

Accompanying the fifteenth recommendation of the Department of Public Health (House, No. 188). Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT ESTABLISHING A BOARD FOR THE CERTIFICATION OF COMBUSTION FACILITY TECHNICIANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 146 of the General Laws is hereby amended by
2 adding after section 69 a new section as follows: —

3 *Section 70.* The following words as used in this section shall
4 have the following meanings:

5 “Board”, the board for the certification of combustion facil-
6 ity technicians.

7 “Combustion Facility”, any device, contrivance, mechanism,
8 or works and appurtenances thereto used for or in conjunction
9 with the burning of combustible materials.

10 “Combustion Facility Technician”, any person who is certi-
11 fied by the board for the inspection, servicing, and mainte-
12 nance of fossil fuel combustion facilities.

13 “Person”, any individual, partnership, association, firm,
14 syndicate, company, trust, corporation, department, political
15 subdivision, authority or any other entity recognized by law as
16 the subject of rights and duties.

17 There shall be in the department, a board for the certi-
18 fication of combustion facility technicians. The board shall
19 consist of a designee of the commissioner who shall be chair-
20 man of said board and who shall serve at the pleasure of the
21 commissioner; a designee of the commissioner of public health,
22 who shall serve at the pleasure of said commissioner; and three
23 associate members appointed by the commissioner with the
24 approval of the commissioner of public health, one of whom
25 shall be a registered professional engineer skilled in the matters

26 of combustion, one of whom shall be an individual especially
27 knowledgeable in the area of combustion equipment, and one
28 of whom shall be a combustion facility operating engineer duly
29 licensed as a first class engineer. Of the associate members first
30 appointed, one each shall be appointed for a period of one
31 year, two years and three years. Upon the expiration of the
32 term of office of an associate member, his successor shall be
33 appointed for a term of three years. A vacancy occurring prior
34 to the expiration of a term of an associate member shall be
35 filled for the remainder of such term in the same manner as
36 the original appointment was made. Each associate member of
37 the board appointed pursuant to this section shall be entitled
38 to receive compensation at a rate fixed by the commonwealth,
39 but not exceeding twenty-five dollars per diem, including travel
40 expenses, in the performance of his duties. The board shall
41 meet at such times as the chairman may deem appropriate but
42 not less than four times per year. Such clerical and other
43 assistance as may be required by the board shall be assigned to
44 it by the department and the department of public health.

45 The board shall, on or before July first, nineteen hundred
46 and seventy-one, establish, and may from time to time there-
47 after amend, criteria, standards, rules, and regulations for the
48 certification of combustion facility technicians and for the
49 proper maintenance of combustion facilities. The board shall
50 have the authority to set fees as it may deem appropriate for
51 applications for the certification of combustion facility techni-
52 cians, for the certification of combustion facility technicians,
53 and for inspection of combustion facilities. Whoever violates
54 any rules and regulations adopted under the provisions of this
55 section, or the provisions of section seventy-one shall be pun-
56 ished by a fine of not less than fifty dollars nor more than five
57 hundred dollars for each offense. Each day of any such viola-
58 tion shall constitute a separate offense. The superior court
59 sitting in equity, on petition of the board or any person
60 authorized by the board, shall have jurisdiction to restrain such
61 violations.