

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 182

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT for the better protection of life and property against injury or damage, resulting from the operation of steam engines and boilers by incompetent engineers and others, to create a board of State examiners therefor, and prescribe the powers and duties of such board.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. That there shall be a board of State examiners, consisting of one chief examiner and two district examiners.

Sect. 2. The governor of the State of Maine, with the consent of the Senate shall appoint one chief examiner, who shall be a citizen and a competent and practical steam engineer, and shall have had not less than ten years experience as a practical steam engineer, previous to his appointment.

Sect. 3. Before entering upon his duties, the chief examiner shall take an oath to faithfully and impartially perform the same in accordance with the laws of the State of Maine,

4 and that he will not accept any money, gift, gratuity or con-
5 sideration from any person or persons whatsoever during
6 his term of office, and shall give a bond to be approved by
7 the governor in the sum of \$5,000 for the faithful and effi-
8 cient performance of his duties.

Sect. 4. The said chief examiner, with the approval of the
2 governor, shall appoint two district examiners.

Sect. 5. Each district examiner shall be a citizen and a
2 competent and practical steam engineer, and shall have had
3 not less than seven years' experience as a practical steam
4 engineer, previous to his appointment.

Sect. 6. Before entering upon his duties, each district
2 examiner shall take an oath to faithfully and impartially per-
3 form the same in accordance with the laws of the State of
4 Maine, and that he will not accept any money, gift, gratuity
5 or consideration from any person or persons whatsoever
6 during his term of office. And shall give a bond in the sum
7 of \$3,000, to be approved by the Governor, for the faithful
8 and efficient performance of his duties.

Sect. 7. The governor shall have power to remove the
2 chief examiner from office for cause, and the governor shall
3 have power to suspend the chief examiner from office while
4 any charge is pending against him.

Sect. 8. The chief examiner, with the approval of the gov-
2 ernor, may remove any of the district examiners from office
3 for cause.

Sect. 9. The term of office of the chief examiner, and each
2 of the district examiners, shall be four years and until his
3 successor is appointed, unless sooner removed as above pro-
4 vided. They shall give their whole time and attention to the
5 duties of their offices respectively.

Sect. 10. In case of the resignation, removal or death of
2 the chief examiner, or either of the district examiners, the
3 vacancy shall be filled in the manner as provided for the

4 original appointment, for the unexpired term only, of the
5 position so made vacant.

Sect. 7. The salary of the chief examiner shall be at the
2 rate of \$1,200 per year, payable monthly, and the salary of
3 each district examiner shall be at the rate of \$1,000 per year,
4 payable monthly, which salaries and all necessary traveling
5 and office expenses incurred by said examiners in the dis-
6 charge of their duties shall be paid out of the treasury of the
7 State.

Sect. 12. The chief examiner shall have his office in the
2 State House, where shall be kept the records of his office.

Sect. 13. The district examiners shall act under the direc-
2 tion of the chief examiner.

Sect. 14. The examiner or his assistants shall not, directly
2 or indirectly, be interested in the manufacture or sale of any
3 appliances connected with steam boilers and engines.

Sect. 15. Any person desiring to act as engineer, shall
2 make application for a license so to act, to the examiner of
3 engineers of the district in which he resides, upon blanks fur-
4 nished by the examiner. Applicants for engineers' license
5 shall have had not less than three years' experience in the
6 operation of steam boilers and engines, and applications shall
7 be signed by two competent engineers. Examinations shall
8 be upon the following subjects: The construction and opera-
9 tion of steam boilers, and steam engines, pumps and hydrants,
10 under such rules and regulations as may be adopted by the
11 chief examiner, and if found competent and trustworthy, the
12 applicant shall receive, within six days after the examination,
13 irrespective of the grade of license for which he applied. No
14 person shall be entitled to receive more than one examination
15 within ninety days, except in the case of an appeal as here-
16 after provided.

Sect. 16. Licenses shall be granted in the following classes:
2 Engineers' license, first class, shall be unlimited in horse-

3 power; engineers' license, second class, to have charge of
4 and to operate steam boilers and engines not exceeding 100
5 horse-power; engineers' license, third class, to have charge
6 of and operate steam boilers and engines not exceeding 50
7 horse-power. Any engineer who has had five years' experi-
8 ence in an engine or boiler room will be granted a third class
9 license without examination if he desires, provided his appli-
10 cation is endorsed by two reliable persons as to his character
11 and ability.

Sect. 17. The words "have charge" in this act shall be con-
2 strued to designate the person under whose supervision a
3 boiler or engine is operated. The person operating shall be
4 understood to mean any and all persons actually engaged in
5 generating steam in any power boiler.

Sect. 18. The fees for license and examination shall be as
2 follows: The engineers' license, first class, \$3.00; engineers'
3 license, second class, \$2.00; engineers' license, third class,
4 \$1.00; renewals, \$1.00. All fees collected and received by
5 district examiners for the issue of licenses or the renewal of
6 the same shall be, on or before the fifth day of each month,
7 remitted to the chief examiner at Augusta, together with a
8 monthly report of the business of their offices. Said chief
9 examiner shall pay into the treasury, to the credit of the gen-
10 eral revenue fund, all moneys and fees received by him, on
11 or before the tenth day of each month; said chief examiner
12 shall file a monthly report with the governor of the business
13 of his office and for the amount of money received by him
14 and paid into the State treasury.

Sect. 19. Any person dissatisfied with the action of any
2 district examiner, in refusing or revoking a license, may
3 appeal to the chief examiner, who shall investigate the action
4 of the said district examiner. If upon such investigation,
5 said chief examiner finds that the district examiner was justi-
6 fied in refusing or revoking such license, he shall sustain the

7 district examiner in his action, but should said chief exam-
8 iner find that the district examiner was not justified in refus-
9 ing or revoking such license, he shall order said district
10 examiner to issue a license to the person making the appeal.

Sect. 20. It shall be the duty of each district examiner to
2 notify every person in his district operating a boiler or engine
3 included in this act, when and where examinations will be
4 held, and to apply for a license under this act, and to give
5 such person a reasonable opportunity to take the examination
6 therefor; provided that all persons holding licenses issued to
7 them under any law of the State of Maine or ordinances of
8 any city in the State shall not be required to submit to a fur-
9 ther examination during the period covered by such license
10 first issued. But such former license shall evidence the quali-
11 fications of such person to operate the kind of steam plant,
12 and for the period as therein designated, unless such license
13 is sooner revoked for cause.

Sect. 21. The provisions of this act shall apply to boilers
2 and engines upon locomotives, motor road vehicles, boilers
3 in private residences, boilers under the jurisdiction of the
4 United States, boilers used for agricultural purposes exclu-
5 sively, boilers of less than twenty-five horse power, and
6 boilers used for heating purposes exclusively, which are pro-
7 vided with a device limiting the pressure caused to fifteen
8 pounds to the square inch.

Sect. 22. The horse power of any boiler shall be ascer-
2 tained upon the basis of three horse power for each square
3 foot of grate surface, for a power boiler, and on the basis
4 of one and one-half horse power for each square foot of grate
5 surface, if the boiler is used for heating purposes, exclusively.
6 The engine power shall be reckoned upon a basis of a mean
7 effective pressure of forty pounds per square inch of piston
8 for a simple engine, fifty pounds for a condensing engine,

9 and seventy-five pounds for a compound engine, reckoned
10 upon the area of the high pressure piston.

Sect. 23. Any owner or engineer who, after being notified
2 as provided in section 20 of this act, violates any of the pro-
3 visions of this act, shall be fined not more than 500 nor less
4 than \$100, or may be imprisoned not to exceed one year in
5 the State prison or both, at the discretion of the court. The
6 examiners shall have the authority and are hereby empow-
7 ered to visit any and all engine rooms or boiler rooms in the
8 State at all reasonable hours.

Sect. 24. If any person, on or after the passage of this
2 act, employ any person without a license to operate any boiler
3 within the State of Maine, or shall require an engineer to
4 leave his post of duty without leaving a competent licensed
5 engineer in charge, he or they shall be deemed guilty of a
6 misdemeanor, and upon conviction, shall be sentenced to pay
7 a fine not greater than \$100 or undergo imprisonment for a
8 time not less than one month nor more than six months or
9 both such fine and imprisonment, at the discretion of the
10 court; and any person so offending shall be liable for all dam-
11 ages resulting directly or indirectly from such acts. A license
12 shall continue in force for one year, or until the same is
13 sooner revoked for incompetency or untrustworthiness, and
14 a license if revoked shall so remain until a new license is
15 granted. A license, unless revoked, shall at the end of one
16 year be renewed by an examiner of engineers, upon applica-
17 tion and without examination. In case a license of a differ-
18 ent grade is issued the old license must be destroyed in the
19 presence of the examiner. In case of the loss of a license
20 by fire or other means a new license shall be issued in its
21 place, without re-examination, upon satisfactory proof to the
22 examiner of such loss.

Sect. 25. It shall be the duty of every engineer to exhibit
2 his license under glass in a conspicuous place in his engine

3 room or boiler room. Any violation of this section shall
4 be punishable by a fine not exceeding \$5.00.

Sect. 26. All acts and parts of acts inconsistent with the
2 provisions of this act are hereby repealed.

Sect. 27. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, February 17, 1905.

Tabled pending reference to a committee by Mr. WITHERSPOON
of North Haven and ordered printed.

E. M. THOMPSON, *Clerk.*