

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1956

H.P. 1459

House of Representatives, December 20, 2001

**An Act to Clarify Rule-making Authority for the Office of the State Fire
Marshal.**

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Received by the Clerk of the House on December 17, 2001. Referred to the Committee on
Criminal Justice pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative POVICH of Ellsworth.
Cosponsored by Senator O'GARA of Cumberland and
Representatives: QUINT of Portland, RINES of Wiscasset.

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

2
4 **Sec. 1. 25 MRSA §2464, sub-§4-A** is enacted to read:

6 **4-A. Rules.** The Commissioner of Public Safety or the
8 commissioner's designee, in accordance with the Maine
10 Administrative Procedure Act, shall adopt rules pertaining to
12 smoke detectors. The rules adopted must include, but not be
14 limited to, standards for approved smoke detectors and all
16 requirements of use, maintenance and installation. Rules adopted
18 pursuant to this subsection are routine technical rules as
20 defined in Title 5, chapter 375, subchapter II-A.

SUMMARY

Public Law 1997, chapter 728 took from the State Fire Marshal the authority to enact rules regarding smoke detectors under the Maine Revised Statutes, Title 25, section 2464. This bill specifically grants that responsibility to the Commissioner of Public Safety or the commissioner's designee.