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Public Law
123rd Legislature
First Regular Session

Chapter 392
S.P. 635 - L.D. 1791

**An Act To Amend the Oil and Solid Fuel Board and
Propane and Natural Gas Board Licensing Laws**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the need to weatherize Maine's existing housing inventory is critical to the health, safety and welfare of the citizens of the State; and

Whereas, the weatherization of existing homes across the State will require qualified individuals to perform energy efficiency and combustion testing on weatherized homes for safety reasons; and

Whereas, Maine law currently limits combustion testing of oil-fired and gas-fired heating appliances to individuals who are licensed as oil burner technicians or natural gas and propane technicians, therefore limiting the number of individuals permitted to perform combustion testing in connection with residential weatherization; and

Whereas, it is necessary to increase the number of individuals permitted to perform combustion testing on weatherized homes; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 32 MRSA §2401-B, sub-§2-A is enacted to read:

2-A. Limited energy auditor technician. The board may issue a limited energy auditor technician license to a person who presents to the board, at a minimum, satisfactory evidence of relevant training and written and field certification that conform to standards established by a nationally recognized building performance industry certification and quality assurance program, the equivalent Maine residential energy auditor certification program or an equivalent training and education program as determined by the board. Privileges of practice are restricted to the performance of combustion safety and efficiency testing on oil-fired space heating or water heating equipment to ensure health and safety standards and do not include any adjustment of oil-fired space heating or water heating equipment.

Sec. 2. 32 MRSA §14807, sub-§6-A is enacted to read:

6-A. Limited energy auditor technician. The board may issue a limited energy auditor technician license to a person who presents to the board, at a minimum, satisfactory evidence of training and written and field certification that conform to the standards established by a nationally recognized building performance industry certification and quality assurance program, the equivalent Maine residential energy auditor certification program or an equivalent training and education program as determined by the board. Privileges of practice are restricted to the performance of combustion safety and efficiency testing on natural gas-fired or propane gas-fired space heating or water heating equipment to ensure health and safety standards and do not include any adjustment of natural or propane gas-fired space heating or water heating equipment.

Sec. 3. Rules. The Oil and Solid Fuel Board, as established in the Maine Revised Statutes, Title 32, chapter 33, subchapter 2, shall adopt emergency rules to implement the provisions of Title 32, section 2401-B, subsection 2-A. The Propane and Natural Gas Board, as established in Title 32, chapter 130, shall adopt emergency rules to implement the provisions of Title 32, section 14807, subsection 6-A. These boards must each adopt those rules within 90 days after the effective date of this Act. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 21, 2007.