

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 146

House of Representatives, Feb. 11, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Labor.

Committee on Reference.

Presented by Mr. O'Connell of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT for the protection of life and property against loss or damage from steam boilers and steam engines operated by incompetent persons.

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

Section 1. Within thirty days after this act has been enacted, the commissioner of labor of the state of Maine shall establish in the department of labor a board to be known as the steam engine and boiler operator's license board to consist of five or more persons, citizens of the state of Maine, each of whom shall have been engaged for a period of at least five years as engineer of a steam plant, two years

8 of which he shall have been in charge of a first class plant
9 of not less than five hundred horse-power.

Sect. 2. Each of the said persons constituting said board
2 shall hold office for three years.

Sect. 3. Any vacancy occurring in the membership of the
2 said board shall be filled by the commissioner of labor from
3 persons properly qualified as aforesaid for the unexpired
4 term.

Sect. 4. Each person appointed a member of said board
2 shall before entering upon the discharge of his duties and
3 within ten days after he has been appointed, take and sub-
4 scribe to an oath before any officer authorized to adminis-
5 ter oaths in this state for the faithful performance of his
6 duty, which shall be filed with the said commissioner of
7 labor and transmitted by him to the secretary of state.

Sect. 5. They shall from time to time select one of their
2 members for chairman.

Sect. 6. They may adopt all necessary rules, regulations
2 and by-laws for their government not inconsistent with the
3 laws of the state of Maine or of the United States and shall
4 prescribe rules for the examination and licensing of engi-
5 neers and firemen in charge of stationary and portable steam
6 boilers and engines within the state, and to prevent the use
7 of such steam boilers and steam engines unless the person
8 in charge shall hold such license.

Sect. 7. They shall report from time to time to said com-
2 missioner and in such form as he shall prescribe.

Sect. 8. All licenses recommended by them shall be issued
2 under the hand and seal of the commissioner and a record
3 thereof kept in his office.

Sect. 9. Within sixty days after said board shall have
2 been organized no person subject to the provisions of this
3 act shall operate any steam boiler or steam engine without
4 having a license as hereinafter provided for.

Sect. 10. Any person so appointed a member of the said
2 board of examiners may be removed from said board by
3 the said commissioner for incompetence or untrustworthi-
4 ness the same as any other person employed by the depart-
5 ment of labor appointed by him.

Sect. 11. Each member of the board of examiners shall
2 be entitled to have and to receive from the state, as and for
3 his compensation the sum of four dollars per day for the
4 time actually employed by him in the pursuance of his duties
5 as examiner, also he shall receive from the state remunera-
6 tion for all actual and necessary expenses incurred by him
7 in the discharge of his duties as examiner when such duties
8 shall necessitate his presence in a city or town other than
9 that in which he is permanently located.

Sect. 12. Any engineer or fireman actually in charge of
2 a steam engine or steam boiler at the time this act takes
3 effect and who has operated said boiler or engine for a period
4 of not less than twelve months shall be exempted from ex-
5 amination required by this act and upon presenting satis-
6 factory evidence to the examiner of such service shall re-

7 ceive a graded license the limitation of which shall not ex-
8 ceed the actual horse-power of steam engine or boiler of
9 which he may be in charge.

Sect. 13. Any person applying for an engineer's license
2 must have at least twelve months experience in the actual
3 operation of steam boilers.

Sect. 14. No person shall have charge of or operate a
2 steam boiler or engine in this state, except boilers and en-
3 gines in private residences; boilers in apartment houses of
4 less than five flats, boilers and engines under the jurisdic-
5 tion of the United States, boilers and engines used for agri-
6 cultural purposes exclusively, boilers and engines of less
7 than eight horse-power and boilers used for heating pur-
8 poses exclusively, which are provided with a device approved
9 by the board of examiners limiting the pressure carried to
10 fifteen pounds to the square inch, unless he holds a license
11 as hereinafter provided. The owner or user of a steam
12 boiler or engine, other than boilers or engines above ex-
13 cepted, shall not operate or cause to be operated a steam
14 boiler or engine for a period of more than one week, unless
15 the person in charge of and operating it is duly licensed.

Sect. 15. If such steam engine or boiler is found to be
2 in charge of or operated by a person who is not a duly
3 licensed engineer or fireman and after a lapse of one week
4 from such time it is again found to be operated by a person
5 who is not duly licensed it shall be deemed prima facie evi-

6 dence of a violation of the provisions of the preceding sec-
7 tion.

Sect. 16. The words "have charge" or "in charge" in the
2 two preceding sections shall designate the person under
3 whose supervision a boiler or engine is operated, the person
4 who is actually engaged in generating steam in a power
5 boiler.

Sect. 17. Whoever desires to act as engineer or fireman
2 shall apply for a license therefor to the examiner of en-
3 gineers for the city or town in which he resides or is em-
4 ployed upon blanks to be furnished by the examiner. Ap-
5 plication shall be accompanied by a fee of two dollars and
6 shall show his total experience. Wilful falsification on the
7 matter of statements contained in the application shall be
8 deemed sufficient cause for the revocation of said license
9 at any time. The applicant shall be given a practical ex-
10 amination and if found competent and trustworthy, he shall
11 receive within six days after the examination, a license
12 graded according to the merits of his examination. The
13 applicant shall have the privilege of having one person pres-
14 ent during the examination who shall take no part in the
15 same but who may take notes if he so desires. No person
16 shall be entitled to receive more than one examination within
17 ninety days except in the case of an appeal as hereinafter
18 provided. A license shall continue in force until it is re-
19 voked for the incompetence or untrustworthiness of the
20 licensee, and a license shall remain revoked until a new
21 license is granted. If a new license of a different grade is

22 issued the old license shall be destroyed in the presence of
23 the examiner. If a license is lost by fire or other means,
24 a new license shall be issued in its place without re-exam-
25 ination of the licensee upon satisfactory proof of such loss
26 to the examiner.

Sect. 18. License shall be granted according to the com-
2 petence of the applicant and shall be distributed in the fol-
3 lowing classes: Engineer's license: First class, to have
4 charge of and to operate any steam plant. Second class;
5 to have charge of and to operate a boiler or boilers and to
6 have charge of and operate engines no one of which shall
7 exceed one hundred and fifty horse-power, or to operate a
8 first class plant under the engineer in direct charge of the
9 plant. Third class, to have charge of and to operate a
10 boiler or boilers not exceeding in the aggregate one hun-
11 dred and fifty horse-power, and an engine not exceeding
12 fifty horse-power or to operate a second class plant under
13 the engineer in direct charge of the plant. Fourth class,
14 to have charge of and to operate hoisting and portable en-
15 gines and boilers. Fireman's license: First class, to have
16 charge of and to operate any boiler or boilers where the
17 pressure carried does not exceed twenty-five pounds to the
18 square inch, or to operate high pressure boilers under the
19 engineer in direct charge thereof. Second class, to operate
20 any boiler or boilers under the engineer in direct charge
21 thereof. A person holding a first class fireman's license
22 may operate a third class plant under the engineer in direct
23 charge of the plant. A person holding an engineer's or

24 fireman's license who desires to have charge of or to operate
25 a particular steam plant or type of plant may, providing he
26 holds an engineer's or fireman's license, if he files with his
27 application a written request signed by the owner or user
28 of said plant for such examination, be examined as to his
29 competence for such service and no other, and if found
30 competent and trustworthy shall be granted a license for
31 such service and no other. No special license shall be grant-
32 ed to give any person charge of a plant over one hundred
33 and fifty horse-power.

Sect. 19. The horse-power of a boiler shall be ascertained
2 upon the basis of three horse-power for each square foot
3 of grate surface for a power boiler, and on the basis of one
4 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 forty pounds per square inch of
7 piston for a simple engine, fifty pounds for a condensing
8 engine, and seventy pounds for a compound engine, reckoned
9 upon area of high pressure piston.

Sect. 20. A person who is aggrieved by the action of an
2 examiner in refusing or revoking a license may appeal there-
3 from to the remaining examiners, three or more of whom
4 shall together act as a board of appeal, and shall have the
5 power to hear the parties and pass upon the subjects of
6 appeal. If appeal is taken it must be within one month
7 after the decision of the examiner. The applicant may have
8 the privilege of having one first class engineer present dur-
9 ing the hearing of his appeal, but he shall take no part there-

10 in. The decision of the majority of such examiners so
11 acting as a board of appeal shall be final if approved by
12 the chairman of said board of examiners.

Sect. 21. An engineer's or fireman's license granted under
2 the provisions of the preceding sections or to the correspond-
3 ing provisions of earlier laws, shall be placed so as to be
4 easily read in a conspicuous place in the engine room or
5 boiler room of the plant operated by the holder of such
6 license.

Sect. 22. Whoever violates any of the provisions of the
2 preceding sections shall be punished by a fine of not less
3 than ten or more than three hundred dollars or by imprison-
4 ment for not more than three months. A trial justice shall
5 have jurisdiction of complaints for violation of the pro-
6 visions of the preceding sections, and in such cases may
7 impose a fine of not more than fifty dollars. All members
8 of the board of examiners shall have authority in the pur-
9 suance of their duty to enter any premises on which a boiler
10 or engine is situated, and any person who hinders or pre-
11 vents or attempts to prevent any examiner from so enter-
12 ing, shall be liable to the penalty as specified in this section.