

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 404, L.D.487)

2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 1572

8 H.P. 1180

House of Representatives, May 9, 1983

9 Reported by Representative Beaulieu from the Committee on Labor and
10 printed under Joint Rule 2.

11 Original bill presented by Representative Kilcoyne of Gardiner.
Cosponsored by Senator Usher of Cumberland.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-THREE
17

18 AN ACT Relating to Attendants for
19 Power Boilers.
20

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

23 Sec. 1. 26 MRSA §171, as amended by PL 1975, c.
24 771, §271, is further amended to read:

25 §171. Board of Boiler Rules

26 The board of appeals, as heretofore established,
27 shall be known as the "Board of Boiler Rules," and
28 shall consist of 5 7 members, 4 6 of whom shall be
29 appointed by the director, with the approval of the
30 Governor. At the expiration of their respective terms
31 of office their successors shall be appointed for
32 terms of 4 years each. In the event of a vacancy by
33 reason of the death or resignation of any of said 4
34 the appointed members, or otherwise, the director

1 shall fill such vacancy for the remainder of the term
2 with a representative of the same class. Of these
3 said 4 6 appointed members, 2 shall be representa-
4 tives of labor within this State who are boiler
5 makers or have boiler licenses, one shall be a repre-
6 sentative of the owners and users of steam boilers
7 within this State, one a representative of the boiler
8 manufacturers within this State, one a representative
9 of the operating steam engineers in this State and
10 one a representative of a boiler inspection and
11 insurance company licensed to do business within the
12 State. The 5th 7th member shall be the director, who
13 shall be chairman of the board. The board shall meet
14 at least twice yearly at the State Capitol or other
15 place designated by the board.

16 Sec. 2. 26 MRSA §218 is enacted to read:

17 §218. Attendants for power boilers

18 The Board of Boiler Rules shall gather data in
19 order to determine if any rules on power boiler
20 attendants are needed for safety purposes, and then
21 shall promulgate any rules necessary to ensure that
22 power boilers are checked by an attendant with the
23 frequency and method best suited to safeguard life,
24 health and property. All rules shall be promulgated
25 pursuant to the Maine Administrative Procedure Act,
26 Title 5, chapter 375, subchapter II, by January 1,
27 1984, and a copy submitted to the Legislature for
28 review.

29 STATEMENT OF FACT

30 This new draft adds 2 additional members to the
31 Board of Boiler Rules. These 2 members representing
32 labor must be boiler makers or have boiler licenses
33 and will be appointed by the director, with the
34 approval of the Governor, as are other appointed mem-
35 bers of the board.

36 The new draft also adds a section to Title 26
37 authorizing the Board of Boiler Rules to gather data
38 to determine if rules are needed and then to promul-
39 gate any rules it believes are necessary to ensure
40 power boilers are checked by an attendant with the

1 frequency and method best suited to safeguard life,
2 health and property. All rules must be promulgated
3 under the Maine Administrative Procedure Act, Title
4 5, chapter 375, by January 1, 1984, and a copy sub-
5 mitted to the Legislature for review. This approach
6 allows the board to study available data on boiler
7 safety and consider numerous factors in its rules
8 proposals, including the size and type of boilers
9 involved, their location and whether rules are even
10 necessary in certain cases.

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