

Volume, 1969 Supplement), title "Inspections," subtitle, "Boiler Safety Act," be and they are hereby repealed and reenacted, with amendments, all to read as follows:

169.

There is hereby created within the Department of [Labor and Industry] *Licensing and Regulation* a Board of Boiler Rules, referred to hereafter as the "Board," consisting of five members, which shall be appointed by the Governor, *with the advice of the Secretary of Licensing and Regulation*, and with the advice and consent of the Senate. Among the members of the Board shall be one representative of the owners and users of high pressure boilers, one representative of owners and users of low pressure boilers, one representative of manufacturers or assemblers of boilers, one representative of insurers of boilers, and one representative of the American Society of Mechanical Engineers, who shall serve as chairman of the Board. Each member of the Board shall be appointed for a term of four years to serve until his successor is appointed and qualifies. Of the members first appointed, two shall be appointed for a term of two years, two for a term of three years, and one, the chairman, for a full term of four years. The Commissioner of Labor and Industry shall be a member *ex officio* of the Board but shall have no vote and shall receive no additional compensation for duties performed in connection therewith. Vacancies shall be filled by appointment for the unexpired term by the [Commissioner of Labor and Industry with the approval of the] Governor, *with the advice of the Secretary of Licensing and Regulation*, in the same manner as the original appointments. Members of the Board shall not receive an annual salary but shall receive compensation as provided in the budget from time to time for each day or part thereof necessarily spent in the discharge of their official duties and shall, in addition, be reimbursed for their reasonable travel and other expenses in amounts approved by the [Commissioner of Labor and Industry] *Secretary of Licensing and Regulation*. *The exercise or performance of all powers, authority, duties and functions vested in the Board by the provisions of this subtitle shall be subject to the power and authority of the Secretary of Licensing and Regulation as set forth in Article 41 of this Code, or elsewhere in the laws of this State.*

170.

The Board shall formulate definitions, rules and regulations for the safe construction, use, installation, maintenance, repair and inspection of boilers in this State. The rules and regulations so formulated shall conform as nearly as possible to the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers and to the Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors as amended and interpreted from time to time. Rules and regulations formulated by the Board shall be adopted and promulgated by the Commissioner of Labor and Industry *subject to the approval of the Secretary of Licensing and Regulation* in the same manner as rules and regulations of the Occupational Health and Safety Advisory Board established by Section 31 (a) of Article 89 of the Annotated Code of Maryland (1964 Replacement Volume, 1968 Supplement).