

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1879

S.P. 727

In Senate, February 26, 2004

An Act To Amend the Boiler and Pressure Vessel Law

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Business, Research 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 MARTIN of Aroostook.
Cosponsored by Representative SULLIVAN of Biddeford and
Senators: BENNETT of Oxford, BROMLEY of Cumberland, BRYANT of Oxford, DAVIS of
Piscataquis, LAFOUNTAIN of York, SHOREY of Washington, Representatives: DUPREY of
Medway, SMITH of Monmouth.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 32 MRSA §15109, sub-§2**, as amended by PL 1997, c. 691,
5 §2 and affected by PL 1999, c. 127, Pt. D, §5, is repealed.

6 **Sec. 2. 32 MRSA §15109, sub-§2-A** is enacted to read:

7 **2-A. Licenses.** In order to safeguard life, health and
8 property, the board shall provide for the mandatory licensing of
9 stationary steam engineers and boiler operators. This subsection
10 does not apply to:

11 A. Persons operating boilers exempt under section 15102;

12 B. Persons employed by companies under the jurisdiction of
13 the Public Utilities Commission or the United States Nuclear
14 Regulatory Commission, or its successor; or

15 C. Persons operating steam heating boilers, hot water
16 heating boilers and hot water supply boilers located in
17 schoolhouses or owned by municipalities.

18 **Sec. 3. 32 MRSA §15109, sub-§7**, as amended by PL 2001, c. 323,
19 §38, is further amended by repealing and replacing the first
20 paragraph to read:

21 **7. Scope of licenses.** The scope of a boiler operator's
22 license and 4 classes of engineering licenses as set out in this
23 subsection.

24 **Sec. 4. 32 MRSA §15109, sub-§7, ¶A**, as enacted by PL 1995, c.
25 560, Pt. H, §14 and affected by §17, is repealed.

26 **Sec. 5. 32 MRSA §15109, sub-§7, ¶B**, as amended by PL 2001, c.
27 323, §38, is further amended to read:

28 B. The holder of a ~~high-pressure~~ boiler operator's license
29 may operate, supervise or have charge of a heating plant
30 having a capacity of not more than 20,000 #/HR or operate or
31 supervise a plant up to the capacity of the license of the
32 engineer in charge of the plant in which the licensee is
33 employed. The applicant for a ~~high--pressure~~ boiler
34 operator's license must have 6 months' operating experience
35 prior to examination under a boiler operator's training
36 permit. The board shall issue a permit for the purpose of
37 gaining that experience upon receipt of an application fee
38 and permit fee set by the director under subsection 9. Such
39 permit must be limited to a specified plant and must be
40 limited to one year. The board may extend the permit for a
41 period not to exceed one year under unusual circumstances.

2 The board may allow the owner of a small plant to sit for
the ~~high--~~pressure boiler operator's examination without
first obtaining a boiler operator's training permit.

4
6 **Sec. 6. 32 MRSA §15109, sub-§7, ¶C**, as amended by PL 1999, c.
386, Pt. W, §18, is further amended to read:

8 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
10 supervise a plant up to the capacity of the license of the
engineer in charge of the plant in which the licensee is
12 employed. An applicant for a 4th-class engineer's license
must be a high school graduate or have equivalent education
14 and at least one year of operating or supervising experience
under a duly licensed engineer having charge of a plant. An
16 applicant for a 4th-class engineer's license must have at
least one year operating or supervising experience as a ~~high~~
18 ~~pressure~~ boiler operator.

20
22

SUMMARY

24 This bill eliminates the statutory requirement that steam
boilers not exceeding 15 psi or hot water and hot water supply
26 boilers not exceeding 160 psi or 250 degrees Fahrenheit owned by
schools and municipalities be operated by licensed boiler
operators.

28
30 This bill also eliminates the distinction between the 2
types of boiler operator's licenses, combining them into one
boiler operator's license.