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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 216, L.D. 623, Bill, "An Act To Expand Maine's Carbon Monoxide Detectors Law"

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

'Sec. 1. 25 MRSA §2468, sub-§1, ¶A-1 is enacted to read:

A-1. "Educational facility" means a public or private postsecondary institution incorporated or chartered under the laws of this State or a child care facility as defined in Title 22, section 8301-A, subsection 1-A, paragraph B.

Sec. 2. 25 MRSA §2468, sub-§2, as amended by PL 2011, c. 553, §1, is further amended to read:

2. Carbon monoxide detectors required. The owner shall install, or cause to be installed, by the manufacturer's requirements at least one approved carbon monoxide detector in each area within, or giving access to, bedrooms in:

A. Each unit in any building of multifamily occupancy; a fraternity house, sorority house or dormitory that is affiliated with an educational facility; 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; or a hotel, motel, inn or bed and breakfast licensed as an eating and lodging place or a lodging place under Title 22, chapter 562. The owner shall use a carbon monoxide detector that is powered by:

(1) Both the electrical service in the building and a battery; or

(2) A nonreplaceable 10-year battery;

B. Any addition to or restoration of:

(1) An existing single-family dwelling that adds at least one bedroom to the dwelling unit; or

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1 ~~(2) A fraternity house, sorority house or dormitory established on or after August~~
2 ~~1, 2012 that is affiliated with a private or public school or private or public~~
3 ~~postsecondary institution incorporated or chartered under the laws of this State;~~
4 ~~or~~

5 The owner shall use a carbon monoxide detector that is powered both by the
6 electrical service in the building and by a battery; and

7 C. Any conversion of a building to:

8 (1) A single-family dwelling; or

9 (1-A) A structure listed in paragraph A.

10 ~~(2) A hotel, motel, inn or bed and breakfast upon initial licensure as an eating~~
11 ~~and lodging place or a lodging place under Title 22, chapter 562 on or after~~
12 ~~August 1, 2012; or~~

13 ~~(3) A fraternity house, sorority house or dormitory established on or after August~~
14 ~~1, 2012 that is affiliated with a private or public school or private or public~~
15 ~~postsecondary institution incorporated or chartered under the laws of this State.~~

16 The owner shall use a carbon monoxide detector that is powered both by the
17 electrical service in the building and by a battery.

18 ~~A carbon monoxide detector must be powered both by the electrical service in the~~
19 ~~building or dwelling and by battery.~~

20 **Sec. 3. 25 MRSA §2468, sub-§§11 to 13** are enacted to read:

21 **11. Educational facilities.** An educational facility shall install, or cause to be
22 installed, by the manufacturer's requirements at least one approved carbon monoxide
23 detector in each building of the educational facility that is used for educational purposes
24 by at least 6 persons for at least 4 hours per day or more than 12 hours per week. The
25 owner shall use a carbon monoxide detector that is powered by:

26 A. Both the electrical service in the building and a battery; or

27 B. A nonreplaceable 10-year battery.

28 **12. Exemption.** A dormitory or other building of an educational facility is exempt
29 from the requirements of this section if the dormitory or other building meets the
30 standards for the installation of carbon monoxide detection and warning equipment
31 adopted by the National Fire Protection Association.

32 **13. Compliance schedule.** A public or private postsecondary institution shall, for
33 each dormitory or other building that is not exempt from the requirements of this section
34 pursuant to subsection 12, begin installation of carbon monoxide detectors as required by
35 this section by August 1, 2016 and shall achieve full compliance by January 1, 2019.

36 **Sec. 4. Transition provision.** If on January 1, 2016 a person who is required to
37 use a carbon monoxide detector by the Maine Revised Statutes, Title 25, section 2468 has
38 already in use a carbon monoxide detector powered by a replaceable battery, that person
39 may continue to use that detector until the recommended replacement date specified by

1 the manufacturer of the carbon monoxide detector. By the manufacturer's recommended
2 replacement date that person shall install a carbon monoxide detector that is in
3 compliance with the provisions of Title 25, section 2468 governing carbon monoxide
4 detector power sources.

5 **Sec. 5. Effective date.** This Act takes effect January 1, 2016.'

6 SUMMARY

7 This amendment replaces the bill. The amendment does the following.

8 1. It requires carbon monoxide detectors in all fraternity houses, sorority houses and
9 dormitories affiliated with educational facilities, children's homes, shelters and residential
10 care facilities licensed by the Department of Health and Human Services and eating and
11 lodging places and lodging places.

12 2. It requires carbon monoxide detectors in all educational facilities, but it exempts
13 dormitories and other buildings of educational facilities that meet National Fire
14 Protection Association standards.

15 3. It defines "educational facility" to mean public and private postsecondary
16 institutions and child care facilities.

17 4. It specifies which types of power sources for carbon monoxide detectors may be
18 used in which buildings.

19 5. It provides a schedule for public and private postsecondary institutions to achieve
20 full compliance by January 1, 2019.

21 6. It includes a transition provision for carbon monoxide detectors in use on the
22 effective date of this legislation that have nonconforming power sources.

23 7. It provides an effective date of January 1, 2016.