

MAINE STATE LEGISLATURE

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(New Draft of: H. P. 1273, L. D. 1488)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1588

H. P. 1447

House of Representatives, May 11, 1981

Reported by Representative Beaulieu from the Committee on Labor.
Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Making Certain Changes in the Law on Boilers and Pressure Vessels.

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

Sec. 1. 26 MRSA § 178, sub-§ 1, ¶¶ A, B, C and D, as enacted by PL 1973, c. 452, § 1, are amended to read:

A. Starting September 1, 1974, no person shall operate, **supervise** or have charge of any plant having a capacity of over 50,000 #/HR unless he holds a valid license of the proper grade issued by the board.

B. Starting September 1, 1975, no person shall operate, **supervise** or have charge of any plant having a capacity of over 25,000 #/HR unless he holds a valid license of the proper grade issued by the board.

C. Starting September 1, 1976, no person shall operate, **supervise** or have charge of any plant having a capacity of over 15,000 #/HR unless he holds a valid license of the proper grade issued by the board.

D. Starting September 1, 1977, no person shall operate, **supervise** or have charge of any plant having a capacity of over 5,000 #/HR unless he holds a valid license of the proper grade issued by the board.

Sec. 2. 26 MRSA § 178, sub-§ 1, ¶ E, first paragraph, as enacted by PL 1973, c. 452, § 1, is amended to read:

The board shall set the dates after September 1, 1977 when persons operating, **supervising** or having charge of plants having a capacity of under 5,000 #/HR shall be required to be licensed.

Sec. 3. 26 MRSA § 178, sub-§ 2, ¶I is enacted to read:

I. **“Supervise” means the supervisory control over the operation and maintenance of a plant, other stationary steam engineers or other personnel engaged in the operation or maintenance of a plant, but does not mean “having charge of” as defined in subsection 2, paragraph D.**

Sec. 4. 26 MRSA § 178, sub-§ 7, ¶¶B, C, D, E and F, as enacted by PL 1973, c. 452, § 1, are amended to read:

B. The holder of a boiler operator’s license may operate, **supervise** or have charge of a heating plant having a capacity of not more than 20,000 #/HR or operate **or supervise** a plant up to the capacity of the license of the engineer in charge of the plant in which he is employed. The applicant for a boiler operator’s license shall have 6 months’ operating experience prior to examination under a permit. The board shall issue a permit for the purpose of gaining such experience. Such permit shall be limited to a specified plant and shall be limited to one year.

C. The holder of a 4th-class engineer’s license may have charge of a plant of not more than \$50,000 #/HR or operate **or supervise** a plant up to the capacity of the license of the engineer in charge of the plant in which he is employed. Applicants for a 4th-class engineer’s license shall be high school graduates or have had equivalent education and shall have at least one year of operating **or supervising** experience under a duly licensed engineer having charge of a plant.

D. The holder of a 3rd-class engineer’s license may have charge of a plant of not more than 100,000 #/HR or operate **or supervise** a plant up to the capacity of the license of the engineer in charge of the plant in which he is employed. Applicants for a 3rd-class engineer’s license shall have had at least one year operating **or supervising** experience as a 4th-class engineer.

E. The holder of a 2nd-class engineer’s license may have charge of a plant of not more than 200,000 #/HR or operate **or supervise** a plant up to the capacity of the license of the engineer in charge of the plant in which he is employed. Applicants for a 2nd-class engineer’s license shall have had at least 2 years operating **or supervising** experience as a 3rd-class engineer.

F. The holder of a first-class engineer’s license may operate, **supervise** or have charge of a plant of unlimited steam capacity. Applicants for a first-class engineer’s license shall have had at least 2 years operating **or supervisory** experience as a 2nd-class engineer.

Sec. 5. 26 MRSA § 178, sub-§ 7, ¶I is enacted to read:

I. **Notwithstanding the provisions of this subsection, the examining committee**

may permit an applicant to take the examination for a license if, in the committee's opinion, the experience or educational qualifications, or both, of the applicant are equivalent to the operating experience required by this subsection.

STATEMENT OF FACT

This new draft cures defects in the original bill which would create problems for people trying to become licensed boiler operators. It retains the sort of protection contemplated by the original bill.