

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 623

S. P. 255

House of Representatives, February 13, 1935.

Referred to Committee on Legal Affairs and 500 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Fernald of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT to Regulate Steam Engineering.

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

Sec. 1. Scope. It shall be unlawful for any person to have charge of or to operate a steam boiler or engine in this state, except those used by railroads subject to the interstate commerce act, those under the control of the public utilities commission of Maine, boilers in private residences, and boilers used for agricultural purposes exclusively or those of less than 4 horse power, or those used on automobile vehicles, unless he holds a license as hereinafter provided; and it shall be unlawful for any owner or user of any steam boiler or engine, other than those above excepted, to operate or cause to be operated a steam boiler or engine for a period of more than 1 week without a duly licensed engineer or fireman in charge.

Sec. 2. Application and revocation. Any person desiring to act as an engineer or fireman shall make application to so act to the department of labor and industry upon blanks furnished by said department, and if upon examination the applicant is found trustworthy and competent a license shall be granted to said applicant to have charge of or to operate such steam plants as the examiner may find him qualified to have in keeping. Such license shall continue in force for 1 year unless after proper hearing it is sooner revoked, for intoxication or other sufficient cause, and may

be renewed every year on application to the authority granting same, or at such time as may be determined by said authority. Applicant shall make oath to the statements contained in said application and the commissioner or examiner of the department may administer the oath.

Sec. 3. Classes of licenses. Licenses shall be granted according to the competency of the applicant, and shall be divided into classes as follows: First class: engineers' licenses of this class shall be unlimited as to horse power. Second class: engineers' licenses of this class shall be limited to 500 horse power. Third class: engineers' licenses of this class shall be limited to 150 horse power. A fireman's license shall be issued to any person who, after having passed an examination, as herein provided, shall have been found competent to operate any steam boiler or boilers. Any person desiring to operate any particular steam plant may so state to the examiner, and he shall be examined as to his fitness to operate that particular plant, and if found competent and trustworthy shall be granted a license, termed a special license, for that particular plant, and such license shall be in force 1 year. An engineer's or fireman's license shall be so placed in the engine or boiler room of the plant operated by the licensee as to be easily read.

Sec. 4. Fees. The fee for examination for applicants for license shall be for engineers \$2, and firemen \$1, to be paid at the time of the application for examination, and \$1 for each renewal of license. All sums paid as aforesaid shall be received by the examiner who shall turn the money over to the commissioner of labor and industry taking his receipt for same, and the commissioner shall turn the money over to the treasurer of state to be credited to the general appropriation of the department of labor and industry.

Sec. 5. Examiner. The examiner or examiners shall be appointed by the commissioner of labor and industry with the consent and approval of the governor and council and shall hold office during the pleasure of the commissioner.

Sec. 6. Notification. It shall be the duty of the commissioner of labor and industry or of the examiner to cause notices to be printed in at least 3 papers issued in Maine notifying those interested of the operation of this law and to apply for a license under the same and to give such persons a reasonable opportunity to take an examination therefor. The examiner shall issue a license or shall notify the applicant of his rejection within 48 hours after the examination.

Sec. 7. Appeals. Any person dissatisfied with the action of an examiner in refusing or in revoking a license may appeal to the commissioner of labor and industry, whose decision shall be final.

Sec. 8. Penalty for violation. Any person, firm or corporation violating the provisions of the preceding sections shall be punished by a fine of not more than \$300 or by imprisonment for not more than 3 months, said fine to be turned over to the treasurer of state, and to be credited to the general appropriation of the department of labor and industry.

Sec. 9. Time limit. This act shall be effective on and after September 1, 1935, and any person applying for a license as engineer or fireman on or before that date shall be deemed to have complied with the provisions of this act until his application is passed upon or revoked by the proper authorities.

Sec. 10. Exception. In cities having a population of more than 40,000 inhabitants the provisions of sections 145 to 154, inclusive, of chapter 5 of the revised statutes shall remain in full force and effect; and the provisions of this act shall not apply to such cities and any person holding a license issued prior to January 1, 1935 by a city of over 40,000 shall be entitled to one of same grade without examination upon payment of the renewal fee of \$1, money so collected to be handled as hereinbefore provided.

Sec. 11. Definitions. "Department" wherever used in this act shall mean the department of labor and industry. The word "horsepower" shall be taken as 10 square feet of water heating surface as adopted by the American Boiler Manufacturers' Association as their standard.

Sec. 12. Rights under licenses. A first class engineers' license shall entitle holder thereof to have charge of or operate any steam plant.

A second class engineers' license shall entitle holder thereof to have charge of or operate any steam plant of not over 500 horsepower or to operate a first class plant under the direct supervision of a person holding a first class engineers' license.

A third class engineers' license shall entitle holder thereof to have charge of or operate a plant of not over 150 horsepower or to operate a second class plant under the direct supervision of the holder of a second class license.

A fireman's license shall entitle the holder thereof to operate a boiler or boilers under the direct charge and supervision of an engineer unless said license is endorsed by the examiner giving the holder thereof power to have charge of or operate said plant.

Sec. 13. Repeal. Except as above provided, all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, or amended to conform with the provisions hereof.