

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 433

H.P. 321

House of Representatives, February 10, 2009

An Act To Reinstate Rules Requiring Inspection of Chimneys upon the Sale or Transfer of Property

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ROSEN of Bucksport.
Cosponsored by Senator COURTNEY of York and
Representatives: CELLI of Brewer, CHASE of Wells, HOGAN of Old Orchard Beach.

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

2 **Sec. 1. 25 MRSA §2465, sub-§1-B**, as enacted by PL 2005, c. 571, §1, is
3 amended to read:

4 **1-B. Major substantive rules.** The Commissioner of Public Safety may adopt rules
5 requiring maintenance of chimneys, fireplaces, vents and solid fuel burning appliances
6 and inspection of ~~ehimneys~~, fireplaces, vents and solid fuel burning appliances upon the
7 sale or transfer of property and shall adopt rules requiring inspection of chimneys upon
8 the sale or transfer of property. Rules adopted pursuant to this subsection are major
9 substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

10 **SUMMARY**

11 Current law allows the Commissioner of Public Safety to adopt rules requiring the
12 maintenance and inspection of chimneys, fireplaces, vents and solid fuel burning
13 appliances upon the sale or transfer of property. The rules of the Department of Public
14 Safety, Office of the State Fire Marshal were recently amended to remove the
15 requirement of inspection of existing chimneys upon the sale and transfer of property.
16 This bill amends the law to require the adoption of rules requiring the inspection of
17 chimneys upon the sale or transfer of property.