

# MAINE STATE LEGISLATURE

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L.D. 679

Date: 4/24/19

(Filing No. H- 144)

**INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 500, L.D. 679, Bill, "An Act Regarding the Licensing of Funeral Practitioners"

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 32 MRSA §1501-B**, as enacted by PL 2015, c. 246, §1, is repealed.

**Sec. 2. 32 MRSA §1501-C** is enacted to read:

**§1501-C. Licensing of out-of-state licensees**

**1. Issuance of licenses.** The board may issue a license to an applicant who holds an active and unrestricted license to practice funeral service in another state, the license requirements of which are substantially similar to the license requirements under this chapter and board rules, as long as the licensee has not been subjected to disciplinary action under that license.

**2. Rulemaking.** The board shall adopt rules to implement and administer the provisions of this section, including rules that define substantially similar license requirements. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 3. 32 MRSA §1506, sub-§§2 and 3**, as enacted by PL 1991, c. 117, §1, are amended to read:

**2. Requirements.** ~~As a prerequisite to renewal on or after January 1, 1993 of any license subject to this subchapter, licensees must~~ A licensee shall complete 12 hours of continuing education within 2 years prior to the date of renewal in programs or courses approved by the board. The board may, for good cause shown, grant an extension of time to any person to allow that person to comply with this subchapter. No more than 6 of the 12 hours may be completed through online or distance learning programs.

**COMMITTEE AMENDMENT**

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**3. Program approval.** ~~Each application for approval of a continuing education program must be submitted according to the guidelines prescribed by the board. The board may establish by rule criteria for the review and approval of courses and for the determination of the number of continuing education hours to be credited for completion of each course or program.~~

**SUMMARY**

This amendment strikes and replaces the bill.

This amendment repeals the temporary licensure process for an individual with an out-of-state license to practice funeral service. The amendment removes the term "permanent" from the language describing the issuance of a license to an applicant with an out-of-state license and also removes a clause exempting such a license from annual renewal. The amendment adds language stating that the license of the out-of-state licensee must be active, unrestricted and without disciplinary action. The amendment requires the State Board of Funeral Service to adopt rules to implement the section describing the issuance of a license to an out-of-state licensee, and specifically requires that rules define what constitutes substantially similar license requirements. The amendment also changes the continuing education requirements to allow for 6, rather than 8 hours to be conducted remotely, and removes the requirement that all continuing education programs be approved by the board.

**FISCAL NOTE REQUIRED**  
**(See attached)**



Approved: 03/21/19 *MAC*

# 129th MAINE LEGISLATURE

LD 679

LR 1360(02)

An Act Regarding the Licensing of Funeral Practitioners

Fiscal Note for Bill as Amended by Committee Amendment *A (H-144)*  
Committee: Innovation, Development, Economic Advancement and Business  
Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to the State Board of Funeral Service within the Department of Professional and Financial Services, Office of Professional and Occupational Regulation to implement the requirements of this legislation can be absorbed within existing budgeted resources.