

MAINE STATE LEGISLATURE

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L.D. 299

Date: 6/4/15

(Filing No. S-101)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 114, L.D. 299, Bill, "An Act To Protect Children in Municipal and School Facilities by Requiring Boiler Inspections"

Amend the bill by striking out the title and substituting the following:

'An Act To Protect Children in School Facilities by Requiring Boiler Inspections'

Amend the bill in section 1 by striking out all of paragraph E (page 1, lines 4 to 6 in L.D.) and inserting the following:

'E. Steam heating boilers, hot water heating boilers and hot water supply boilers constructed and installed in accordance with the rules adopted by the director, with the exception of boilers located in schoolhouses; or'

SUMMARY

This amendment removes from the bill the language that subjects boilers owned by municipalities to the State's boiler inspection requirements and removes the requirement in law that boilers be constructed and installed in accordance with rules adopted by the director to be exempt from inspection.

Although this legislation has been identified as a potential state mandate, the State's regulatory oversight of heating boilers and hot water boilers in schools dates back to the 1930's and represents a long-standing safety requirement to ensure the safe operation of boilers in schools, subject only to a brief period of repeal under Public Law 2013, chapter 595.

FISCAL NOTE REQUIRED

(See attached)



127th MAINE LEGISLATURE

LD 299

LR 1449(02)

An Act To Protect Children in Municipal and School Facilities by Requiring Boiler Inspections

Fiscal Note for Bill as Amended by Committee Amendment 'A' (S-191)
Committee: Labor, Commerce, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

State Mandate - Unfunded

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Revenue				
Other Special Revenue Funds	\$180,000	\$180,000	\$180,000	\$180,000

State Mandates

Required Activity	Unit Affected	Local Cost
Requires inspection of boilers located in schools.	School	Significant statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.

Fiscal Detail and Notes

Reestablishing the requirement that boilers in schools be inspected will increase the amount of dedicated revenue received by the Office of Professional and Occupational Regulation (OPOR) within the Department of Professional and Financial Regulation by approximately \$180,000 per year beginning in fiscal year 2015-16 from certification fees. This fiscal note assumes that schools must include an \$80 fee when submitting their inspection report to OPOR, which was the fee that was in place prior to this requirement being repealed in Public Law 2013, c. 595, Pt. U, §11.