



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1405

S.P. 523

In Senate, May 12, 2015

### An Act To Amend the Licensing Laws of the Maine Fuel Board

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Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator CUSHING of Penobscot.

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

2 **Sec. 1. 32 MRSA §18101, sub-§§6, 7 and 10**, as enacted by PL 2009, c. 344, Pt.  
3 C, §3 and affected by Pt. E, §2, are amended to read:

4 **6. Equipment installations.** "Equipment installations" means the installation,  
5 alteration or repair of oil, solid fuel, propane or natural gas burning equipment and  
6 chimneys, or pellet-fired central heating appliances, including accessory equipment as  
7 relating only to the safety of the installation. Associated electrical equipment must be  
8 wired in compliance with the rules of the Electricians' Examining Board established in  
9 Title 5, section 12004-A, subsection 13.

10 **7. Natural gas.** "Natural gas" means hydrocarbon fuel in a gaseous state with a  
11 composition of predominantly CH<sub>4</sub> ~~; delivered by pipeline to the property of the~~  
12 ~~consumer.~~

13 **10. Self-service dispensing station.** "Self-service dispensing station" means a  
14 licensed facility where propane or natural gas is dispensed into permanently mounted fuel  
15 containers on vehicles ~~and is operated by the general public at a dispensing station.~~

16 **Sec. 2. 32 MRSA §18102, first ¶**, as enacted by PL 2009, c. 344, Pt. C, §3 and  
17 affected by Pt. E, §2, is amended to read:

18 A person who installs or services ~~oil~~, solid fuel burning equipment, including pellet-  
19 fired central heating appliances, or oil, propane or natural gas burning equipment and a  
20 facility where propane or natural gas is dispensed must be licensed under this chapter,  
21 except as provided under section 18104.

22 **Sec. 3. 32 MRSA §18123, sub-§3**, as enacted by PL 2009, c. 344, Pt. C, §3 and  
23 affected by Pt. E, §2, is repealed.

24 **Sec. 4. 32 MRSA §18132**, as enacted by PL 2009, c. 344, Pt. C, §3 and affected  
25 by Pt. E, §2, is amended to read:

26 **§18132. Master oil burner technician or solid fuel technician**

27 **1. Scope of license.** ~~A~~ The permitted activities for a person licensed as a master oil  
28 ~~and burner technician or master solid fuel burning technician may install, clean, service,~~  
29 ~~alter or repair oil and solid fuel burning equipment and must hold one or more of the~~  
30 ~~following authorities: number one and number 2 oils up to 15 gallons per hour; number~~  
31 ~~one and number 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils;~~  
32 ~~number one to number 6 oils; and solid fuel~~ are as follows.

33 A. A master oil burner technician may install, clean, service, alter or repair oil  
34 burning equipment and must hold one or more of the following authorities: number  
35 one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over  
36 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6  
37 oils; and pellet-fired central heating appliances.

1            B. A master solid fuel technician may install, clean, service, alter or repair solid fuel  
2            burning equipment.

3            **2. Professional qualifications.** Each applicant for a master oil ~~and burner~~ or solid  
4 fuel ~~burning~~ license must pass an examination approved by the board and meet the  
5 following qualifications:

6            A. The applicant must demonstrate 4 years of licensed practical experience as an  
7 apprentice oil ~~and burner technician~~ or solid fuel ~~burning~~ technician ~~and~~ or a  
8 journeyman oil ~~and burner technician~~ or solid fuel ~~burning~~ technician and evidence  
9 that the licensed practical experience for at least 2 of those 4 years was as a licensed  
10 journeyman oil ~~and burner technician~~ or solid fuel ~~burning~~ technician or other  
11 requirements the board may establish. Courses approved by the board that apply to a  
12 journeyman license cannot be applied toward the requirements for a master license;  
13 ~~and.~~

14            ~~B. The applicant must pass an examination approved by the board.~~

15            An out-of-state applicant must present satisfactory evidence to the board of experience in  
16 installing, cleaning, servicing, altering and repairing oil ~~and~~ or solid fuel burning  
17 equipment.

18            **Sec. 5. 32 MRSA §18133**, as enacted by PL 2009, c. 344, Pt. C, §3 and affected  
19 by Pt. E, §2, is amended to read:

20            **§18133. Journeyman oil burner technician or solid fuel technician**

21            **1. Scope of license.** A The permitted activities for a person licensed as a  
22 journeyman oil ~~and burner technician~~ or journeyman solid fuel ~~burning~~ technician ~~may~~  
23 install, clean, service, alter or repair oil and solid fuel burning equipment and must hold  
24 one or more of the following authorities: number one and number 2 oils up to 15 gallons  
25 per hour; number one and number 2 oils over 15 gallons per hour; number 4, number 5  
26 and number 6 oils; number one to number 6 oils; and solid fuel. A journeyman oil and  
27 solid fuel burning technician may install oil and solid fuel burning equipment under the  
28 indirect supervision of a master oil and solid fuel burning technician who has the same  
29 authority or higher and must at all times be under the indirect supervision of, or in the  
30 employ of, a master oil and solid fuel burning technician are as follows.

31            A. A journeyman oil burner technician, under the indirect supervision of, or in the  
32 employ of, a master oil burner technician may install, clean, service, alter or repair oil  
33 burning equipment and must hold one or more of the following authorities: number  
34 one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over  
35 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6  
36 oils; and pellet-fired central heating appliances. The supervising or employing  
37 master oil burner technician must hold at least the same authority as the journeyman  
38 oil burner technician.

39            B. A journeyman solid fuel technician, under the indirect supervision of, or in the  
40 employ of, a master solid fuel technician, may install, clean, service, alter or repair  
41 solid fuel burning equipment.

1           **2. Professional qualifications.** Each applicant for a journeyman oil ~~and burner~~ or  
2 solid fuel ~~burning~~ license must pass an examination approved by the board and must meet  
3 one of the following qualifications:

4           A. One year of licensed practical experience as an apprentice oil ~~and burner~~  
5 technician or solid fuel ~~burning~~ technician;

6           B. Six months of licensed practical experience as an apprentice oil ~~and burner~~  
7 technician or solid fuel ~~burning~~ technician and completion of an oil burner or solid  
8 fuel technician course at a community college, career and technical education center  
9 or career and technical education region or a comparable institute in the State or  
10 another state consisting, at a minimum, of 160 hours of study, of which at least 75  
11 hours are made up of laboratory work on oil ~~burner~~ ~~burning~~ equipment and related  
12 systems; or

13           C. Successful completion of a minimum one-year accredited heating course at a  
14 community college in this State consisting at a minimum of 320 hours of study, of  
15 which at least 150 hours are made up of laboratory work on oil ~~burner~~ or solid fuel  
16 burning equipment and related systems.

17 An out-of-state applicant must present satisfactory evidence to the board of experience in  
18 installing, cleaning, servicing, altering and repairing oil and solid fuel burning equipment.

19           **Sec. 6. 32 MRSA §18134, sub-§1**, as enacted by PL 2009, c. 344, Pt. C, §3 and  
20 affected by Pt. E, §2, is repealed.

21           **Sec. 7. 32 MRSA §18134, sub-§1-A** is enacted to read:

22           **1-A. Scope of license.** The permitted activities for a person licensed as an  
23 apprentice oil burner technician or apprentice solid fuel technician are as follows.

24           A. An apprentice oil burner technician may:

25           (1) Assist in making oil installations and repairing and servicing of oil burning  
26 equipment under the direct supervision of a master or journeyman oil burner  
27 technician who holds the same or higher authority. License authorities include:  
28 number one and number 2 oils up to 15 gallons per hour; number one and number  
29 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils; number  
30 one to number 6 oils; and pellet-fired central heating appliances;

31           (2) Bleed an oil burner without direct supervision. If the oil burner fails to  
32 operate after bleeding, the apprentice shall refer the problem to a journeyman oil  
33 burner technician or master oil burner technician; and

34           (3) Clean oil burning equipment without direct supervision if the apprentice has  
35 either successfully completed at least 160 hours of training approved by the board  
36 or completed at least one year of supervised oil burner work experience.

37           B. An apprentice solid fuel technician may:

38           (1) Assist in making solid fuel installations and repairing and servicing of solid  
39 fuel burning equipment under the direct supervision of a master or journeyman  
40 solid fuel technician; and

1                   (2) Clean solid fuel burning equipment without direct supervision if the  
2                   apprentice has either successfully completed at least 160 hours of training  
3                   approved by the board or completed at least one year of supervised solid fuel  
4                   work experience.

5                   **Sec. 8. 32 MRSA §18135, sub-§2**, as enacted by PL 2009, c. 344, Pt. C, §3 and  
6                   affected by Pt. E, §2, is amended to read:

7                   **2. Professional qualifications.** ~~Each~~ Prior to July 1, 2016, an applicant for a  
8                   propane and natural gas technician license must meet one of the following qualifications:

9                   A. Successful completion of the certified employee training program of a national  
10                  propane gas association; or

11                  B. Successful completion of a board-approved propane or natural gas course at a  
12                  Maine community college, career and technical education center or career and  
13                  technical education region or a comparable institute of this State or another state and  
14                  passage of an examination approved by the board.

15                  An out-of-state applicant must present satisfactory evidence to the board of experience in  
16                  installing, cleaning, servicing, altering and repairing propane and natural gas burning  
17                  equipment.

18                  **Sec. 9. 32 MRSA §18135, sub-§2-A** is enacted to read:

19                  **2-A. Professional qualifications beginning July 2016.** On or after July 1, 2016, an  
20                  applicant for a propane and natural gas technician license must pass a board-approved  
21                  examination and must:

22                  A. Provide evidence of one year of licensed practical experience as a propane and  
23                  natural gas helper;

24                  B. Provide evidence of 6 months of licensed practical experience as a propane and  
25                  natural gas helper or as a licensee with an authority described under subsection 1 and  
26                  completion of a board-approved propane and natural gas course at a Maine  
27                  community college, career and technical education center or career and technical  
28                  education region or a comparable institute in this State or another state; or

29                  C. Provide evidence of 6 months of licensed practical experience as a propane and  
30                  natural gas helper or as a licensee with an authority described under subsection 1 and  
31                  completion of a national propane gas association's certified employee training  
32                  program or other propane or natural gas program approved by the board.

33                  **Sec. 10. Revision of licenses.** The Department of Professional and Financial  
34                  Regulation shall review the licenses issued by the Maine Fuel Board pursuant to the  
35                  Maine Revised Statutes, Title 32, sections 18132, 18133 and 18134 and submit  
36                  legislation to the Second Regular Session of the 127th Legislature by January 15, 2016  
37                  that changes the name and scope of the licenses to reflect the changes made in this Act.

1 **SUMMARY**

2 This bill amends the provisions of law regarding the Maine Fuel Board by:

3 1. Clarifying that there is a separate license and scope of practice for a master oil  
4 burner technician, master solid fuel technician, journeyman oil burner technician,  
5 journeyman solid fuel technician, apprentice oil burner technician and apprentice solid  
6 fuel technician;

7 2. Specifying that the installation, cleaning, repairing and servicing of pellet-fired  
8 central heating appliances is included within the scope of practice of oil burner  
9 technicians if that person holds a pellet-fired central heating appliances authority;

10 3. Removing the authority of the Maine Fuel Board to authorize pilot projects  
11 relating to emerging fuel fired heating technology; and

12 4. Upgrading the technical training required to obtain a propane and natural gas  
13 technician license.