

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 161

H. P. 117

House of Representatives, January 13, 1971

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Shaw of Chelsea.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Remove the Word Steam from the Boiler Law.

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

Sec. 1. R. S., T. 26, § 173, amended. The first sentence of section 173 of Title 26 of the Revised Statutes is amended to read as follows:

The board shall formulate rules for the safe and proper construction, installation, repair, use and operation of ~~steam~~ boilers in this State.

Sec. 2. R. S., T. 26, § 173, amended. The 2nd sentence of the last paragraph of section 173 of Title 26 of the Revised Statutes is amended to read as follows:

Any change in the rules which would raise the standards governing the methods of construction of new ~~steam~~ boilers or the quality of material used in them shall not become effective until 6 months after the date of adoption of such change in the rules.

Sec. 3. R. S., T. 26, § 174, amended. The first paragraph of section 174 of Title 26 of the Revised Statutes is amended to read as follows:

No new ~~steam~~ boiler which does not conform to the rules formulated by the Board of Boiler Rules governing new installations shall be installed in this State.

Sec. 4. R. S., T. 26, § 211, amended. Section 211 of Title 26 of the Revised Statutes is amended to read as follows:

§ 211. Heating plants

Whenever any school building, church or other public building is heated by a ~~steam~~ heating plant located in, under or near such building, such ~~steam~~ heating plant shall be in charge of a person qualified as provided in section 216.

Sec. 5. R. S., T. 26, § 241, amended. Section 241 of Title 26 of the Revised Statutes is amended to read as follows:

§ 241. Certificate required

It shall be unlawful for any person, firm, partnership or corporation to operate under pressure in this State a ~~steam~~ boiler to which this subchapter applies without a valid inspection certificate as provided for in said subchapter. The operation of a ~~steam~~ boiler without an inspection certificate shall constitute a misdemeanor on the part of the owner or user thereof and be punishable by a fine of not more than \$100 or by imprisonment for not more than 30 days, or by both.

Sec. 6. R. S., T. 26, § 246, sub-§§ 1, 2 & 3, amended. Subsections 1, 2 and 3 of section 246 of Title 26 of the Revised Statutes are amended to read as follows:

1. **Free access to premises.** To have free access for himself and his deputy or deputies during reasonable hours, to any premises in the State where a ~~steam~~ boiler is built or where a ~~steam~~ boiler or power plant apparatus is being installed or operated, for the purpose of ascertaining whether such boiler is built, installed and operated in accordance with this subchapter;

2. **Inspection certificates.** To issue, suspend and revoke inspection certificates allowing ~~steam~~ boilers to be operated, as provided in section 242 and 244;

3. **Enforce laws and rules.** To enforce the laws of the State governing the use of ~~steam~~ boilers and to enforce the rules of the Board of Boiler Rules;

Sec. 7. R. S., T. 26, § 247, amended. The first and 3rd sentences of section 247 of Title 26 of the Revised Statutes are amended to read as follows:

In addition to any deputy boiler inspectors authorized and appointed under section 175, the commissioner shall, upon the request of any company authorized to insure against loss from explosion of ~~steam~~ boilers in this State, issue to the boiler inspectors of such company certificates of authority as authorized inspectors, provided that each inspector before receiving his certificate of authority shall pass satisfactorily the examination provided for in section 176, or, in lieu of such examination, shall hold a certificate as an inspector of steam boilers for a state that has a standard of examination equal to that of this State, or a certificate from the National Board of Boiler and Pressure Vessel Inspectors.

Such authorized inspectors shall inspect all ~~steam~~ boilers insured by their respective companies, and the owners or users of such insured boilers shall be exempt from the payment of the fees provided for in section 245.

STATEMENT OF FACT

The intent of this bill is to clarify the Maine boiler laws by removing the word steam. When the Board of Boiler Rules and Regulations was given authority to make rules for boilers of all types several years ago it neglected to remove the word steam in other sections of the law. This has caused only occasional difficulties to date but could become a problem.