

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 79

S.P. 31

In Senate, January 21, 2003

An Act Regarding the Enforcement Powers of the Office of the State Fire Marshal

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Senator: CARPENTER of York.

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

Sec. 1. 25 MRSA §2396, sub-§7, as amended by PL 1997, c. 728, §20, is further amended to read:

7. Other duties. The performance of such other duties as are set forth in this and other sections of the statutes and as may be conferred or imposed from time to time by law. The State Fire Marshal, the State Fire Marshal's deputy and investigators appointed under this Title shall carry out those functions that the Commissioner of Public Safety may direct and in so doing have the same enforcement powers and duties throughout the State as sheriffs have in their respective counties. ~~The--enforcement powers--are--to--be--limited--in--scope--to--enforcement--of--statutes, ordinances--and--rules--concerned--with--fire--prevention,--arson--and other--burnings--and--enforcement--of--such--other--specific--areas--of responsibility--as--are--assigned--to--the--Office--of--the--State--Fire Marshal--by--statute,--and--to--arrest--for--impersonation--of--or interference--with,--the--State--Fire--Marshal,--the--State--Fire Marshal's--deputy--or--their--designees.~~

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SUMMARY

Under current law, the State Fire Marshal and the State Fire Marshal's deputy and investigators are granted the same enforcement power and duties as sheriffs have in their respective counties, except that those powers are limited to enforcement of laws, rules and ordinances concerned with issues such as fire prevention and arson. This bill removes this limitation.