

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2073

H.P. 1520 House of Representatives, January 15, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Business Legislation
suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative TRACY of Rome.

Cosponsored by Senator BRANNIGAN of Cumberland,
Representatives RACINE of Biddeford and ALLEN of Washington.

STATE OF MAINE

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

AN ACT Concerning the Regulation of Welders.

1
2

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

5 32 MRSA c. 111 is enacted to read:

6

CHAPTER 111

7

WELDERS

1 §11401. Licensing

2 Consistent with Title 26, section 212, the
3 Department of Labor may establish rules governing
4 welding and may license persons as welders.

5 No other agency may promulgate rules regarding
6 welders, but instead shall submit its regulatory
7 requirements to the Department of Labor for
8 coordination and promulgation by that department.

9 The Department of Labor may charge such fees for
10 testing and licensing as are required to support the
11 costs of these programs. Agencies other than the
12 department may conduct welding tests, but these tests
13 shall be under the direction of the department. The
14 department shall design a regulation program so that
15 an individual may take all welding tests in one place
16 at one time, the individual may be given one
17 wallet-size document on which is indicated all those
18 types of welding for which the individual is licensed
19 and the individual may pay only one fee which shall
20 cover all required testing and licensing.

21 STATEMENT OF FACT

22 This bill requires that all laws and rules which
23 affect welders be promulgated by the Department of
24 Labor, that all required testing be available at each
25 testing site and that all types of welding for which
26 the individual is licensed be indicated on one
27 wallet-size document.

28 Currently, the Maine Revised Statutes, Title 26,
29 section 212, requires that welded repairs on boilers
30 can only be made with the authorization of the Chief
31 Inspector of Boilers or the inspector of the
32 responsible insurance company. This section also
33 gives the Board of Boiler Rules the authority to make
34 rules relating to the qualification of welders. The
35 Department of Transportation has promulgated rules
36 which require a certificate for welding on bridges.

1 There is no statutory provision regarding this
2 activity. The Department of Transportation will
3 accept the Department of Labor's certification, but
4 not vice versa.

5 The Department of Labor and the Department of
6 Transportation have agreed to the general objectives
7 of this bill. The Department of Labor has indicated
8 that there would be a sizeable cost in assuming the
9 licensing functions of the Department of
10 Transportation. The initial plan is to leave the
11 actual testing with the Department of Transportation.
12 The Department of Labor has also indicated a concern
13 as to whether all types of licenses granted to one
14 individual can be incorporated in one wallet-size
15 document.

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