cases of great difficulty or unnecessary hardship, may grant exceptions from the rules governing exits in all buildings or other structures, but only when it is clearly evident that reasonable safety is thereby secured.'