

# MAINE STATE LEGISLATURE

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H. P. 1270

House of Representatives, February 6, 1941.

Referred to Committee on Legal Affairs and sent up for concurrence.  
750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**AN ACT Relative to Licensing of Steam Engineers and Firemen.**

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

**Sec. 1. County examiners of steam engineers and firemen to be appointed.** The county commissioners in each county, shall annually in the month of April, appoint a person as county examiner of steam engineers and firemen, who shall have had not less than 5 years of practical experience in operating steam boilers and engines, to serve for the term of 1 year or until his successor has been appointed.

**Sec. 2. Certificate of competence, application for.** It shall be unlawful for any person or persons to operate a steam plant consisting of boiler or engine where the services of an engineer or fireman are required, unless the steam plant is used for heating purposes only in a dwelling house, apartment house or building, and the pressure does not exceed 15 pounds per square inch, without first obtaining a certificate of competence from said examiner. Any person desiring a certificate of competence shall make application to the city or town clerk of his city or town, who will notify him in writing when to appear for examination.

**Sec. 3. Licenses classified.** Licenses shall be granted as follows:  
First grade, horse power unlimited.

Second grade, limited to 500 horsepower.

Third grade, limited to 200 horse power.

Special grade, limited to engineers and firemen operating some special steam plant and to night engineers and firemen and to engineers handling donkey, hoisting and steam roller engines. A special license shall state for what purpose such license is issued and the location of the plant.

An engineer or fireman who has been granted a second grade certificate may operate a plant as specified in the first grade under the direction of an engineer or fireman who has been granted a first grade certificate, and an engineer or fireman who has been granted a third grade certificate, and an operate a plant as specified under the second grade under the direction of an engineer or fireman who has been granted a second grade certificate, (and this act shall not apply to buildings owned by the United States government.)

**Sec. 4. Examination fee; examination; certificate.** An examiner's fee of \$2 for every applicant shall be paid to the city or town clerk when application is made. It shall be the duty of said clerk to forward all applications to the examiner with the fee for the same, except that 25% shall be retained by the said clerk for the services of his office. The examiner shall examine all applicants in writing and shall issue a certificate in the following form, if the applicant is of temperate habits and has suitable competency :

“STATE OF MAINE

This is to certify that .....  
having made application to the city or town clerk for permission to take charge of and operate a steam plant, and having produced evidence of his competency to act in said capacity as.....  
I have issued to him this certificate as approved by law this day of .....

The certificate shall be valid for 1 year from the date granted unless revoked as hereinafter provided. Said certificate when issued shall be filed in the office of the aforesaid city or town clerk and said clerk shall issue and deliver to said applicant a duly attested copy of said certificate; and the copy issued shall be posted by the holder thereof in a frame under glass in a conspicuous place in or near the boiler room of the steam plant to be operated.

**Sec. 5. Renewals of certificates.** When an engineer or fireman shall apply for a renewal of his license for the same grade, the presentation

of the attested copy of the original certificate shall be considered sufficient evidence of his title to renewal, which certificate shall be retained by the examiner upon the official files as the evidence upon which the license was renewed and a new certificate shall be issued upon the payment of the fee of \$1, unless such license has been forfeited, or unless facts have come to the knowledge of the examiner which would render a renewal improper. In such case the applicant shall be entitled to a hearing before the examiner. In case of loss or destruction of applicant's certified copy of his license the city or town clerk shall by direction of the examiner issue to the applicant a duplicate attested copy.

**Sec. 6. Revocation of certificates.** When the examiner receives notice in writing signed by 10 or more residents of the city or town where the steam plant in question is located stating that in their opinion the person in charge of such steam plant is incompetent to discharge his duties, or by reason of negligence, intemperance or other cause, such person ought not to longer remain in charge of such steam plant, the said examiner may temporarily suspend the authority of such person to act in said capacity until the investigation and hearing as herein provided can be made, provided, however, that said certificate shall not be permanently revoked until the examiner shall have given hearing to the person against whom the complaint has been filed, and shall have given him a written copy of the said complaint at least 48 hours before such hearing is to be held. Said examiner shall immediately cause an investigation to be made as to the habits and qualifications of the person so complained of; and if such person is found to be incompetent to remain in charge of said steam plant, said examiner shall cause the certificate granted under the provisions of this act to be revoked and notice of such revocation shall be filed with the city or town clerk; if the examiner shall after hearing, revoke said license, he shall then give the person or corporation having control of such steam plant, notice of his findings. If, after the receipt of such notice, the person or corporation having control of said steam plant shall neglect or refuse to cause said steam plant to be placed in charge of some person qualified under the provisions of this act within a reasonable time thereafter, such person or corporation shall be subject to the penalties provided in section 8 of this act. The person or corporation in control of a steam plant, in case of sickness, emergency or other good and sufficient reason, may temporarily employ some competent person, not holding a license as herein provided, to operate said plant for a period not exceeding 2 weeks.

**Sec. 7. Present operators may be licensed without examination.** Any owner or person who at present has charge of, or operates, a steam boiler

or engine where the pressure exceeds 15 pounds per square inch, shall upon filing an application with the required fee within 90 days after the effective date of this act, be granted a certificate, without examination.

**Sec. 8. Penalty.** Whoever violates any of the provisions of this act shall be punished by a fine of not more than \$50.

**Sec. 9. Amending clause.** All ordinances of cities and towns and all acts inconsistent with provisions of this act are hereby repealed or amended to conform with the provisions hereof.