

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1888

H.P. 1389 House of Representatives, September 30, 1987  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 26.  
Received by the Clerk of the House on September 30,  
1987. Referred to the Committee on Legal Affairs and 1,650  
ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk  
Presented by Representative RUHLIN of Brewer.

Cosponsored by Senator KANY of Kennebec, Representatives  
PAUL of Sanford and PRIEST of Brunswick.

STATE OF MAINE

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

1 AN ACT to Delay Implementation of Certain  
2 Fire Safety Standards.  
3

4 Emergency preamble. Whereas, Acts of the Legis-  
5 lature do not become effective until 90 days after  
6 adjournment unless enacted as emergencies; and

7 Whereas, fire safety standards are of the utmost  
8 importance in protecting firefighters; and

9 Whereas, municipalities bear the cost of provid-  
10 ing adequate training and equipment for firefighters;  
11 and

12 Whereas, since the passage of the new fire safety  
13 standards in June, municipalities have not been able  
14 to revise their budgets to include expenditures to  
15 meet the new standards; and

1           Whereas, some delay in implementation of the  
2 standards is necessary to enable municipalities to  
3 comply with the standards, without greatly decreasing  
4 the protection of the safety standards; and

5           Whereas, in the judgment of the Legislature,  
6 these facts create an emergency within the meaning of  
7 the Constitution of Maine and require the following  
8 legislation as immediately necessary for the preser-  
9 vation of the public peace, health and safety; now,  
10 therefore,

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

13           Sec. 1. 26 MRSA §2103, sub-§1, ¶G, as enacted by  
14 PL 1987, c. 356, is amended to read:

15           G. Self-contained breathing apparatus; and

16           Sec. 2. 26 MRSA §2103, sub-§1, ¶H, as enacted by  
17 PL 1987, c. 356, is repealed.

18           Sec. 3. 26 MRSA §2103, sub-§7, as enacted by PL  
19 1987, c. 356, is amended to read:

20           7. Self-contained breathing apparatus. Purchases  
21 of new respiratory apparatus by a department must be  
22 classified as pressure demand, self-contained and  
23 have a minimum of 1/2 hour normal service life plus  
24 an additional 1/2 hour capacity in a spare cylinder.  
25 The entire unit must meet the Maine Mine Safety  
26 Health Administration, the National Institute for Oc-  
27 cupational Safety and Health and the National Fire  
28 Protection Association standards.

29           Self-contained Purchases of new self-contained  
30 breathing apparatus must contain a minimum air supply  
31 of 80% of the rated capacity of the cylinder to be  
32 considered in-service.

33 Purchases of new harnesses for respiratory apparatus  
34 by a fire department must be constructed of fabric  
35 that provides thermal protection consistent with the  
36 minimum requirements for protective clothing. Har-  
37 nesses must be certified by the National Institute  
38 for Occupational Safety and Health.

1           Sec. 4. 26 MRSa §2104, sub-§3, as enacted by PL  
2 1987, c. 356, is repealed and the following enacted  
3 in its place:

4           3. Self-contained breathing apparatus. Each  
5 fire department shall provide and each firefighter  
6 shall use self-contained breathing apparatus when the  
7 firefighter enters structural fires or when proximity  
8 hazards require that protection. Each fire depart-  
9 ment shall establish a program of maintenance and re-  
10 pair to ensure that self-contained breathing appa-  
11 rus retains its original effectiveness as recommended  
12 by the manufacturer.

13           This subsection is effective beginning October 1,  
14 1988.

15           Sec. 5. 26 MRSa §2104, sub-§4, as enacted by PL  
16 1987, c. 356, is amended to read:

17           4. Personal alert safety system. Each fire de-  
18 partment shall may provide a personal alert safety  
19 system or--PASS, with every self-contained breathing  
20 apparatus.

21           Sec. 6. 26 MRSa §§2106 and 2107, as enacted by  
22 PL 1987, c. 356, are repealed and the following en-  
23 acted in their place:

24           §2106. Inspection by and assistance of Bureau of La-  
25 bor Standards

26           The Bureau of Labor Standards shall inspect each  
27 fire department at least once every 2 years to deter-  
28 mine compliance with this chapter. The bureau shall  
29 assist fire departments in complying with this chap-  
30 ter.

31           §2107. Rules

32           The Bureau of Labor Standards shall adopt rules  
33 to carry out and enforce this chapter.

34           Sec. 7. 26 MRSa §2108 is enacted to read:

35           §2108. Inconsistent rules

