

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1118

S.P. 340

In Senate, February 18, 1997

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### An Act to Amend the Oil and Solid Fuel Board Laws.

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Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.

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

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4       **Sec. 1. 32 MRSA §2311, sub-§8**, as amended by PL 1991, c. 509, §20, is further amended to read:

6       **8. Master oil burner technician.** "Master oil burner technician" means a person who is licensed under this chapter to engage in the business of installing or servicing oil burning equipment. Applicants for a license of this classification shall present to the board satisfactory evidence that they have 4 years licensed practical experience and related knowledge, ~~or such other requirement as the Oil and Solid Fuel Board may establish.~~ ~~Effective January 1, 1994, an applicant for a license of this classification shall present to the board satisfactory evidence that the applicant has 2 years of licensed practical experience~~ evidence that the licensed practical experience for at least 2 of those 4 years was as a licensed journeyman oil burner technician and related knowledge, or other such requirement as the Oil and Solid Fuel Board may establish.

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22       **Sec. 2. 32 MRSA §2311, sub-§9**, as amended by PL 1991, c. 509, §21, is further amended to read:

24       **9. Master solid fuel burner technician.** "Master solid fuel burner technician" means a person who is licensed under this chapter to engage in the business of installing and servicing solid fuel burning equipment. An applicant for a ~~license of~~ examination for this classification must be a person who presents to the board satisfactory evidence of at least 2 years of licensed practical experience and related knowledge; or a person having a master oil burner technician's license issued under this chapter ~~who presents to the board satisfactory evidence of knowledge of solid fuel burning equipment;~~ or a person having a bachelor degree in engineering from an accredited university who presents to the board satisfactory evidence of knowledge of solid fuel burning equipment.

38       **Sec. 3. 32 MRSA §2317, first ¶**, as enacted by PL 1979, c. 569, §4, is amended to read:

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42       Any person, firm or corporation who makes an oil or solid fuel burner installation without ~~having first obtained a license,~~ being licensed as provided by this chapter; any person, firm or corporation in the oil or solid fuel burner installation business who employs an unlicensed person, unless the work is exempted by under this chapter; any person who procures any license as provided in this chapter wrongfully or by fraud; or any person, firm or corporation who violates the provisions of this chapter, ~~or rules or regulations promulgated thereunder~~ adopted under this chapter, or standards adopted by the board, ~~commits a civil~~

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violation--for--which--a--forfeiture--of--not--less--than--\$100--nor--more  
than--\$500--may--be--adjudged is guilty of a Class E crime.

Sec. 4. 32 MRSA §2402, sub-§2, as amended by PL 1991, c. 198,  
§19, is further amended to read:

2. **Fees.** An application fee and an examination fee may be  
established by the board in amounts which that are reasonable and  
necessary for their respective purposes. Original and renewal  
license fees may be established by the board in amounts which  
that are reasonable and necessary for their respective purposes.  
The fees may not exceed the following amounts:

A. Master, original license and biennial renewal fee, \$200;

B. Journeyman, original license and biennial renewal fee,  
\$100; and

C. Apprentice, original license and biennial renewal fee,  
\$40.

~~Applicants--applying--for--an--initial--license--with--a--term--of--one  
year--or--less--are--required--to--pay--only--1/2--the--biennial--license  
fee.~~

Sec. 5. 32 MRSA §2404, as amended by PL 1991, c. 198, §20, is  
further amended to read:

#### §2404. Renewals

All licenses expire biennially--on--December--31st--as--to--a  
master--technician--and--biennially--on--June--30th--as--to--other  
licenses.--The--expiration--dates--for--licenses--issued--under--this  
chapter--may--be--established 2 years from the original date of  
issue or at such other times time as the Commissioner of  
Professional and Financial Regulation may designate. The licenses  
may be renewed on a biennial basis without further examination  
upon the payment of the proper fee. The board shall notify  
everyone registered under this chapter of the date of expiration  
of the license and the amount of fee required for its renewal for  
a 2-year period. The notice must be mailed to the person's last  
known address at least 30 days in advance of the expiration date  
of the license. A license may be renewed up to 90 days after  
the date of expiration upon payment of a late fee of \$10 in  
addition to the renewal fee. Any person who submits an  
application for renewal more than 90 days after the license  
renewal date is subject to all requirements governing new  
applicants under this chapter, except that the board may, giving  
due consideration to the protection of the public, waive  
examination or other requirements. The board may assess

penalties for late renewals more than 90 days after the date of  
expiration.

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### SUMMARY

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This bill clarifies the requirements for a master oil burner  
technician license, eliminates the provision that applicants for  
an initial license with a term of one year or less pay only 1/2  
the biennial license fee, and provides for staggered license  
renewals. It also provides that licensees violating the  
provisions of laws and rules relating to the oil and solid fuel  
board are guilty of a Class E crime.

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