

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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1981

CHAPTER 398
S. P. 573 — L. D. 1542**AN ACT to Enable the State of Maine to Fund Waste Water Treatment Systems in the Event Federal Funds are not Included or Limited in Future Federal Budgets.**

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

Sec. 1. 38 MRSA § 411, first ¶, as repealed and replaced by PL 1973, c. 694, § 1, is amended to read:

The department is authorized to pay an amount at least 15%, but not to exceed 25%, of the expense of a municipal or quasi-municipal pollution abatement construction program ~~which has received federal approval and federal funds for construction.~~ **The department may pay up to 90% of the expense of a municipal or quasi-municipal pollution abatement construction program in which the construction cost of the project does not exceed \$100,000 so long as total expenditures for such small projects do not exceed \$1,000,000 for each of the fiscal years 1981-82 and 1982-83, and not more than one grant is made to any applicant each year. State grant-in-aid participation under this section shall be limited to grants for waste treatment facilities, interceptor systems and outfalls. The word "expense" shall not include costs relating to land acquisition or debt service, unless allowed under federal statutes and regulations.**

Sec. 2. 38 MRSA § 411, as repealed and replaced by PL 1973, c. 694, § 1, is amended by adding after the first paragraph a new paragraph to read:

The department shall develop a project priority list, for approval by the board, for pollution abatement construction projects. The factors to be considered in developing the priority lists shall include, but not be limited to, protection of water supplies, shellfish, general public health hazards and water contact activities.

Effective September 18, 1981

CHAPTER 399
H. P. 1409 — L. D. 1573**AN ACT to Require Smoke Detectors in All Multiapartment Dwellings and New Single-family Residences.**

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

Sec. 1. 25 MRSA § 2464 is enacted to read:

§ 2464. Smoke detectors

1. **Definition.** "Smoke detector" means any device which, when activated by the presence of smoke, provides an audible alarm suitable to warn the occupants within the individual dwelling unit in which it is attached, which has been approved for use in this State by the State Fire Marshal.

2. **Smoke detectors required.** The owner shall install, or cause to be installed, not less than one approved smoke detector upon or near the ceiling in areas within, or giving access to, bedrooms in:

A. Any single-family dwelling, the construction of which is completed after the effective date of this section; and

B. Each apartment in any building of multifamily occupancy, other than any occupied by the owner of the building.

3. **Multipartment buildings.** In multipartment buildings more than 3 stories in height, approved smoke detectors shall also be installed in each closed corridor and closed hallway on each floor.

4. **Regulations.** The State Fire Marshal is authorized and directed to promulgate by regulation criteria for approval and a list of approved smoke detectors.

5. **Penalties.** Whoever violates this section is guilty of a civil infraction and shall be subject to a forfeiture of not more than \$500 for each violation. The court may waive any penalty or cost against any violator upon satisfactory proof that the violation was corrected within 10 days of the issuance of a complaint.

6. **Liability.** Nothing in this section gives rise to any action against an owner required to comply with subsection 2, paragraph B, if the owner has conducted an inspection of the required smoke detectors immediately after installation and has reinspected the smoke detectors prior to occupancy by each new tenant, unless the owner has been given at least 24-hours' actual notice of a defect or failure of the smoke detector to operate properly and has failed to take action to correct the defect or failure.

Sec. 2. Effective date. The Revised Statutes, Title 25, section 2464, subsections 2, 3, 5 and 6, as enacted by section 1 of this Act, shall become effective on January 1, 1982.

Sec. 3. Transition. The State Fire Marshal shall promulgate an initial set of regulations as required by the Revised Statutes, Title 25, section 2464, subsection 4, no later than October 31, 1981.