

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 46, L.D. 53, Bill, "An Act To Permit the Use of a Common Flue for Oil and Solid Fuel Burning Equipment"

Amend the amendment in the first paragraph after the title in the first, 2nd and 3rd lines (page 1, lines 11 to 13 in amendment) by striking out the following: "in section 1 in subsection 1-A in the 6th line (page 1, line 9 in L.D.) by inserting after the following: "fuels" the following: 'as long as a carbon monoxide detector is installed in the building near a bedroom' " and inserting the following:

'by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 25 MRSA §2465, sub-§1-A, as enacted by PL 2005, c. 571, §1, is amended to read:

1-A. Routine technical rules. The Commissioner of Public Safety shall adopt rules pertaining to the construction, installation, maintenance and inspection of chimneys, fireplaces, vents and solid fuel burning appliances. Rules adopted pursuant to this subsection may include rules pertaining to maintenance and inspections, except as provided in subsection 1-B. Rules adopted pursuant to this subsection may not prohibit the continued use of an existing connection of a solid fuel burning appliance to a chimney flue to which another appliance burning oil or solid fuel is connected for any chimney existing and in use prior to February 2, 1998 as long as sufficient draft is available for each appliance, the chimney is lined and structurally intact and a carbon monoxide detector is installed in the building near a bedroom. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 32 MRSA §2402-A, as enacted by PL 1999, c. 386, Pt. J, §16, is amended to read:

§2402-A. Rules

The board may adopt reasonable rules for the issuance of various types and classes of licenses to cover oil and solid fuel burner installations and to set forth standards and rules for product approval. Rules adopted pursuant to this section may not prohibit the continued use of an existing connection of a solid fuel burning appliance to a chimney

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1 flue to which another appliance burning oil or solid fuel is connected for any chimney
2 existing and in use prior to February 2, 1998 as long as sufficient draft is available for
3 each appliance, the chimney is lined and structurally intact and a carbon monoxide
4 detector is installed in the building near a bedroom. A license may cover one or more
5 types of installations. The board may further adopt reasonable rules concerning the term
6 and type of experience required by candidates for examination.'

7 Amend the amendment by striking out the 2nd paragraph after the title (page 1, lines
8 14 to 16 in amendment)

9 **SUMMARY**

10 This amendment requires the Commissioner of Public Safety and the Oil and Solid
11 Fuel Board to adopt rules that allow the continued use of an existing connection of a solid
12 fuel burning appliance to a chimney flue to which another appliance burning oil or solid
13 fuel is connected for any chimney existing and in use prior to February 2, 1998 as long as
14 sufficient draft is available for each appliance, the chimney is lined and structurally intact
15 and a carbon monoxide detector is installed in the building near a bedroom.

16 **SPONSORED BY:** _____

17 **(Representative MARTIN, J. L.)**

18 **TOWN: Eagle Lake**