

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1781

H. P. 1674

House of Representatives, January 9, 1980

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

EDWIN H. PERT, Clerk of the House

Presented by Mr. Howe of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Add the Commissioner of Educational and Cultural Services to the Energy Testing Laboratory of Maine and to Correct References to the Oil and Solid Fuel Burner Technicians Licensing Board.

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

Sec. 1. 5 MRSA § 151, first sentence, as last amended by PL 1975, c. 705, § 1, is further amended to read:

All money received by the Treasurer of State from the Board of Registration in Medicine, the Board of Examiners in Physical Therapy, the Board of Examiners of Psychologists, the State Board of Nursing, the Board of Examiners of Applicants for Admission to the Bar, the Board of Accountancy, the Board of Veterinary Examiners, the Board of Osteopathic Examination and Registration, the State Board of Funeral Service, the State Board of Registration and Examination in Optometry, the Board of Dental Examiners, the State Board of Registration for Professional Engineers, the State Board of Certification for Geologists and Soil Scientists, the State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals, the State Board of Architects, the Electricians' Examining Board, the ~~Oil Burner Men's Licensing Board~~ **Oil and Solid Fuel Board**, the Penobscot Bay and River Pilotage Commission, the State Board of Barbers, State Board of Cosmetology, State Board of Registration for Land Surveyors, State Board of Social Worker Registration, the Examiners of

Podiatrists, the Board of Chiropractic Examination and Registration, the Board of Examiners on Speech Pathology and Audiology and the Board of Commissioners of the Profession of Pharmacy shall constitute a fund, which shall be a continuous carrying account for the payment of the compensation and expenses of the members, the expenses of the board and for executing the law relating to each board respectively and so much thereof as may be required is appropriated for said purposes.

Sec. 2. 10 MRSA § 8001, 2nd sentence, as last amended by PL 1977, c. 673, § 1, is further amended to read:

The department shall be composed of the following bureaus, boards and commissions:

- Board of Examiners on Speech Pathology and Audiology;
- Bureau of Banking;
- Bureau of Consumer Protection;
- Bureau of Insurance;
- Electricians' Examining Board;
- ~~Oil Burner Men's Licensing Board~~ **Oil and Solid Fuel Board**;
- Maine Athletic Commission;
- Real Estate Commission;
- ~~State Board of Examiners of Psychologists~~;
- State Board of Examiners of Psychologists**;
- State Board of Social Worker Registration;
- State Claims Board;
- State Running Horse Racing Commission; and
- Board of Registration of Substance Abuse Counselors.

Sec. 3. 10 MRSA § 9102, sub-§ 2, ¶ B, as enacted by PL 1979, c. 569, § 1, is repealed and the following enacted in its place

B. One member of the Oil and Solid Fuel Board;

Sec. 4. 10 MRSA § 9102, sub-§ 2, ¶'s I and J, as enacted by PL 1979, c. 569, § 1, are amended to read:

I. One member of the College of Engineering and Science of the University of Maine at Orono, selected by the dean of the college; ~~and~~

J. The Director of the Office of Energy Resources or his designee; ~~and~~

Sec. 5. 10 MRSA § 9102, sub-§ 2, ¶ K, is enacted to read:

K. The Commissioner of Educational and Cultural Services or his designee.

Sec. 6. 32 MRSA c. 33, 2nd line, as last amended by PL 1979, c. 569, § 2, is repealed and the following enacted in its place:

OIL AND SOLID FUEL BOARD

Sec. 7. 32 MRSA § 2311, sub-§ 4, first sentence, as enacted by PL 1979, c. 569, § 4, is amended to read:

“Approved” shall mean acceptable to the Oil and Solid Fuel ~~Burner Technician’s Licensing~~ Board as to design, construction, installation and safety for its intended use.

Sec. 8. 32 MRSA § 2311, sub-§ 8, last sentence, as enacted by PL 1979, c. 569, § 4, is amended to read:

Applicants for a license of this classification shall present to the board satisfactory evidence that they have 4 years of practical experience and related knowledge, or such other requirement as the Oil and Solid Fuel ~~Burner Technician’s Licensing~~ Board may establish.

Sec. 9. 32 MRSA § 2312, first sentence, as enacted by PL 1979, c. 569, § 4, is amended to read:

No oil or solid fuel burning central heating equipment shall be sold or offered for sale in this State unless the equipment is approved by the Oil and Solid Fuel ~~Burner Technician’s Licensing~~ Board.

Sec. 10. 32 MRSA § 2315, 4th sentence, as enacted by PL 1979, c. 569, § 4, is amended to read:

The owner or occupant may, within 7 days, appeal to the Oil and Solid Fuel ~~Burner Technicians Licensing~~ Board, which shall, within 10 days, review the order and file its decision thereon, which decision shall be complied with within such time as may be fixed in the decision of the board.

Sec. 11. 32 MRSA § 2351, first ¶, as amended by PL 1979, c. 569, § 5, is further amended to read:

An Oil and Solid Fuel ~~Burner Technician’s Licensing~~ Board, as heretofore established and in this chapter called the “board,” shall consist of an executive secretary, who shall be ex officio, the Commissioner of Business Regulation or a representative appointed by the commissioner, with the approval of a majority of the board, the Commissioner of Public Safety or a representative and 5 other members, hereinafter called the “appointive members,” who shall be appointed by the Governor.

Sec. 12. 32 MRSA § 2403, 2nd ¶, first sentence, as amended by PL 1979, c. 569, § 17, is further amended to read:

Examinations may include questions on the standards of the Oil and Solid Fuel

~~Burner Technician's Licensing~~ Board, applicable National Fire Protection Association Standards and provisions of the National Electrical Code as may be applicable to the installations and the equipment.

STATEMENT OF FACT

The membership of the Board of Directors of the Energy Testing Laboratory of Maine would be increased by one, the Commissioner of Educational and Cultural Services or his designee. This would correct an error in the original legislation. The Energy Testing Laboratory is currently located at Southern Maine Vocational Technical Institute, an agency of the Department of Educational and Cultural Services.

The name of the Oil and Solid Fuel Technician's Licensing Board would reflect the dual responsibilities of the board for both technicians licensing and product approval.