

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1494

H.P. 1027

House of Representatives, April 20, 2017

### An Act To Increase the Availability of Foster Homes

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SANDERSON of Chelsea. (GOVERNOR'S BILL)

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

2 **Sec. 1. 22 MRSA§8103, sub-§1-A,** as enacted by PL 2003, c. 411, §1, is  
3 amended to read:

4 **1-A. Inspection required.** Except as provided in ~~subsection~~ subsections 2 and 2-A,  
5 the department may not issue a license to operate to a children's home until the  
6 department has received from the Commissioner of Public Safety a written statement  
7 signed by one of the officials designated under Title 25, section 2360, 2391 or 2392 to  
8 make fire safety inspections. This statement must indicate that the children's home has  
9 complied with applicable fire safety provisions referred to in Title 25, section 2452.

10 **Sec. 2. 22 MRSA §8103, sub-§2-A** is enacted to read:

11 **2-A. Family foster homes.** Family foster homes are exempt from the inspection  
12 requirement in subsection 1-A. The department shall inspect a family foster home prior  
13 to placing a foster child in the home. The department shall adopt routine technical rules  
14 as defined in Title 5, chapter 375, subchapter 2-A governing the fire and safety inspection  
15 of family foster homes.

16 **SUMMARY**

17 This bill eliminates the requirement that the State Fire Marshal inspect a family foster  
18 home and certify that it meets all elements of the fire safety code before the Department  
19 of Health and Human Services may issue a license to operate as a family foster home.  
20 The bill moves the inspection responsibility to the Department of Health and Human  
21 Services, which is directed to adopt rules governing the method of inspection.