

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1084

S. P. 365

In Senate, March 2, 1981

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Trotzky of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Requiring that Stuffed Furniture Sold in Maine be Fire Retardant.

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

22 MRSA c. 273 is enacted to read:

CHAPTER 273

FIRE RETARDANT FURNITURE

§ 1691. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. **Filling material.** "Filling material" means any material which is intended to be used primarily in stuffing furniture.
2. **Fire retardant.** "Fire retardant" means fire retardant in accordance with rules adopted under section 1693.
3. **Furniture.** "Furniture" means any article which is or can be stuffed with filling material and which is intended to be used primarily in the home by human beings for body support, sleeping, sitting, resting or reclining.

§ 1692. Fire retardant furniture

1. **Requirement.** All filling material and furniture sold or offered for sale in this State and all filling material and furniture sold or purchased for use in a

public accomodation in this State shall be fire retardant and labeled in accordance with rules adopted under section 1693.

2. Exceptions. This chapter does not apply to any furniture that does not pose a serious fire hazard in accordance with rules adopted under section 1693.

§ 1693. Rules

In accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, the State Fire Marshal shall adopt rules which define fire retardant, exempt from this chapter any furniture that does not pose a serious fire hazard and require appropriate labelling.

§ 1694. Unfair trade practice

Any violation of this chapter constitutes a violation of Title 5, chapter 10.

STATEMENT OF FACT

Within the last decade, highly flammable polyurethane foam has largely replaced foam rubber as the stuffing in home furniture. Polyurethane foam is so flammable it has been called "solid gasoline;" it is estimated to be responsible for a 1000 fire deaths every year. Yet, except in California, furniture stuffed with this material is not even required to resist a small open flame. The cost of treating polyurethane foam with fire retardant chemicals is very small. This bill would require that all stuffed furniture sold in Maine be able to resist at least a small open flame.