

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 209

H. P. 167 House of Representatives, January 17, 1973 Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Sproul of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-THREE

AN ACT Relating to Membership on Board of Elevator Rules and Regulations.

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

R. S., T. 26, § 431, amended. The last sentence of the first paragraph of section 431 of Title 26 of the Revised Statutes, as amended by section 16 of chapter 592 and by section 13 of chapter 620, both of the public laws of 1971, is further amended to read as follows:

The 4th member of the board shall be a member of the Division of Fire Prevention appointed by the Commissioner of Public Safety and the 5th member of the board shall be the Director of the Bureau of Labor and Industry, who shall be chairman of the board.

STATEMENT OF FACT

The Board of Elevator Rules and Regulations is a small board (5 members) and for the past few years it has been severely handicapped because the Commissioner of Insurance, and most recently, the Commissioner of Public Safety has chosen to send a delegate to the board meetings. This has been declared legal by the Attorney General but the delegate has no voting powers.

In the event that another board member is absent for any reason and one of those present has no voting power, it is difficult to reach a quorum or a majority vote. Further, it is the broad knowledge of fire prevention matters which is desired on the board and this knowledge can only come from the Division of Fire Prevention. In the early days the Commissioner of Insurance was expected to have that knowledge but today, under the new reorganization, this is not necessarily true. He is an administrator, not a technician.

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