

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2127

S. P. 715

In Senate, January 2, 1974

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Katz of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT Relating to Exemption of Certain Plants under
Oil Burner Men's Licensing Law.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, by chapter 384 of the public laws of 1973 which became effective October 3, 1973, the exemption previously granted to those maintaining and operating oil burner installations in or about industrial or manufacturing plants, electrical or generating plants, or other plants operated by a public utility was repealed and replaced by a provision requiring the person performing the maintenance and operation of an oil burner to hold an engineer's license and to have been examined under the provisions of Title 26, section 178; and

Whereas, many performing such maintenance and operation of oil burner installations in or about industrial and manufacturing plants, electrical or generating plants or other plants operated by a public utility do not currently hold engineers' licenses pursuant to Title 26, section 178; and

Whereas, a current problem would be created for the people of the State of Maine if those who so operate and maintain oil burners in such plants were required to be so licensed and at the present time those so operating and maintaining such plants are doing so in violation of the law in order that the plants continue to be maintained and operated; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the

following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 32 § 2302, sub-§ 3, repealed and replaced. Subsection 3 of section 2302 of Title 32 of the Revised Statutes, as last repealed and replaced by chapter 384 of the public laws of 1973, is repealed and the following enacted in place thereof:

3. Plants. A person either holding an engineer's license issued under Title 26, section 178 or working under the general supervision of one so licensed while performing such oil burner repair and maintenance as is necessary in the steam or heating plant where he is employed, provided such work is performed in compliance with section 2303;

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.