

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2401

H. P. 1891

House of Representatives, January 18, 1974

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Jackson of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to Fees Charged by the Department of Public Safety.

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

Sec. 1. R. S., T. 8, § 212, amended. Section 212 of Title 8 of the Revised Statutes, as amended by section 32 of chapter 592 of the public laws of 1971, is further amended by adding at the end the following:

The following schedule of fees shall apply to permits and inspections required by this section and by rules and regulations promulgated thereunder:

1. Permit to discharge, fire off or explode fireworks: \$10 per calendar year;
2. Inspection of fireworks display sites: \$5;
3. Permit for supervised display of fireworks for period of time specified in permit: \$15.

Sec. 2. R. S., T. 25, § 2399, amended. The first sentence of the 2nd paragraph of section 2399 of Title 25 of the Revised Statutes, as amended by section 7-A of chapter 632 of the public laws of 1973, is further amended to read as follows:

Every fire insurance company or association which does business or collects premiums or assessments in the State shall pay to the State Tax Assessor on the first day of May, annually, in addition to the taxes now imposed by law to be paid by such companies or associations, ~~.006%~~ 0.75% of the gross direct premiums for fire risks written in the State during the preceding calen-

dar year, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums during said calendar year.

Sec. 3. R. S., T. 25, § 2441, amended. Section 2441 of Title 25 of the Revised Statutes, as amended, is further amended by adding after the 4th paragraph the following:

The following schedule of fees shall apply to all inspections and permits required by rule and regulation under this section:

1. Inspection of explosive magazines: \$5 to include any permit issued;
2. Inspection of vehicle used to transport explosives: \$5 to include any permit issued;
3. Inspection of flammable liquid storage facility: \$5 to include any permit issued.

Sec. 4. R. S., T. 25, § 2450, amended. Section 2450 of Title 25 of the Revised Statutes, as amended by section 35 of chapter 592 of the public laws of 1971 and by section 3 of chapter 242 of the public laws of 1973, is further amended to read as follows:

§ 2450. Examinations by Division of State Fire Prevention

The fee for examination by the Commissioner of Public Safety through the ~~Division of State Fire Prevention Marshal~~ of each set of plans for construction, reconstruction or repairs of public buildings, hospitals, convalescent, nursing or boarding homes to be licensed by the Division of Hospital Services, Department of Health and Welfare, theaters or other place of public assembly, ~~or examination of a set of plans for construction, reconstruction or repairs to any other type of building, on request,~~ shall be \$15. Such fee shall be credited to the ~~Division of State Fire Prevention Marshal~~ to defray the expenses of ~~the division that office~~. Any balance of said fees shall not lapse but shall be carried forward as a continuing account to be expended for the same purposes in the following fiscal years.

Sec. 5. R. S., T. 32, § 1203, amended. The first paragraph of section 1203 of Title 32 of the Revised Statutes, as last repealed and replaced by chapter 363 of the public laws of 1973, is amended to read as follows:

The following applicants for license shall present to the executive secretary of the board a written application for examination and license, containing such information as the board may require, accompanied by the required nonrefundable examination fee of ~~\$25~~ \$12.50 for a master electrician's license, ~~\$10~~ \$5 for a journeyman's license and ~~\$15~~ \$7.50 for a limited electrician's license. Examinations shall be in whole or in part in writing, shall be conducted ~~by~~ under the direction of the board and shall be of a thorough and practical character commensurate with the responsibilities of the prospective license holder. They shall include such provisions of the National Electrical Code as the board may deem appropriate. The annual fee for the license applied for shall also accompany the application and such fee shall be refunded should the applicant be denied a license and indicate, in writing, that he does not wish to be reexamined within one year of such first examination.

Sec. 6. R. S., T. 32, § 2403, amended. Section 2403 of Title 32 of the Revised Statutes, as last repealed and replaced by chapter 384 of the public laws of 1973, is amended to read as follows:

§ 2403. Examinations

Applicants for a master or journeyman's oil burner license shall present to the ~~chairman~~ **executive secretary** of the board a written application for examination, **at least 15 days prior to a scheduled meeting of the board**, containing such information as the board may require, accompanied by a **non-refundable application fee of \$5 \$12.50 for a master's license and \$5 for a journeyman's license**. Examinations shall be in whole or in part in writing, shall be conducted ~~by~~ **under the direction** of the board and shall be of a thorough and practical character commensurate with the responsibilities of the type license applied for. **The annual fee for the license applied for shall also accompany the application and such fee shall be refunded should an applicant be denied a license and indicate, in writing, that he does not wish to be reexamined within one year of such first examination.**

Examinations may include questions on the standards of the Oil Burner Men's Licensing Board, provisions of the National Electrical Code as may be applicable to oil burner installations and oil burner equipment. Any person failing to pass his first examination may be reexamined at any subsequent meeting of the board, ~~upon payment of the examination fee within one year of such first examination~~, **without additional fee and thereafter shall be examined as often as he may desire, upon payment of the applicant fee as set forth in this section.**

STATEMENT OF FACT

This bill is presented as a result of recommendations Nos. 27, 30 and 31 listed under the Department of Public Safety in the Maine Management and Cost Survey Report.

Sections 1, 3 and 4 of this bill, relating to recommendation 31, revises the fee schedule for inspection and issuance of licenses and permits.

Section 2, relating to recommendation #27, increases the percentage of the assessment or insurance companies' fee for writing fire insurance premiums from .006% to 0.75%.

Sections 5 and 6, relating to recommendation #30, provides for charging fees to cover processing costs for administering examinations for electricians and oil burner men.

The Governor supported these recommendations in his Special Message to the 106 Legislature presented on January 10, 1974.