

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Clarify Certain Laws Related to Fire Safety**

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

**Sec. 1. 8 MRSA §162**, as repealed and replaced by PL 1967, c. 265, is amended to read:

### **§ 162. Violations**

~~Whoever, being an~~An owner, lessee, tenant or licensee of a pavilion, hall or other building, in which a dance is held in violation of any restriction imposed by section 161, ~~shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both. Said license may be suspended or revoked by the court~~commits a Class E crime.

**Sec. 2. 25 MRSA §2395**, as amended by PL 1979, c. 44, is further amended to read:

### **§ 2395. Filing statement of fire occurrence**

~~The municipal fire chief, his or a designee or municipal fire inspector shall file a written report with~~submit to the State Fire Marshal each month on forms provided by his office, setting forth all of the facts relating to the cause, origin and circumstances of fires occurring within his jurisdiction, along with a description of the kind, value and ownership of the property damage or destruction, with such other information as he may requirean incident report for each response made, regardless of whether an actual fire occurred. ~~Such~~The report shall at all times be open to public inspection, except in such instances as the Attorney General may determine that it would be detrimental to a pending criminal investigationmust be submitted in a manner consistent with a national fire incident reporting system.

**Sec. 3. 25 MRSA §2452, 2nd ¶**, as amended by PL 2003, c. 535, §3, is further amended to read:

Existing buildings licensed pursuant to Title 22, Subtitle 6 having more than 6 boarders, with the exception of board and care facilities and children's homes, must comply with any rules for ~~residential-~~residential board and care facilities~~occupancies~~ required by the Commissioner of Public Safety, except that such existing facilities of not more than 2 stories in height are not required to be fire resistive, protected or unprotected noncombustible, protected wood frame or heavy timber construction. Such existing facilities must be protected by a complete approved automatic sprinkler system and meet all other requirements of ~~residential-~~residential board and care facilities~~occupancies~~ as required by the Commissioner of Public Safety.

## **SUMMARY**

This bill clarifies that a person who violates laws applicable to dance facilities commits a Class E crime. The bill requires that incident reports be submitted by municipal fire officials to the State Fire Marshal that are consistent with a national fire incident reporting system. In addition, the bill changes the

term "residential-custodial care facilities" to "residential board and care occupancies" for the purposes of clarification and accuracy.