

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

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure Legislative Review of Fire Sprinkler Rules'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 25 MRSA §2452, first ¶, as amended by PL 2003, c. 535, §3, is further amended to read:

The Commissioner of Public Safety shall adopt and may amend, ~~after notice in accordance with the Maine Administrative Procedure Act,~~ reasonable rules governing the safety to life from fire in or around all buildings or other structures and mass outdoor gatherings, as defined in Title 22, section 1601, subsection 2, within the commissioner's jurisdiction. These rules do not apply to nursing homes having 3 or fewer patients. Automatic sprinkler systems may not be required in existing noncommercial places of assembly. Noncommercial places of assembly include those facilities used for such purposes as deliberation, worship, entertainment, amusement or awaiting transportation that have a capacity of 100 to 300 persons. Rules adopted pursuant to this section are routine technical rules, except that rules pertaining to fire sprinklers are major substantive rules, both of which are defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 25 MRSA §2452, sub-§1, as amended by PL 1997, c. 728, §25, is repealed.

SUMMARY

The amendment replaces the bill. It requires that rules pertaining to the fire safety of certain buildings and of mass gatherings are routine technical rules, but that those relating to fire sprinklers are major substantive rules subject to legislative review.