

**OFFICE OF POLICY AND LEGAL ANALYSIS
BILL ANALYSIS**

TO: Members, Joint Standing Committee on Criminal Justice and Public Safety

FROM: Jane Orbeton, Legislative Analyst

DATE: February 23, 2021

LD: 346 An Act Requiring the Use of Propane and Natural Gas Detectors

Summary

The bill is an exact duplicate of LD 1962 from the 129th Legislature, which was voted out of committee unanimous Ought to Pass as Amended with this same wording. The Fiscal Note on LD 1962 states that any costs to the University of Maine System can be absorbed.

This bill requires owners of certain buildings to install detectors of elevated levels of propane, natural gas and liquified petroleum gas. The requirement applies to each unit of a multifamily occupancy buildings; fraternity houses, sorority houses and dormitories that are affiliated with educational facilities; children's homes, emergency children's shelters, children's residential care facilities, shelters for homeless children and specialized children's homes; and hotels, motels and inns. The requirements do not apply to single family homes.

The requirement for residential rental units is phased in as the units change occupants. Occupants are required to keep the fuel gas detectors connected to electrical power or to charged batteries and are prohibited from disabling the units.

Owners who do not comply with the law are subject to a fine of up to \$500 which may be waived if the owner corrected the violation within 10 days of issuance of a complaint. An owner is protected from liability if the owner inspects the detectors after installation and prior to new tenants moving in unless the owner was notified of the defect or failure and did not take action within 24 hours.

The bill is modeled on the laws applicable to those same buildings or facilities with regard to smoke detectors and carbon monoxide detectors. To provide time for owners the bill provides an effective date of January 1, 2022.

Testimony

1. The sponsor, Representative Reckitt, spoke in favor of the bill and provided background from the 129th Legislature.
2. There was no testimony in opposition.

3. Greg Dugal, speaking for Hospitality Maine, spoke neither for nor against, citing difficulty in supporting new mandates this year. Mr. Dugal stressed that LD 346 as written mirrors LD 1962 from last year, which Hospitality Maine supported in its amended form. Mr. Dugal agreed to review the amendment proposed by Samantha Warren.

4. Samantha Warren, University of Maine System Director of Government and Community Relations, submitted testimony supporting the intent of the bill and suggesting one change. Ms. Warren suggested on page 1 of the bill, at line 15 in 25 MRSA section 2469, subsection 2 changing the wording “in every room containing an appliance fueled by propane, natural gas...” to “in every room containing an appliance that combusts propane, natural gas...” Ms. Warren states that the concern is about the location of the combustion not the location where the power, heating or cooling is directed.

From LD 346, proposed Title 25, section 2469

2. Fuel gas detector required. The building owner shall install, or cause to be installed, in accordance with the manufacturer's requirements at least one approved fuel gas detector in every room containing an appliance fueled by propane, natural gas or any liquified petroleum gas in:

A. Each unit in any building of multifamily occupancy;

B. A fraternity house, sorority house or dormitory that is affiliated with an educational facility;

C. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home as defined in Title 22, section 8101, subsections 1, 2, 4, 4-A and 5, respectively; or

D. A hotel, motel or inn.