

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 2470

S. P. 882

In Senate, January 30, 1974

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Speers of Kennebec, **BY REQUEST.**

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT to Create a Central Professional and Occupational Licensing  
Bureau in the Department of Business Regulation.**

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

**Sec. 1. R. S., T. 4, § 803, amended.** The first sentence of section 803 of Title 4 of the Revised Statutes, as last repealed and replaced by section 1 of chapter 286 of the public laws of 1971 and as amended by section 2 of chapter 550 of the public laws of 1973, is further amended to read as follows:

Every person who shall be of full age, a citizen of the United States, of a good moral character and who shall have established his domicile in the State of Maine may be admitted to practice as an attorney and counselor at law and solicitor and counselor in chancery in all the courts of record of this State on motion made in open court, but the applicant shall first produce the certificate provided for in this chapter from the board that he possesses sufficient learning in the law and moral character and ability to enable him to properly practice as an attorney and counselor at law and solicitor and counselor in chancery in the courts of this State, which certificate shall have been issued not more than ~~one year~~ 2 years prior to the date of the making of the motion, and he shall file with the court an affidavit that he has established his domicile within the State of Maine.

**Sec. 2. R. S., T. 10, § 8002, amended.** The last paragraph of section 8002 of Title 10 of the Revised Statutes, as last repealed and replaced by section 4 of chapter 585 of the public laws of 1973, is amended to read as follows:

The commissioner shall not have authority to exercise or interfere with the exercise of any discretionary statutory authority granted to the following, which authority shall be exclusively within the specific bureau, commission or board: The Bureau of Banks and Banking, formerly the Department of Banks and Banking; the Bureau of Insurance, formerly the Department of Insurance; the Real Estate Commission; the Boxing Commission; the Running Horse Racing Commission; ~~and~~ the Land Damage Board; the Board of Accountancy; the Arborist Examining Board; the Board for Registration of Architects; the Board of Examiners of Applicants for Admission to the Bar; the Board of Barbers; the Board of Chiropractic Examination and Registration; the Board of Dental Examiners; the Electricians Examining Board; the Board of Registration for Professional Engineers; the Board of Funeral Service; the Board of Cosmetology; the Board of Hearing Aid Dealers and Fitters; the Board of Licensure of Administration of Medical Care Facilities Other than Hospitals; the Board of Registration in Medicine; the Board of Nursing; the Oil Burner Men's Licensing Board; the Board of Examination and Registration in Optometry; the Board of Osteopathic Examination and Registration; the Board of Commissioners of the Profession of Pharmacy; the Board of Examiners in Physical Therapy; the Plumbers Examining Board; the Examiners of Podiatrists; the Board of Examiners of Psychologists; the Board of Social Worker Registration; the Board of Registration for Land Surveyors and the Board of Veterinary Examiners.

Sec. 3. R. S., T. 10, § 8003, additional. Title 10 of the Revised Statutes is amended by adding a new section 8003 to read as follows:

**§ 8003. Central Professional and Occupational Licensing Bureau**

There is created a Central Professional and Occupational Licensing Bureau, hereinafter called the "licensing bureau", which shall constitute a bureau of the Department of Business Regulation. The Commissioner of the Department of Business Regulation shall have authority over and shall administer the licensing bureau. Notwithstanding any statutory provision to the contrary, it shall be the responsibility of the licensing bureau to issue the certificate or registration and reregistration for each of the boards and commissions in section 8004 as provided for in the following paragraph upon the authorization and at the direction of the respective boards and commissions. The licensing bureau shall maintain a register for planning and information purposes which shall contain the name and address of each licensed person by trade or profession and such other information as may be necessary for administrative and planning purposes.

Certificates of registration and reregistration shall mean documents evidencing admission to the respective occupations and professions, renewals of such licenses to practice, licenses reflecting authority to practice limited in scope by degrees of proficiency and responsibility in the occupation whenever such degrees of licenses exist in a profession. Certificates of registration and reregistration shall not mean permits to practice in a student-intern or similar status as one not having passed an examination for admission to practice as administered by the respective boards nor shall such certificates include permits for nonresidents to practice an occupation for limited periods

of each year in this State. Such certificates shall include such board certification of schools within this State as the boards by their regulations currently approve as preparing individuals for the practice of any profession or occupation and certification of such shops or stores as are licensed by the respective boards.

Nothing in this section shall be construed to diminish or deprive any board or commission of its duty and authority to regulate its profession or occupation. Each board or commission retains the power to make all necessary regulations for the pursuit, practice and standards of the occupation within its jurisdiction for the preservation of the public safety and shall, in such regulations, establish the amount and type of experience and training required to qualify an applicant for an examination for any license to be issued upon its authorization by the licensing bureau and shall determine the specific area of a trade for which limited licenses shall be issued and the areas for which no license shall be required. Each board and commission shall continue to collect its fees and conduct investigations of violations of its regulations.

Sec. 4. R. S., T. 10, § 8004, additional. Title 10 of the Revised Statutes is amended by adding a new section 8004 to read as follows:

§ 8004. Boards and commissions within the licensing bureau

The Central Professional and Occupational Licensing Bureau shall consist of the following boards and commissions: The Board of Accountancy; the Arborist Examining Board; the Board of Registration of Architects; the Board of Examiners of Applicants for Admission to the Bar; the Board of Barbers; the Board of Chiropractic Examination and Registration; the Board of Dental Examiners; the Electricians Examining Board; the Board of Registration for Professional Engineers; the Board of Funeral Service; the Board of Cosmetology; the Board of Hearing Aid Dealers and Fitters; the Board of Licensure of Administration of Medical Care Facilities Other than Hospitals; the Board of Registration in Medicine; the Board of Nursing; the Oil Burner Men's Licensing Board; the Board of Examination and Registration in Optometry; the Board of Osteopathic Examination and Registration; the Board of Commissioners of the Profession of Pharmacy; the Board of Examiners in Physical Therapy; the Plumbers Examining Board; the Examiners of Podiatrists; the Board of Social Worker Registration; the Board of Registration for Land Surveyors and the Board of Veterinary Examiners.

Sec. 5. R. S., T. 32, c. 1-A, additional. Title 32 of the Revised Statutes is amended by adding a new chapter 1-A to read as follows:

CHAPTER 1-A

BIENNIAL LICENSE FEE

§ 59. Biennial license fee

Notwithstanding any statutory provision to the contrary, the biennial license fee of those boards and commissions enumerated in this section shall be twice the annual license fee.

Biennial license fee shall mean certificates of registration and reregistration evidencing admission to the respective occupations and professions, renewals of such licenses to practice, licenses reflecting authority to practice limited in scope by degrees of licenses exist in a profession and such board certification of schools within this State as the boards by their regulation currently approve as preparing individuals for the practice of any profession or occupation. Nothing in this section shall change any one-time fee, except as specifically provided for.

This section shall apply to the following boards and commissions: The Board of Accountancy; the Arborist Examining Board; the Board of Registration of Architects; the Board of Chiropractic Examination and Registration; the Board of Dental Examiners; the Electricians Examining Board; the Board of Registration for Professional Engineers; the Board of Funeral Service; the Board of Cosmetology; the Board of Hearing Aid Dealers and Fitters; the Board of Licensure of Administrators of Medical Care Facilities other than Hospitals; the Board of Registration in Medicine; the Board of Nursing; the Oil Burner Men's Licensing Board; the Board of Examination and Registration; the Board of Commissioners of the Profession of Pharmacy; the Board of Examiners in Physical Therapy; the Plumbers Examining Board; the Examiners of Podiatrists; the Board of Examiners of Psychologists; the Board of Social Worker Registration; the Board of Registration for Land Surveyors and the Board of Veterinary Examiners.

**Sec. 6. R. S., T. 32, § 63, sub-§ 7, amended.** Subsection 7 of section 63 of Title 32 of the Revised Statutes, as enacted by chapter 350 of the public laws of 1969, and as amended, is further amended to read as follows:

**7. Certificate.** The board shall furnish to each licensed administrator ~~annually~~ **biennially** a certificate of licensure in a form prescribed by the board certifying that the holder thereof is entitled to practice as an administrator in this State for the year in which it is issued.

**Sec. 7. R. S., T. 32, § 206, amended.** The 3rd paragraph of section 206 of Title 32 of the Revised Statutes is amended to read as follows:

Certificates of registration shall expire on the last day of June ~~of each year~~ **biennially** and shall become invalid on that date unless renewed. Renewal may be effected at any time during the month of June ~~of the renewing year~~ by payment of the renewal fee as provided.

**Sec. 8. R. S., T. 32, § 303, amended.** The 4th sentence of section 303 of Title 32 of the Revised Statutes is amended to read as follows:

The fee for such certificate shall be ~~\$50~~ **\$100** and it shall be good for ~~one year~~ **2 years** from date when issued, unless sooner suspended.

**Sec. 9. R. S., T. 32, § 401, amended.** The 4th and 5th paragraphs of section 401 of Title 32 of the Revised Statutes, as amended, are further amended to read as follows:

No person, firm or corporation shall operate or cause to be operated a shop or establishment where barbering is practiced unless such shop or estab-

lishment has been duly licensed. The fee for a license to operate a barber shop and the ~~yearly~~ biennial renewal thereof shall be ~~\$15 yearly~~ \$30 biennially. Shop licenses that require a special inspection, such as new barber shops, change of barber shop location and change of barber shop ownership, shall be \$35 in the first instance including the license, and ~~\$15~~ \$30 for each ~~yearly~~ biennial renewal thereof. The license shall run from the first day of January in each renewal year for ~~one year~~ 2 years and the fee shall be payable to the secretary of the board.

The board shall furnish to each registered barber, who qualifies following an approved course in dyeing, tinting and bleaching hair, a certificate of registration in the form prescribed by the board, bearing the seal of the board, certifying that the holder is entitled to practice hair coloring in this State, and the holder of such certificate shall pay to the secretary of the board the sum of \$2 in the first instance and ~~\$2~~ \$4 for each ~~yearly~~ biennial renewal thereof. The registration shall run from the first day of January in each renewal year for ~~one year~~ 2 years.

Sec. 10. R. S., T. 32, § 553, amended. The first sentence, as amended by chapter 232 of the public laws of 1965 and by section 1 of chapter 65 of the public laws of 1973 and the 2nd sentence of section 553 of Title 32 of the Revised Statutes, are amended to read as follows:

Any person to whom a certificate has been granted under section 552 shall, on or before the first day of June of each renewal year, pay to the secretary of the board a fee of ~~\$20~~ \$40, upon payment of which said certificate shall be renewed for ~~one year~~ 2 years. In addition to the payment of such renewal fee, each licensee so applying for his renewal certificate shall furnish to said board satisfactory evidence that he has attended one of 2 educational programs conducted and supervised by the said board in ~~the year preceding~~ each of the preceding 2 years.

Sec. 11. R. S., T. 32, § 1084, amended. Section 1084 of Title 32 of the Revised Statutes, as enacted by section 80 of chapter 544 of the public laws of 1967, is amended to read as follows:

#### § 1084. Certificates; fees; registration cards

The board shall issue under its seal, to all persons who shall successfully pass said examination, its certificate of ability to practice dentistry in this State, signed by its president and secretary. Whenever requested by a member or authorized agent of the board, a dentist shall exhibit his license. Said certificate shall be considered a license to practice dentistry in this State, except that it shall be unlawful for any person to practice dentistry in this State in any ~~year~~ biennium after the ~~year~~ biennium in which said certificate is issued to him, unless he shall pay to the treasurer of the board on or before January 1st of ~~said the~~ renewal year a fee of ~~\$10~~ \$20 for which he shall receive a registration card, which card shall be placed beside or attached to the certificate. Practitioners who shall not have paid as provided shall be reinstated and licensed for the balance of the current ~~year~~ biennium upon payment of a fee of ~~\$20~~ \$30 if paid before March 1st of the first year of the biennium. A license to practice is automatically suspended on March 1st of

the first year of the biennium for nonpayment of registration fee and may be reinstated on payment of fee of ~~\$25~~ \$35. New applicants having paid the examination fee shall not be subject to the ~~\$10 annual~~ \$20 biennial license fee for the ~~calendar year~~ biennium in which they were licensed.

**Sec. 12. R. S., T. 32, § 1101, amended.** Section 1101 of Title 32 of the Revised Statutes, as last repealed and replaced by chapter 363 of the public laws of 1973, is amended to read as follows:

**§ 1101. Definitions**

As used in this chapter, unless the context otherwise indicates, the following words and phrases shall have the following meanings.

1. **Apprentice electrician.** "Apprentice electrician" shall mean a person who is as defined in Title 26, chapter 11 and who is engaged in such a written agreement to work at and learn the trade of an electrician under the direct supervision of a master or journeyman electrician. The ~~annual~~ biennial fee for an apprentice electrician license shall be ~~\$1~~ \$2.

2. **Electrical installations.** "Electrical installations" shall mean the installation, repair, alteration and maintenance of electrical conductors, fittings, devices and fixtures for heating, lighting, power purposes or heat activated fire alarms and electrically supervised manual fire alarms and sprinkler systems. They shall not include the installation or repair of portable appliances and other portable electrical equipment, installation of which involves only the insertion of an attachment plug into a fixed receptacle outlet. It is the meaning and intent of this subsection that the word "portable" shall not include or apply to any type of fixed electrically operated or driven equipment.

3. **Helper electrician.** "Helper electrician" shall mean a person who is engaged in assisting in making electrical installations under the direct supervision of a master or journeyman electrician but does not qualify under subsection 1. The ~~annual~~ biennial fee for a helper electrician license shall be ~~\$1~~ \$2.

4. **Journeyman electrician.** "Journeyman electrician" shall mean a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment in the employment of a master electrician. Each master electrician or journeyman electrician may have one apprentice electrician or one helper electrician working with him and under his personal supervision. The ~~annual~~ biennial fee for a journeyman electrician license shall be ~~\$10~~ \$20.

5. **Limited license.** A limited electrician's license to install and service the electrical work related to a specific type of electrically operated equipment or to specific electrical installations shall be granted to any person who has passed a satisfactory examination before the board. It shall specify the name of such person who shall be limited to engage in the occupation of installing and servicing the electrical work related to the type of equipment or to specific electrical installations only authorized by this license. The ~~annual~~ biennial fee for a limited electrician's license shall be ~~\$15~~ \$30.

6. **Master electrician.** "Master electrician" shall mean a person, firm or corporation, qualified under this chapter, engaging in, or about to engage in, the business of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. This certificate shall specify the name of the person, who, in case of a firm, shall be one of its members or employees and in case of a corporation, one of its officers or employees passing said examination, by which he or it shall be authorized to enter upon or engage in business as set forth in this chapter. In the case of a firm or corporation, the license shall become void upon the death of, or the severance from the company of, said person. The ~~annual~~ **biennial** fee for a master electrician's license shall be ~~\$25~~ \$50.

Sec. 13. R. S., T. 32, § 1204, amended. The first paragraph of section 1204 of Title 32 of the Revised Statutes, as amended, and as last repealed and replaced by chapter 363 of the public laws of 1973, is amended to read as follows:

All licenses issued shall expire December 31st of each ~~year~~ **biennium** as to master electricians and June 30th of ~~each biennium~~ as to other licenses and they may be renewed thereafter for periods of ~~one year~~ **2 years** without further examination, upon the payment of the proper fee as set forth in section 1203. Any person who fails to renew his license for a period of over 2 years shall be required to take an examination, providing that any person, who shall be required to take an examination, providing that any person, who fails to so renew his license due to the fact he was on active duty in the Armed Forces of the United States, shall not be required to take such examination, if he renews his license within 90 days from the date of his separation under conditions other than dishonorable from the Armed Forces of the United States. Such waiver of examination shall not be granted if the person served more than 4 years in the Armed Forces, except if he be required by some mandatory provision to serve any longer period and he shall submit satisfactory evidence thereof to the board.

Sec. 14. R. S., T. 32, § 1357, amended. Section 1357 of Title 32 of the Revised Statutes is amended to read as follows:

#### § 1357. Expiration and renewals

Certificates of registration shall expire on the last day of December of the **biennium** following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this chapter of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for ~~one year~~ **2 years**. Such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December of the **biennium** by the payment of a fee designated by the board, which shall not exceed ~~\$3~~ \$6 nor be less than ~~\$1~~ \$2. The failure on the part of any registrant to renew his certificate ~~annually~~ **biennially** in the month of December as required shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December of the **biennium** shall be increased ~~10%~~ **5%** for each month or fraction of a month that payment of



renewal is delayed. The maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

**Sec. 15. R. S., T. 32, § 1504, amended.** The 2nd sentence of section 1504 of Title 32 of the Revised Statutes, as last repealed and replaced by section 10 of chapter 253 of the public laws of 1967, is amended to read as follows:

All licenses and certificates of registration which have been issued by the board shall expire on the 31st day of December, ~~annually~~ **biennially**.

**Sec. 16. R. S., T. 32, § 1553, amended.** Section 1553 of Title 32 of the Revised Statutes, as amended, is further amended to read as follows:

### **§ 1553. Schools**

No school of hairdressing and beauty culture shall be approved by the State Board of Cosmetology until it shall attach to its staff a physician duly licensed to practice medicine in the state where the school is located, and familiar with the installation and use of electrical appliances adapted to hairdressing and beauty culture, nor unless it has a minimum requirement of a continuous course of study of 1,500 hours distributed over a term of not less than 9 months, including practical demonstrations, written or oral tests and theoretical and practical instruction in sanitation, sterilization and the use of antiseptics, cosmetics and electrical appliances, which course of study and instruction shall be subject to the approval of said board. Practical demonstrations will include supervised practice which shall consist of rendering service to persons other than fellow students, but such practice shall be of a clinical nature and under the direct supervision of a duly licensed instructor. Time spent in any out-of-state school of hairdressing and beauty culture may be credited in full or in part against said 1,500 hours, subject to the decision and approval of the board. No school of hairdressing and beauty culture shall be an approved school until approval shall be recorded in the records of said board and until it shall receive a certificate of approval issued by said board. The fee for such certificate shall be ~~\$200~~ **\$400** and it shall be good for ~~one year~~ **2 years** from the date when issued, unless sooner suspended. Said certificate may, so long as such school continues to meet the approval of said board, be renewed ~~from year to year~~ **biennially** upon payment of a fee of ~~\$55~~ **\$70** but not exceeding ~~\$50~~ **\$100** for each renewal. When the board believes a license should be suspended or revoked it shall file a statement or complaint with the Administrative Court Judge designated in Title 5, chapters 301 to 307. No person shall be engaged to instruct in any of the branches of hairdressing and beauty culture as defined in section 1551 unless said instructor has a certificate to practice hairdressing and beauty culture under this chapter, excepting physicians as specified.

The board shall make rules and regulations for the examination of applicants for certificates of registration as instructors of hairdressing and beauty culture. Examination applications shall be furnished by the board. Said application shall be filed with the secretary of said board and shall be accompanied by an examination fee of \$15 which shall include registration, if examination is satisfactory. All certificates of registration as instructors shall expire June 30th ~~each year~~ **of each biennium**. Certificates of registration as a

Maine hairdresser shall be renewed to renew instructor's certificate of registration. Renewal fee for instructors shall be ~~\$5~~ \$10.

Students to be accepted shall have reached at least the age of 16 and have completed the 10th grade in a secondary school. An enrollment record of each new student admitted to a school shall be sent to the secretary of the board on the first day of each month, accompanied by a registration fee of \$3 for each new student. The board shall furnish each student registered a certificate of registration as a student. Said certificate of registration shall expire 12 months from date of issue.

**Sec. 17. R. S., T. 32, § 1651, amended.** The 3rd paragraph of section 1651 of Title 32 of the Revised Statutes is amended to read as follows:

No person, firm or corporation shall operate or cause to be operated a shop or establishment where hairdressing and beauty culture are practiced unless such shop or establishment has been duly licensed. The fee for a license to operate a beauty shop shall be \$25 for a new shop or change in location or ownership and ~~\$5~~ \$10 but not exceeding ~~\$10~~ \$20 for each ~~yearly~~ biennial renewal thereof. The license shall run from the first day of July in each ~~year~~ biennium for ~~one year~~ 2 years and the fee shall be payable to the secretary of said board.

**Sec. 18. R. S., T. 32, § 1655, amended.** The 2nd sentence of section 1655 of Title 32 of the Revised Statutes is amended to read as follows:

Said certificate of registration shall be renewed on or before the first day of July in each ~~year~~ biennium, and the holder of said certificate of registration shall pay to the secretary of said board the sum of ~~\$5~~ \$10 but not exceeding ~~\$10~~ \$20 for said renewal.

**Sec. 19. R. S., T. 32, § 1679, amended.** Section 1679 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1967, is amended to read as follows:

#### § 1679. Rosters of land surveyors

Rosters showing the names and places of business of all registered land surveyors shall be prepared by the secretary of the board during the month of January of each ~~year~~ biennium. Copies of these rosters shall be mailed to each person so registered, in **January of said biennium**, placed on file with the Secretary of State and clerk of courts and register of deeds of each county and furnished to the public upon request.

**Sec. 20. R. S., T. 32, § 2057, amended.** The first sentence of section 2057 of Title 32 of the Revised Statutes is amended to read as follows:

Each license shall be issued for the term of ~~one calendar year~~ 2 calendar years, or for such part of ~~a year~~ the biennium remaining before December 31st of the 2nd year and shall then expire unless renewed.

**Sec. 21. R. S., T. 32, § 2202, amended.** The 2nd sentence of section 2202 of Title 32 of the Revised Statutes is amended to read as follows:

Upon successfully passing such examination, the board shall issue to the applicant a license to practice professional nursing as a registered nurse, said license to be in force from the date of issue thereof until ~~one year~~ **2 years** from and after the first day of the following January.

**Sec. 22. R. S., T. 32, § 2206, amended.** Section 2206 of Title 32 of the Revised Statutes, as amended by section 1 of chapter 206 of the public laws of 1965 and by sections 1 and 2 of chapter 26 of the public laws of 1969, is further amended to read as follows:

**§ 2206. —renewals**

The license of every registered nurse licensed under this chapter shall be renewed ~~annually~~ **biennially**, except as otherwise provided. On or before November 1st of each ~~year~~ **biennium**, the board shall mail an application for renewal of license to each professional nurse to whom a license was issued or renewed during the current ~~year~~ **biennium**, which application shall be mailed to the most recent address of said person as it appears on the records of the board. Such person shall complete the renewal application and return it to the board with a renewal fee of ~~\$5~~ **\$10** before December 31st of the ~~year~~ **biennium** in which said application was received. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal of license for the current ~~year~~ **biennium** beginning January 1st and expiring December 31st **2 years from that date**.

Any registered nurse who allows his or her license to lapse by failing to renew the license as provided may be reinstated by the board on satisfactory explanation for such failure to renew his license and on payment of a reinstatement fee of ~~\$8~~ **\$16**.

Any person practicing professional nursing during the time his or her license has lapsed shall be considered an illegal practitioner and shall be subject to the penalties provided for violations of this chapter.

A person who is not engaged in professional nursing in the State shall not be required to pay a renewal fee for so long as he or she does not so practice, but shall notify the board of his or her inactive status in writing. Prior to resumption of his or her practice of professional nursing such person shall be required to notify the board and remit a renewal fee for the current ~~annual~~ **biennial** period.

**Sec. 23. R. S., T. 32, § 2404, amended.** Section 2404 of Title 32 of the Revised Statutes, as amended and as last repealed and replaced by chapter 384 of the public laws of 1973, is amended to read as follows:

**§ 2404. Renewals**

All licenses shall expire on December 31st of each ~~year~~ **biennium** as to a master oil burner man and on June 30th **of the biennium** as to other licenses. They may be renewed on ~~an annual~~ **a biennial** basis without further examination upon the payment of the proper fee. Any person who fails to renew his license within a period of ~~2~~ **3** years from the date of issuance of his last license shall be required to take an examination.

**Sec. 24. R. S., T. 32, § 2573, sub-§§ 1 to 3, amended.** Subsections 1 to 3 of section 2573 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public laws of 1973, are amended to read as follows:

1. **Biennial renewal.** Every registered optometrist practicing in the State shall ~~annually~~ **biennially**, before the first day of April of the **biennium**, pay to the board a license renewal fee not in excess of ~~\$100~~ **\$200** as established by the board under section 2567, for each office location.

2. **Nonactive license.** Every registered optometrist not practicing within the State shall, upon payment of an ~~annual~~ **biennial** license renewal fee not in excess of ~~\$100~~ **\$200** as established by the board, be issued a nonactive license renewal certificate. Said fee shall be payable to the board before the first day of April ~~each year~~ **of each biennium**. Should a holder of such a nonactive license renewal certificate desire to practice within the State, he shall so notify the board in writing, including a statement of his proposed office location, and except as hereinafter provided, he shall forthwith be issued an active license certificate by the board.

3. **Examination.** Every registered optometrist holding a nonactive license renewal certificate for a period of 3 years or more, who desires an active license certificate, shall be required to submit to a practical examination with regard to professional and technical proficiency conducted by the board. If he shall reasonably have demonstrated professional and technical proficiency as the result of such examinations, he shall then be issued an active license certificate authorizing him to practice in this State. Said active license certificate shall be renewed ~~annually~~ **biennially** as provided in subsection 1.

**Sec. 25. R. S., T. 32, § 2581, amended.** The 2nd and 6th paragraphs of section 2581 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 374 of the public laws of 1973, are amended to read as follows:

Every osteopathic physician legally licensed to practice in this State, shall, on or before the first day of January of each ~~year~~ **biennium**, pay to the secretary of the board a fee as stipulated by the board not to exceed ~~\$25~~ **\$50** for the renewal of his or her certificate to practice. In addition to the payment of such renewal fee, each licensee so applying for the renewal of his or her certificate shall, commencing for the year 1975 and thereafter, furnish to said board satisfactory evidence that he or she has attended in the year preceding 1975 and in each of the 2 years preceding **biennial renewal thereafter** at least ~~50~~ **100** hours of educational programs devoted to continuing medical education approved by the board. Said required education must be obtained from formalized programs of continuing medical education sponsored by recognized associations, colleges or universities, hospitals, institutes or groups approved by the board. A copy of the current approved list shall be available in the office of the secretary of the board. At least 40% of these credit hours must be osteopathic medical education approved in the rules and regulations established by the board. The board shall have the authority to adjudicate continuing medical education performance in situations of illness, hardship or military service upon written petition by the applicant. The secretary of said board shall send a written notice of the foregoing requirements to each

such osteopathic physician, at least 60 days prior to each said January 1st of the biennium, directed to the last known address of the licensee enclosing therewith proper blank forms for application for said renewal. If any licensee shall fail to furnish the board evidence of attendance at continuing medical educational programs, as approved by the board, and fails to pay the said renewal fee, he or she shall automatically forfeit his or her right to practice osteopathic medicine in this State and his or her license, therefore, shall be cancelled. The secretary of the board may reinstate him or her upon presentation of satisfactory evidence of continuing medical education as outlined and approved by the board and upon payment of the renewal fee.

Any applicant not complying with reregistration requirements is entitled to be reinstated upon paying the reregistration fee for the given ~~year~~ biennium and satisfying the board that he or she has paid all reregistration fees due at the time of his withdrawal, and no cause exists for revoking or suspending his or her license. The board shall have the right and the duty to determine the skill and competence of any osteopathic physician applying for a reinstatement who has not been engaged in the active practice of osteopathic medicine in this or some other state for a period in excess of one year from the date of his most recent reregistration in Maine.

**Sec. 26. R. S., T. 32, § 2901, amended.** The last sentence of the next to the last paragraph of section 2901 of Title 32 of the Revised Statutes is amended to read as follows:

Such permit shall not be transferable, shall expire the last day of June of the biennium following the date of issue and shall be renewed ~~annually~~ biennially.

**Sec. 27. R. S., T. 32, § 2903, amended.** The first 2 sentences of section 2903 of Title 32 of the Revised Statutes, as amended by section 20 of chapter 390 of the public laws of 1967, are further amended to read as follows:

Every registered pharmacist and every registered assistant pharmacist who desires to continue to practice pharmacy in this State shall ~~annually~~ biennially, after the expiration of the first ~~year~~ biennium of his registration, on or before the last day of June of each biennium, pay a renewal fee of ~~\$5~~ \$10 to the secretary of the board, in return for which a renewal registration shall be issued. If any person shall fail or neglect to procure his ~~annual~~ biennial renewal registration or permit, notice of such failure having been mailed to his post-office address, the board may, after the expiration of 30 days following the issue of said notice, suspend his original registration and all other privileges conferred by this chapter.

**Sec. 28. R. S., T. 32, § 3107, amended.** Section 3107 of Title 32 of the Revised Statutes, as amended by section 8 of chapter 378 of the public laws of 1967, is further amended to read as follows:

#### § 3107. Renewals; fees

Every licensed physical therapist shall, ~~annually~~ biennially, apply to the board for an extension of his license and pay a fee of ~~\$10~~ \$20. Licensure that is not so extended ~~annually~~ biennially before April 1st of each biennium shall automatically lapse. The board may in its discretion reinstate a lapsed li-

censure of no more than 30 days upon payment of current extension fees. At the end of 30 days if the ~~annual~~ biennial fee has not been received by the board a 2nd notice shall be sent by registered mail. Any lapse of more than 30 days shall be charged a late fee of not more than \$5.

**Sec. 29. R. S., T. 32, § 3504, amended.** Section 3504 of Title 32 of the Revised Statutes, as amended by section 5 of chapter 234 of the public laws of 1965, is further amended to read as follows:

**§ 3504. Renewal**

All licenses issued shall expire on the last day of the calendar year ~~in which issued~~ following the year in which issued, and they may be renewed thereafter for periods of ~~one year~~ 2 years without further examination on payment of a fee of \$40 for each ~~year~~ biennium for a master plumber.

**Sec. 30. R. S., T. 32, § 3506, amended.** Section 3506 of Title 32 of the Revised Statutes, as amended by section 8 of chapter 234 of the public laws of 1965, is further amended to read as follows:

**§ 3506. Renewal**

All licenses issued shall expire on the last day of the calendar year ~~in which issued~~, following the year in which issued, and they may be renewed thereafter for periods of ~~one year~~ 2 years without further examination on payment of a fee of ~~\$6~~ \$12 for each ~~year~~ biennium for a journeyman plumber.

**Sec. 31. R. S., T. 32, § 3652, amended.** The next to the last sentence of section 3652 of Title 32 of the Revised Statutes is amended to read as follows:

Every person licensed to practice podiatry must pay ~~annually~~ biennially a renewal license fee of ~~\$5~~ \$10.

**Sec. 32. R. S., T. 32, § 3990, amended.** The 3rd sentence of section 3990 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 344 of the public laws of 1967, is amended to read as follows:

All permits shall expire on the last day of June ~~of each year~~ biennially and may be renewed ~~annually~~ biennially for a period of ~~one year~~ 2 years by certificate holders in good standing upon payment of an ~~annual~~ biennial renewal fee of not to exceed ~~\$25~~ \$50.

**Sec. 33. R. S., T. 32, § 4198, amended.** The first and last paragraphs of section 4198 of Title 32 of the Revised Statutes, as enacted by section 65 of chapter 590 of the public laws of 1969, are amended to read as follows:

Certificates of registration shall expire on the last day of December ~~following their issuance of the year following the year in which they were issued or renewal or renewed~~ and shall become invalid on that date unless renewed. ~~Annual~~ Biennial fee for renewal of registration shall be set by the board in an amount not to exceed ~~\$10~~ \$20, and shall be due and payable each ~~year~~ biennium on or before the first day of January of said biennium. The failure of any registrant to renew his certificate ~~annually~~ biennially on or before the

first day of January of the biennium shall not deprive such person of the right of renewal, but the fee to be paid for the renewal certificate after January 31st of the biennium shall be increased ~~10%~~ 5% for each month or fraction thereof that payment for renewal is delayed. The maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

A person registered under this chapter may, upon request, be placed in an inactive status category without fees, and may be reinstated to active status by paying the fees for the current ~~year~~ biennium.

Sec. 34. R. S., T. 32, § 4802, amended. Section 4802 of Title 32 of the Revised Statutes is amended to read as follows:

§ 4802. Certificate; registration card and fee; failure to renew

The board shall issue certificates, signed by the 3 members of the board, to all persons passing the examination required under section 4753, authorizing the holder to practice veterinary surgery, medicine or dentistry or any branch thereof within the State. It shall be unlawful for any person to practice veterinary surgery, medicine or dentistry in this State in any ~~year~~ biennium after the ~~year~~ biennium in which said certificate is issued to him unless he or she shall pay to the treasurer of the board on or before the first January 1st of said ~~year~~ biennium a fee of ~~\$2~~ \$4, for which he or she shall receive a registration card, signed by the secretary of the board, which card shall be placed beside or attached to the certificate above mentioned.

When a veterinarian fails to renew his ~~annual~~ biennial registration for ~~2 consecutive years~~ one year and subsequently applies for registration or renewal of his previous registration, the board is authorized to issue new ~~annual~~ biennial registration upon the payment of a sum equal to all the ~~annual~~ biennial registration fees since the expiration of his last registration, or in lieu thereof the board may require an oral examination and a fee in the amount of \$20 payable to the board before taking such examination.

### STATEMENT OF FACT

Pursuant to Management and Cost Survey Recommendations 1 and 3 regarding certain examining and certifying boards, this Act creates a Central Professional and Occupational Licensing Bureau and provides for biennial renewal of licenses at twice the current annual rates.

The licensing bureau would have responsibility for issuing licenses and biennial renewals thereof upon authorization of the respective boards and commissions as well as maintaining a central register of individuals in each trade and profession covered by this Act for planning and administrative purposes. No discretionary statutory authority is removed from any board or commission and each shall continue to administer and regulate its respective trade or profession.

This Act is intended to increase efficiency and effectiveness of the various boards and commissions while reducing administrative costs. Licenses can be issued more efficiently and economically through the central bureau by use of an automated procedure.

This Act was supported by the Governor in his Special Message to the Special Session of the 106th Legislature on January 10, 1974.