

# HOUSE . . . . . No. 2773

By Mr. Gaudette of New Bedford, petition of Donald R. Gaudette for legislation to establish a board of certification of combustion facility technicians. Natural Resources and Agriculture.

## The Commonwealth of Massachusetts

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

### 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 SECTION 1. Chapter 146 of the General Laws is hereby  
2 amended by adding after section 80 a new section as  
3 follows: —

4 *Section 81.* The following words as used in this section shall  
5 have the following meanings:

6 “Board,” the board for the certification of combustion  
7 facility technicians.

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

11 “Combustion Facility Technician,” any person who is  
12 certified by the board for the inspection, servicing, and main-  
13 tenance of combustion facilities.

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

18 There shall be in the department, a board for the certifi-  
19 cation of combustion facility technicians. The board shall  
20 consist of a designee of the commissioner who shall be chair-  
21 man of said board and who shall serve at the pleasure of the  
22 commissioner, and four associate members appointed by the  
23 commissioner, one of whom shall be a registered professional  
24 engineer skilled in the matters of combustion, one of whom

25 shall be an individual especially knowledgeable in the area of  
26 combustion, one of whom shall be a combustion facility  
27 operating engineer duly licensed as a first class engineer and  
28 one of whom shall represent the public. Upon the expiration of  
29 the term of office of an associate member, his successor shall  
30 be appointed for a term of three years. A vacancy occurring  
31 prior to the expiration of a term of an associate member shall  
32 be filled for the remainder of such term in the same manner as  
33 the original appointment was made. Each associate member of  
34 the board appointed pursuant to this section shall be entitled  
35 to receive compensation at a rate fixed by the commonwealth,  
36 but not exceeding fifty dollars per diem, including travel ex-  
37 penses, in the performance of his duties. The board shall meet  
38 at such times as the chairman may deem appropriate but not  
39 less than four times per year. Such clerical and other assistance  
40 as may be required by the board shall be assigned to it by the  
41 department. The board shall, on or before July first, nineteen  
42 hundred and seventy-three, establish and may from time to  
43 time thereafter amend criteria, standards, rules and regulations  
44 which are consistent with federal laws, for the certification of  
45 combustion facility technicians and for the proper maintenance  
46 of combustion facilities having an energy input capacity of  
47 three million British thermal units or greater per hour. The  
48 board shall have the authority to set fees as it may deem  
49 appropriate for applications for the certification of combustion  
50 facility technicians, and for inspection of combustion facilities.  
51 Whoever violates any rules and regulations adopted under the  
52 provisions of this section, shall be punished by a fine of not  
53 less than fifty dollars nor more than five hundred dollars for  
54 each offense. The superior court sitting in equity, on petition  
55 of the board or any person authorized by the board, shall have  
56 jurisdiction to restrain such violations.

1 SECTION 2. Of the associate members first appointed, one  
2 each shall be appointed for a period of one year, two years and  
3 three years.

1 SECTION 3. No person shall operate any combustion  
2 facility having an energy input capacity of three million British  
3 thermal units or greater per hour until the facility shall have

4 been certified that it meets the standards established by the  
5 board. Such certification shall be made annually. Any person  
6 who violates the provisions of this section shall be punished by  
7 a fine of not less than fifty dollars nor more than five hundred  
8 dollars for each offense.

1 SECTION 4. A certificate as a combustion facility techni-  
2 cian shall be renewed in accordance with the provisions of  
3 section 67 of chapter 146 of the General Laws, Tercentenary  
4 Edition. The fee for such renewal shall be ten dollars. A  
5 certificate that has not been renewed within twelve months of  
6 the expiration date shall only be renewed by examination. The  
7 fee for this or an original examination shall be twenty-five  
8 dollars. Any person that certifies a combustion facility and  
9 who does not presently hold a valid certificate as a combustion  
10 facility technician shall be punished by a fine of not less than  
11 fifty dollars nor more than five hundred dollars for each  
12 offense.

1 SECTION 5. Any person who holds a certificate as an oil  
2 burner technician and having previously passed an examination  
3 for certification as a power burner technician on or before the  
4 effective date of this act, shall be granted a certificate as a  
5 combustion facility technician without being required to take  
6 an examination therefore upon application and payment of a  
7 fee of twenty-five dollars. Any person licensed by the common-  
8 wealth on said effective date as a stationary engineer shall upon  
9 application and payment of said fee be granted, without  
10 further examination, a certificate as a combustion facility tech-  
11 nician. The provisions of this section shall cease to be operative  
12 on July first, nineteen hundred and seventy-five.

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it was first discovered.

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