

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-557)  
107TH LEGISLATURE

HOUSE AMENDMENT " A " to H.P. 1197, L.D. 1493, Bill,  
"AN ACT Concerning Home Repair Salesman Licenses Issued by  
the Department of Business Regulation."

Amend said Bill by striking out everything after the  
enacting clause and inserting in place thereof the following:

'Sec. 1. 9 MRSA §3738-A is enacted to read:

§ 3738-A. Trainee

An unlicensed trainee may accompany a licensed home repair  
salesman for a period not exceeding 30 days from the date on  
which the trainee first accompanies the licensed salesman,  
provided the trainee does not attempt to negotiate or induce a  
contract or sale. The licensed salesman must submit written  
notice to the bureau prior to the date when the trainee first  
accompanies the salesman, setting forth the information  
prescribed by the bureau.

Sec. 2. 9 MRSA §3746-A is enacted to read:

§ 3746-A. Cancellation of license; penalty

1. Procedure, notification. Any home repair contractor  
who has obtained a license from the superintendent for a home  
repair salesman whom he employs or has employed shall be able to  
cancel that license by so notifying the superintendent by letter.  
Such letter must be sent by registered or certified mail, state  
the effective date of cancellation and set forth a brief explana-

tion of the reasons for cancellation. The superintendent, upon receiving a request for cancellation of a license, shall not require that said license be submitted to the bureau as a prerequisite for cancellation.

The superintendent shall promptly notify a home repair salesman that his license has been cancelled, provided that cancellation is requested by the home repair contractor who employed the salesman. The letter of notification shall be mailed by registered mail to the last known address of the home repair salesman as stated in the home repair salesman's application.

2. Prohibition. Any home repair salesman who continues to utilize his home repair salesman's license after notification by the superintendent of its cancellation shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100 nor more than \$500 for each offense.'

Statement of Fact

Some home repair contractors have found that salesmen who have been licensed by them as home repair salesmen continue or attempt to continue to use their license to sell home repairs after they have left the employ of the contractor. When contractors have notified the superintendent of salesmen who have left their employ, the superintendent has attempted to procure the cancelled license from the contractor or salesman. Often, however, it is not possible for the contractor to obtain the license from the salesman or else the salesman has destroyed or misplaced it. This amendment will establish set procedures to follow to effectuate cancellation. The trainee provision establishes a notice requirement for salesmen who are accompanied by an unlicensed trainee.

Filed by Mr. Dudley of Enfield.

Reproduced and distributed under the direction of the Clerk of the House.  
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(Filing No. H-557)