

MAINE STATE LEGISLATURE

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DATE: June 21, 1995

(Filing No. S- 302)

BUSINESS AND ECONOMIC DEVELOPMENT

Reported by: Senator CIANCHETTE of Somerset for the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 498, L.D. 1357, Bill, "An Act to Create the Propane and Natural Gas Professional Act of 1995"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 5 MRSA §12004-A, sub-§33-A is enacted to read:

<u>33-A. Propane and</u>	<u>Expenses</u>	<u>32 MRSA</u>
<u>Natural Gas Board</u>	<u>Only</u>	<u>§14803</u>

Sec. 2. 10 MRSA §8001, sub-§§35 and 36, as repealed and replaced by PL 1991, c. 548, Pt. B, §1, are amended to read:

35. Board of Counseling Professionals Licensure. Counseling Professionals Licensure, Board of; and

36. Board of Real Estate Appraisers. Real Estate Appraisers, Board of; and

Sec. 3. 10 MRSA §8001, sub-§37 is enacted to read:

37. Propane and Natural Gas Board. Propane and Natural Gas Board.

Sec. 4. 32 MRSA c. 130 is enacted to read:

CHAPTER 130

THE PROPANE AND NATURAL GAS ACT

COMMITTEE AMENDMENT

AWS

§14801. Short title

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This Act may be known and cited as the Propane and Natural Gas Act.

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§14802. Definitions

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As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

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1. Board. "Board" means the Propane and Natural Gas Board.

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2. Bulk plant. "Bulk plant" means a facility, the primary purpose of which is to distribute propane, that receives propane by tank car, tank truck or piping and distributes the propane to the end user by portable container delivery, by tank truck or through piping. A bulk plant has the bulk storage capacity of 2,000 gallons of water or more. "Bulk plant" includes a facility that transfers propane from tank cars on a private track directly into cargo tanks.

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3. Commissioner. "Commissioner" means the Commissioner of Professional and Financial Regulation.

14

4. Delivery. "Delivery" means the transfer of propane, either by liquid transfer into a stationary container on the property of the consumer or by placing a portable propane container onto the property of the consumer.

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5. Department. "Department" means the Department of Professional and Financial Regulation.

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6. Dispensing station. "Dispensing station" means a facility consisting of fixed equipment where propane is stored and dispensed into portable containers or containers that are not suitable for the shipping of cargo and that are mounted on vehicles.

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7. License. "License" means a license issued pursuant to this Act containing one or more of the following endorsements: delivery technician; plant operator; tank setter and outside piping technician; appliance connection and service technician up to 2,000,000 BTUs; and large equipment connection and service technician over 2,000,000 BTUs.

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8. Natural Gas. "Natural gas" means hydrocarbon fuel in a gaseous state with a composition of predominantly CH4, delivered by pipeline to the property of the consumer.

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2 9. Propane. "Propane" means a hydrocarbon fuel whose
chemical composition is predominantly C3H8, whether recovered
4 from natural gas or from crude oil.

6 **§14803. Board established**

8 There is established within the department the Propane and
Natural Gas Board for the oversight of propane and natural gas
10 licensure and the enforcement of the provisions of this Act.

12 1. Membership; appointment. The board consists of 8
members who serve for 3-year terms, except that of the initial
14 appointees 3 of the members serve a 3-year term, 2 of the members
serve a 2-year term and 2 of the members serve a one-year term.
16 With the exception of the member representing fire chiefs and the
public member, all members must have at least 10 consecutive
18 years of active experience in the propane or the natural gas
industry immediately preceding appointment. Industry members
20 must hold a valid license at the time of appointment, except that
22 the initial industry member appointees must be licensed on or
24 before July 1, 1997. The Governor shall appoint all industry and
public members. The propane and natural gas industries in this
State may make recommendations to the Governor concerning these
appointments. Membership is as follows:

26 A. Five members representing industry, 3 of whom represent
28 the propane industry, one of whom is a mechanical contractor
and one of whom represents the natural gas industry;

30 B. One member representing Maine fire chiefs, who may be
32 recommended to the Governor by the Maine Fire Chiefs
Association;

34 C. One member representing the general public who is
36 unrelated, either directly or indirectly, to either the
natural gas industry or the propane industry; and

38 D. One nonvoting member appointed by the Commissioner of
40 Public Safety.

42 Appointments of members must comply with Title 32, section 60.
Members may be removed from office by the Governor for cause.

44 2. Officers. At its first meeting, the board shall choose
46 a chair and a vice-chair, who serve terms of one year. The
vice-chair serves as chair the following year unless unwilling or
48 unable. The board may elect other officers that it finds
necessary.

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2 3. Compensation. Members of the board serve without per
diem compensation but are entitled to reimbursement for expenses.

4 §14804. Board powers

6 The board has the following powers.

8 1. Rules. The board shall adopt rules necessary for the
proper performance of its duties pursuant to the Maine
10 Administrative Procedure Act to implement the licensure
requirements established by this Act, which may include the
12 following:

14 A. Reasonable standards regarding education or its
equivalent and experience requirements for applicants for
16 licensure; and

18 B. Reasonable standards for license renewal.

20 The board shall establish by rule technical standards for the
proper installation and servicing of propane and natural gas
22 equipment. These standards must be in accordance with the
National Fire Protection Association Standards, Numbers 54 and 58
24 and any updates of those standards. The board may adopt by rule
other standards it finds necessary.

26 2. Meetings. The board shall hold meetings at least twice
each year. Additional meetings may be held as necessary to
28 conduct the business of the board and may be convened at the call
of the chair or 4 members of the board. A quorum of the board is
30 4 members. The board shall keep minutes that clearly reflect all
acts and decisions made by the board, which must be available to
32 the public upon request.

34 3. Licenses. The board shall evaluate the qualifications
of applicants for licensure under this chapter.
36

38 4. Hearings. Hearings may be conducted by the board to
assist with investigations to determine whether grounds exist for
40 suspension or denial of a license or as otherwise necessary to
the fulfillment of its responsibilities under this chapter.

42 The board may not refuse to renew a license for any reason other
than failure to pay a required fee unless it has afforded the
44 licensee an opportunity for an adjudicatory hearing. The board
shall hold an adjudicatory hearing at the written request of any
46 person who is denied a license without a hearing for any reason
other than failure to pay a required fee, provided that the
48 request for hearing is received by the board within 30 days of
the applicant's receipt of written notice of the license denial,
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2 the reason for the denial and the applicant's right to request a
3 hearing. Hearings must be conducted in conformity with the Maine
4 Administrative Procedure Act to the extent applicable. The board
5 may subpoena witnesses, records and documents in any hearing it
6 conducts.

7 5. Contracts. The board may enter into contracts to carry
8 out its statutory responsibilities.

10 6. Budgets. The board shall submit to the commissioner its
11 budgetary requirements.

12 7. Personnel. The commissioner shall appoint any employees
13 necessary to carry out this Act. Any person so employed is an
14 employee of the department and under the administrative and
15 supervisory direction of the commissioner.

16 §14805. Installations to conform to standards; authority
17 of state propane and natural gas inspectors

18 1. Compliance with rules required. Installation of propane
19 or natural gas equipment may not be made in the State unless it
20 complies with all the standards and rules adopted by the board.

21 2. Inspection. State propane and natural gas inspectors,
22 upon written complaint or whenever they consider it necessary for
23 purposes of examination, may enter into and upon and inspect all
24 buildings and premises within their jurisdiction at all
25 reasonable hours. They may enter a building only with the
26 permission of the person having control of the building or, after
27 hearing, upon order of court. If an inspector finds any propane
28 or natural gas installation that does not comply with this Act,
29 the inspector shall order that the installation be removed or
30 remedied, and that order must be complied with immediately by the
31 owner or occupant of the premises or building or by the installer
32 of the propane or natural gas equipment in violation. If the
33 inspector finds any propane or natural gas installation in any
34 building or structure that creates a danger to other property or
35 to the public, the inspector may forbid the use of the building
36 or structure by serving a written order upon the owner and the
37 occupant, if any, to vacate within a reasonable period of time to
38 be stated in the order.

39 3. Order to correct deficiency; appeal. Any person ordered
40 by a state propane and natural gas inspector to correct a
41 deficiency or to vacate a building or structure may appeal the
42 order by filing with the board within 48 hours of receipt of the
43 order a written notice of appeal. The board shall review that
44 appeal and issue its written decision within 10 days after
45 receipt of the notice of appeal. If the board upholds the
46 order, the person shall comply with the order within the time
47 specified in the order.

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2 inspector's order, it shall prescribe the time period for the
3 requisite correction specified in its written decision or the
4 time within which that person must vacate the building or
5 structure. The decision must be complied with, unless appealed
6 as provided. Any person ordered by the board to correct a
7 deficiency or to vacate a building or structure may appeal the
8 order to the Superior Court in accordance with the Maine
9 Administrative Procedure Act by filing a petition for review
10 within 48 hours of receipt of the order. The court shall issue
11 its written decision within 20 days after receipt of the petition
12 for review.

13
14 4. Final orders. The decision of the Superior Court on an
15 appeal as provided is final. An order by a state propane and
16 natural gas inspector and an order by the board are final and
17 subject to no further appeal upon failure to file a timely,
18 written appeal as provided.

19
20 5. Injunction to enforce order. Upon the failure of any
21 person to carry out a final order as provided, the board may
22 petition the Superior Court for the county in which the building
23 or premises are located for an injunction to enforce that order.
24 If the court determines, upon hearing such a petition, that a
25 lawful final order was issued, it shall order compliance.

26 6. Powers of propane and natural gas inspectors. Propane
27 and natural gas inspectors have powers throughout the several
28 counties of the State, similar to those of sheriffs in their
29 respective counties, relating to enforcement of this Act and
30 rules adopted under this Act. These powers are limited to the
31 issuing of citations, the serving of summonses, the conducting of
32 investigations and the ordering of corrections of violations of
33 this Act by licensees in accordance with the specific statutory
34 authority set forth in this Act.

35 **§14806. Investigation of complaints; suspension or**
36 **revocation of licenses**

37
38 The board shall investigate all complaints made to it and
39 all cases of noncompliance with or violation of this Act. The
40 board may suspend or revoke a license issued under this Act
41 pursuant to Title 5, section 10004. The board may refuse to issue
42 or renew a license or the Administrative Court may suspend,
43 revoke or refuse to renew the license of any licensee who is
44 found guilty of:

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47 1. Fraud or deceit. Attempting to obtain a registration or
48 license by means of fraud, misrepresentation or concealment of
49 material facts;

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2 2. Negligence or misconduct. Any gross negligence,
incompetence or misconduct in the performance of the work of
4 making installations. Continued failure to conform to standards
or rules adopted by the board is prima facie evidence of gross
negligence or incompetence;

6
8 3. Conviction of a crime. Subject to the limitations of
Title 5, chapter 341, conviction of a crime, other than minor
10 traffic violations, if the acts for which the person was
convicted are found by the board to have a direct bearing on
12 whether the person may be entrusted to serve the public in a
capacity that is subject to license or registration under this
Act; or

14
16 4. Violations. Violating any provision of this Act or any
rule of the board.

18 A license suspended by the board or suspended or revoked by
the Administrative Court must be immediately surrendered to the
20 board and held during any period of suspension or, if revoked,
until reinstated as provided in this Act.

22 A person whose license is suspended or revoked for more than
24 90 days must establish that all requirements governing new
applicants under this Act are met as a condition of reinstatement
26 or return of the license, except that the board, in its
discretion and giving due consideration to the protection of the
28 public, may waive examination if the period of suspension is less
than 2 years or, in the case of the revocation of a license, the
30 applicant is both eligible and has made application for
reinstatement of the license within 2 years of the effective date
32 of that revocation.

34 **§14807. Licensure; requirements; persons**

36 1. Establish license. The board shall establish one
license with endorsements described in this section that conform
38 to the education and certification requirements of the National
Propane Gas Association's certified employee training program or
40 other propane or natural gas programs approved by the board, as
follows:

42 A. "Delivery technician" is a person who delivers propane
44 at a customer's location. A license established by the
board is not required for a delivery technician to operate a
46 motor vehicle;

48 B. "Plant operator" is a person who works at a bulk plant
and handles propane and propane equipment;

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2 C. "Tank setter and outside piping technician" is a person who sets and maintains propane tanks and outside piping;

4 D. "Appliance connection and service technician" is a person who installs and services propane and natural gas appliances and indoor piping up to 2,000,000 BTUs per appliance; and

8 E. "Large equipment connection and service technician" is a person who installs and services propane and natural gas appliances and indoor piping over 2,000,000 BTUs per appliance.

14 2. License; valid. The license established in this section is valid for 2 years from the date of issuance or as otherwise established by the commissioner.

18 3. Appropriate endorsement. The board shall issue a license with the appropriate endorsement to the prospective licensee who has successfully passed an examination as prescribed by the board and who has filed the required application and fee.

22 4. License required; plant operators and delivery technician. A person may not perform the functions governed by this Act after July 1, 1997 without first being licensed by the board, except that plant operators and delivery technicians must be licensed within one year of first performing those functions. In order to qualify for the one-year provision, the delivery technician or plant operator must register with the board within 90 days after first performing that function.

32 5. Examination; qualification. Notwithstanding any requirement set by the board as a qualification to sit for a license examination, a person working as a technician in the propane or the natural gas industry before January 1, 1996 is deemed qualified to sit for a license examination.

38 **§14808. Licensure; installation and maintenance standards; dispensing stations**

40 The following registration, licensing, maintenance and installation standards apply to dispensing stations operating in the State.

44 1. Dispensing stations. All dispensing stations must be registered with the department biennially by the owner upon suitable forms designated and approved by the board. A dispensing station that undergoes a major repair, revision or relocation must provide that agency with updated information within 30 days of the completion of the change.

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2. Registration. Registration of the dispensing station is limited to:

- A. The name of the owner;
- B. The address of the dispensing station;
- C. The town or city and county in which the dispensing station is located;
- D. The directions to the dispensing station;
- E. The capacity in gallons of the dispensing station;
- F. The name of the owner or operator to be contacted for inspection of the dispensing station by the State; and
- G. The name of the owner or operator holding the limited operator's license required by this section.

3. Constructed; maintained; operated. Dispensing stations operating in the State must be constructed, maintained and operated in accordance with the standards set by the most recent edition of the National Fire Protection Association Standards, Number 58. The board may adopt by rule additional state and local codes.

4. Limited operator's license; training. The on-site owner or operator of a dispensing station must hold a limited operator's license issued biennially by the board. The board shall set by rule the requirements for obtaining the limited license. The holder of the limited license is responsible for training other dispensing station employees and documenting that training.

The training for the limited license must include a manual prepared by a regional propane gas association, a video prepared by a national propane gas association or equivalent materials approved by the board. The training documentation must be kept at the station. The on-site owner or operator of the dispensing station is responsible for compliance and is subject to section 14809.

§14809. Equipment installation identification

Following the installation and testing of vented natural gas or propane equipment, the installer must attach a permanent tag, as developed by the board, in a conspicuous place on or near the equipment.

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2 Identification tags must be provided by the board in a form
4 and manner prescribed by the board by rule. The identification
6 tag information must include, but is not limited to, the name and
 license number of the technician and the date of installation.
 The identification tag fee may be no more than \$10 per tag.

8 **§14810. Enforcement; penalties**

10 All funds collected from the enforcement of this chapter
12 must be remitted to the board and deposited in the board's
 account within the budget of the Division of Licensing and
 Enforcement.

14 **§14811. Inspectors**

16 An inspector or other person enforcing this Act as an agent
18 of the board must meet the same qualifications as those licensed
 under this Act.

20 **§14812. Disposal of fees**

22 All money received by the board must be paid to the
24 Treasurer of State and credited to the board's account within the
 budget of the Division of Licensing and Enforcement.

26 Any balance of these fees does not lapse but is carried
28 forward as a continuing account to be expended for the same
 purposes in the following fiscal years.

30 Money received by the board must be used for the expenses of
32 administering its statutory responsibilities, including, but not
34 limited to, the costs of conducting investigations, taking
 testimony and procuring the attendance of witnesses, the costs of
36 all legal proceedings initiated for enforcement and
 administrative expenses.

38 **§14813. Fees**

40 The board shall establish application and license fees. The
42 fees must be remitted in a manner and on forms or other
 instruments prescribed by the board.

44 1. License; biennial fee. The initial and renewal biennial
46 fee for the license established in section 14807 may not exceed
 \$130. There is no additional fee for additional endorsements.

48 2. Dispensing station. The initial and renewal biennial
50 registration fee for a dispensing station must be set by the
 board and may not exceed \$196.

2 3. Limited license. There is no fee for the limited
3 license established in section 14808, subsection 4 if the owner
4 has registered the dispensing station as required by this Act.

6 4. Examination; fees. The board may set reasonable fees
7 for whatever examinations it may require as long as the fees
8 cover no more than the actual costs of the examinations.

10 **§14814. Renewals**

12 All licenses issued expire 2 years from the date of issuance
13 or at other times the commissioner may designate. All licenses
14 may be renewed for 2-year periods upon filing the appropriate
15 application and fee.

16 A license may be renewed up to 90 days after the date of its
17 expiration upon payment of a late fee of \$10 in addition to the
18 renewal fee. Any person who submits an application for renewal
19 more than 90 days after the license expiration date is subject to
20 all requirements governing new applicants under this chapter,
21 except that the board, in its discretion and giving due
22 consideration to the protection of the public, may waive
23 examination or other requirements. The board may establish
24 penalties for nonrenewal.

26 **§14815. Endorsement with other states**

28 The board shall waive the examination and grant a license to
29 any applicant who presents proof of being authorized to practice
30 by another state or other jurisdiction of the United States or
31 another country that maintains professional standards considered
32 by the board to be equivalent to or higher than those set forth
33 in this chapter, as long as no cause exists for denial of a
34 license under section 14806. Such an applicant must pay the fee
35 as provided in section 14813.

38 **§14816. Exemption**

40 Nothing in this Act prohibits any person who is licensed to
41 practice in this State under any other law from engaging in the
42 practice for which that person is licensed.

44 **§14816. Repeal**

46 This Act is repealed July 1, 2000.

48 **Sec. 5. Initial appointments; first meeting of the Propane and Natural**
49 **Gas Board.** The Governor shall make initial appointments of the
50 members of the Propane and Natural Gas Board

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2 within 45 days of the effective date of this Act. The
3 Commissioner of Professional and Financial Regulation shall call
4 the first meeting of the board, which must take place within 30
5 days of the completion of the appointments of the initial
6 members.'

7 **Sec. 6. Working capital advance.** The State Controller is
8 authorized to advance to the Department of Professional and
9 Financial Regulation up to \$100,365 from the General Fund
10 Unappropriated Surplus in fiscal year 1995-96 for the licensure
11 of installers of propane and natural gas equipment. These funds
12 will be used to provide the working capital advance necessary to
13 fund the costs of the licensure of installers of propane and
14 natural gas equipment until adequate dedicated revenues have been
15 received. Funds advanced for this purpose must be returned to
16 the General Fund Unappropriated Surplus no later than June 30,
17 1996.

18 **Sec. 7. Allocation.** The following funds are allocated from
19 Other Special Revenue funds to carry out the purposes of this Act.

22 **1995-96** **1996-97**

24 **PROFESSIONAL AND FINANCIAL**
25 **REGULATION, DEPARTMENT OF**

26 **Division of Licensing and Enforcement**

28			
	Positions - Other Count	(2.0)	(2.0)
30	Personal Services	\$57,051	\$76,068
	All Other	10,500	14,000
32			
34	TOTAL	\$67,551	\$90,068

36 Allocates funds for one
37 Senior Inspector position and
38 one Clerk Typist III position
39 necessary to administer the
40 licensure of installers of
41 propane and natural gas
42 equipment.

44 **Division of Administrative Services**

46	All Other	\$8,884	\$11,050
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48 Allocates funds for the
49 licensure of installers of
50 propane and natural gas

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equipment.

2

Propane and Natural Gas Board

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Personal Services	\$2,205	\$2,940
All Other	16,725	21,800
Capital Expenditures	5,000	
	<hr/>	<hr/>
TOTAL	\$23,930	\$24,740

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Allocates funds for the licensure of installers of propane and natural gas equipment.

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DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

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TOTAL	<hr/>	<hr/>
	\$100,365	\$125,858

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Further amend the bill by inserting at the end before the statement of fact the following:

24

FISCAL NOTE

26

	1995-96	1996-97
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28

APPROPRIATIONS/ALLOCATIONS

30

Other Funds	\$100,365	\$125,858
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32

34

REVENUES

36

Other Funds	\$143,500	\$143,500
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The Propane and Natural Gas Board, the Division of Licensing and Enforcement and the Division of Administrative Services within the Department of Professional and Financial Regulation will require allocations of new dedicated revenue totaling \$100,365 in fiscal year 1995-96 and \$125,858 in fiscal year 1996-97 for costs associated with licensing installers of propane and natural gas equipment. Portions of these allocations will be transferred to the Division of Licensing and Enforcement and the Division of Administrative Services. The additional expenditures of these divisions are directly attributable to the increased responsibilities related to the new board.

2 The estimated annual amount of dedicated revenue collected
by the Propane and Natural Gas Board from license fees is
4 \$143,500 beginning in fiscal year 1995-96. Due to the timing of
the receipt of the dedicated revenue in fiscal year 1995-96, the
6 board will require a General Fund working capital advance for the
initial start-up costs.

8 This bill may increase the number of civil cases filed in
the court system. The additional workload and administrative
10 costs associated with the minimal number of new cases filed can
be absorbed within the budgeted resources of the Judicial
12 Department. The collection of additional filing fees may also
increase General Fund revenue by minor amounts.'

14
16 **STATEMENT OF FACT**

18 The original bill required the licensing of propane and
natural gas technicians by an independent board. This amendment
20 requires the licensing of these technicians by a board within the
Department of Professional and Financial Regulation.
22 Qualifications for licensure are to conform to the requirements
of the Natural Propane Gas Association or as determined by the
24 board. All installations must be made to the standards adopted
by the board.

26
28 The amendment also adds an allocation section and a fiscal
note to the bill.

30 The Joint Standing Committee on Business and Economic
Development has elected to make as part of the Statement of Fact
32 the report required by the Maine Revised Statutes, Title 5,
section 12015, subsection 3 when an occupation is recommended for
34 regulation. The report follows:

36 **1. The nature of the potential harm to the public if the
occupation or activity is not regulated and the extent to which
38 there is a threat to the public health or safety.**

40 A. The potential harm to the public if this occupation is
not regulated includes serious physical harm, including death.
42 Because of the nature of this occupation, it is critical that
consumers are provided with reasonable assurance that persons
44 performing installations of equipment for the purpose of using
liquid petroleum gas and natural gas are qualified and
46 competent. There have been documented Maine cases of individuals
being evacuated, hospitalized and killed by carbon monoxide
48 poisoning, due to inadequate installations.

50 **2. The extent to which existing legal remedies are
inadequate to prevent or redress the kinds of harm potentially
52 resulting from nonregulation.**

2 A. Consumers who believe they have received poor or
bring action against individuals in court. However, these
4 actions are costly and the lack of state-level competency
standards could contribute to unfavorable decisions. Further,
6 there currently is no mechanism to prevent the person doing
incompetent installations from continuing to install equipment.
8 Licensing will rectify this.

10 **3. The extent to which the public is guided in selecting**
competent practitioners by private certifications, membership in
12 **professional or occupational associations or academic credentials.**

14 A. Currently, there is no statewide mechanism to certify or
approve individuals as reasonably competent to perform
16 installations. Therefore, consumers have no assurances that the
individual performing the work has met reasonable training,
18 education or experience standards.

20 **4. The extent to which the occupation or profession has**
made efforts to regulate itself by adoption of standards of
22 **performance, a code of ethics or methods of resolving disputes**
with consumers of its services.

24 A. Northern Utilities currently provides a training course
26 in coordination with the Maine Association of Plumbing
Heating-Cooling Contractors, as well as training being offered by
28 LP Gas Associations. However, because training is not mandated
by law, individuals can essentially provide services with little
30 or no training.

32 **5. The nature of the standards proposed for granting a**
license, as compared with the standards adopted in other
34 **jurisdictions, and the authority of the proposed regulatory board**
to amend those standards or establish new standards.

36 A. Research revealed that 19 states regulate gas
38 technicians. Most states that license this occupation recognize
the National Fire Protection Act (NFPA), which this board will
40 adopt. This will strengthen uniformity among states.

42 **6. The qualifications of members of the proposed regulatory**
board.

44 A. With the exception of the Fire Chief and the public
46 member, all members must be licensed in the field and have 10
years of consecutive active experience in the natural gas or
48 propane industry. Three members will represent the propane
industry, one member will represent the natural gas industry and
50 another will be a mechanical contractor.

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2 In addition, the board will have experts from the Maine Fire
Chief's Association and the Department of Public Safety to assist
4 and advise the board regarding the National Fire Protection Act
(NFPA) codes.

6 **7. The extent to which the harms expected to result from
continued nonregulation may reasonably be expected to be reduced
8 by the program of regulation proposed.**

10 A. Requiring all persons who perform gas equipment
installations to be licensed and regulated will safeguard
12 consumers. The consumer will know that technicians have been
tested to determine their competency level and that the
14 occupation is regulated with consistency. Regulation will also
provide a place to lodge complaints against licensees.
16