

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1816

H. P. 1424

House of Representatives, April 7, 1975

On motion of Mr. Cooney of Sabattus, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Cooney of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

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

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

Sec. 1. 5 MRSA § 2301, sub-§ 1, as last amended by PL 1973, c. 788, §§ 23 and 24, is repealed and the following enacted in place thereof:

1. Agency. "Agency" means the following state boards, commissions, departments or officers authorized by law to make rules or to adjudicate contested cases:

Aeronautical Director;

The Arborist Examining Board;

Board of Barbers;

Board of Chiropractic Examination;

Board of Dental Examiners;

Board of Environmental Protection;

Board of Examiners in Physical Therapy;

Board of Examiners of Psychologists;

Board of Funeral Service;

Board of Cosmetology;

Board of Hearing Aid Dealers and Fitters;

- Board of Licensure of Administrators of Medical Care Facilities other than Hospitals;
- Board of Osteopathic Examination;
- Board of Registration for Architects;
- Board of Registration for Land Surveyors;
- Board of Registration for Professional Engineers;
- Board of Registration in Medicine;
- Board of Registration of Nurses;
- Board of Registration in Optometry;
- Board of Sanitation;
- Board of Social Worker Registration;
- Board of Veterinary Examiners;
- Boxing Commission;
- Chief of State Police, but only as he controls and supervises the licensing of official inspection stations;
- Commission on the Arts and Humanities;
- Commissioners of the Profession of Pharmacy;
- Department of Health and Welfare, but only as that department controls and supervises the licensing institutions, businesses or individuals in the following categories:
- A. All establishments licensed under Title 22, section 2483;
 - B. All institutions licensed under Title 22, section 5;
 - C. Children's homes;
 - D. Control of ionizing radiation;
 - E. Cosmetics;
 - F. Hospitals and related institutions;
 - G. Private mental hospitals;
 - H. All facilities licensed under Title 22, section 5-A;
 - I. Approved treatment facilities as defined in Title 22, section 7103;
 - J. Approved public and private alcohol treatment facilities as defined in Title 22, section 1362;
- The Department of Mental Health and Corrections, but only as that department controls and supervises the licensing of agencies for the provision of mental health services under Title 34, section 2052-A;

Electricians Examining Board;
 Examiners of Podiatrists;
 Director of the Bureau of Forestry;
 Harness Racing Commission;
 Maine Milk Commission;
 Maine Mining Bureau;
 Maine Real Estate Commission;
 Museum Commission;
 Oilburnermen's Licensing Board;
 Passenger Tramway Safety Board;
 Penobscot Bay and River Pilotage Commission;
 Plumbers' Examining Board;
 Running Horse Racing Commission;
 Secretary of State, but only as he controls and supervises the licensing of
 auctioneers;
 State Liquor Commission.

Sec. 2. 10 MRSA § 8002, last ¶, as repealed and replaced by PL 1973, c. 585, § 4, is repealed and the following enacted in place thereof:

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; 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 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. 10 MRSA § 8003 is enacted to read:

§ 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 of registration and reregistration for each of the boards and commissions in § 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 degree 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. 10 MRSA § 8004 is enacted to read:

§ 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 Reg-

istration 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. 32 MRSA § 63, sub-§ 7, as last amended by PL 1971, c. 622, § 115, is further amended to read:

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. 6. 32 MRSA § 206, 3rd ¶, is amended to read:

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. 7. 32 MRSA § 303, 4th sentence is amended to read:

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. 8. 32 MRSA § 401, 4th and 5th paragraphs, as amended, are further amended to read:

No person, firm or corporation shall operate or cause to be operated a shop or establishment where barbering is practiced unless such shop or establishment 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. 9. 32 MRSA § 553, first 2 sentences, as last amended by PL 1973, c. 65, §§ 1 and 2, are further amended to read:

Any person to whom a certificate has been granted under § 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. 10. 32 MRSA § 1084, last 4 sentences, as enacted by PL 1967, c. 544, § 80, are amended to read:

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. 11. 32 MRSA § 1101, sub-§ 1, last sentence, as repealed and replaced by PL 1973, c. 363, is amended to read:

The ~~annual~~ biennial fee for an apprentice electrician license shall be ~~\$1~~ \$2.

Sec. 12. 32 MRSA § 1101, sub-§ 3, last sentence, as repealed and replaced by PL 1973, c. 363, is amended to read:

The ~~annual~~ biennial fee for a helper electrician license shall be ~~\$1~~ \$2.

Sec. 13. 32 MRSA § 1101, sub-§ 4, last sentence, as repealed and replaced by PL 1973, c. 363, is amended to read:

The ~~annual~~ biennial fee for a journeyman electrician license shall be ~~\$10~~ \$20.

Sec. 14. 32 MRSA § 1101, sub-§ 5, last sentence, as repealed and replaced by PL 1973, c. 363, is amended to read:

The ~~annual~~ biennial fee for a limited electrician's license shall be ~~\$15~~ \$30.

Sec. 15. 32 MRSA § 1101, sub-§ 6, last sentence, as repealed and replaced by PL 1973, c. 363, is amended to read:

The ~~annual~~ biennial fee for a master electrician's license shall be ~~\$25~~ \$50.

Sec. 16. 32 MRSA § 1204, 1st sentence, as last repealed and replaced by PL 1973, c. 363, is amended to read:

All licenses issued shall expire December 31st of each ~~year~~ **biennium** as to master electricians and June 30th of **each biennium** as to other licensees 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.

Sec. 17. 32 MRSA § 1357 is amended to read:

§ 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 ~~\$5~~ **\$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. 18. 32 MRSA § 1504, 2nd sentence, as last repealed and replaced by PL 1967, c. 253, § 10, is amended to read:

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

Sec. 19. 32 MRSA § 1553, 5th and 6th sentences are amended to read:

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 ~~\$35~~ **\$70** but not exceeding ~~\$50~~ **\$100** for each renewal.

Sec. 20. 32 MRSA § 1553, 2nd ¶, 4th and 6th sentences are amended to read:

All certificates of registration as instructors shall expire June 30th ~~each year~~ **of each biennium**.

Renewal fee for instructors shall be ~~\$5~~ **\$10**.

Sec. 21. 32 MRSA § 1651, 3rd ¶, last 2 sentences are amended to read:

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. 22. 32 MRSA § 1655, 2nd sentence, is amended to read:

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. 23. 32 MRSA § 1679, as enacted by PL 1967, c. 423, § 1, is amended to read:

§ 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. 24. 32 MRSA § 2057, 1st sentence, is amended to read:

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. 25. 32 MRSA § 2202, last sentence, is amended to read:

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. 26. 32 MRSA § 2206, first 2 paragraphs, as last amended by PL 1969, c. 26, §§ 1 and 2, are further amended to read:

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 ~~88~~ \$16.

Sec. 27. 32 MRSA § 2206, last sentence is amended to read:

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. 28. 32 MRSA § 2404, as last repealed and replaced by PL 1973, c. 384, is amended to read:

§ 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. 28-A. 32 MRSA § 2581, 2nd ¶, 1st, 2nd and 7th sentences, as enacted by PL 1973, c. 374, § 1, are amended to read:

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.

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.

Sec. 28-B. 32 MRSA § 2581, last ¶, 1st sentence, as enacted by PL 1973, c. 374, § 1, is amended to read:

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.

Sec. 29. 32 MRSA § 2901, next to last ¶, last sentence, is amended to read:

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. 30. 32 MRSA § 2903, 1st 2 sentences, as amended are further amended to read:

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. 31. 32 MRSA § 3107, 1st, 2nd and 4th sentences, as amended, are further amended to read:

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.

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.

Sec. 32. 32 MRSA § 3504, as amended by PL 1965, c. 234, § 5, is further amended to read:

§ 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. 33. 32 MRSA § 3506, as amended by PL 1965, c. 234, § 8, is further amended to read:

§ 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. 34. 32 MRSA § 3652, next to last sentence is amended to read:

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

Sec. 35. 32 MRSA § 3990, 3rd sentence, as enacted by PL 1967, c. 344, § 1, is amended to read:

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 a ~~annual~~ **biennial** renewal fee of not to exceed ~~\$25~~ **\$50**.

Sec. 36. 32 MRSA § 4198, 1st and last paragraphs, as enacted by PL 1969, c. 590, § 65, are amended to read:

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 or renewal, but the fee to be paid for the renewal certificate after January 1st 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. 37. 32 MRSA § 4802 is amended to read:

§ 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 ~~a 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.

Sec. 38. 32 MRSA c. 75 is enacted to read:

CHAPTER 75

BOARD AND COMMISSIONS — GENERAL PROVISIONS

§ 5001. Biennial license fee

Notwithstanding any statutory provision to the contrary, the license fees of boards and commissions covered by this chapter shall be collected biennially.

nially, and 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 chapter 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 in Optometry; 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.

§ 5002. Public member

Notwithstanding any other provision of law, the Governor shall appoint a person representing the consumer to every state regulatory board, agency or commission. These appointments shall be made in the following manner.

Any vacancy which shall occur on a state regulatory board, agency or commission to which this chapter applies prior to January 1, 1976, shall be filled by a person representing the consumer, until every such board, agency or regulatory commission includes at least one such appointment.

In the instance of any board, agency or regulatory commission in which no vacancy has occurred subsequent to the date of enactment and prior to January 1, 1976, a person representing the consumer shall be appointed to full membership of said board, agency or regulatory commission, which shall thereby be temporarily expanded until the attrition of a member returns this board, agency or regulatory commission to its original size.

§ 5003. Appointment of board and commission members

Notwithstanding any other provision of law, the members of boards and commissions covered by this chapter shall be appointed in the following manner.

The members of boards and commissions covered by this chapter shall be appointed by the Commissioner of Business Regulation with the advice and consent of the Governor and Executive Council.

§ 5004. Annual reports

Notwithstanding any other provision of law, all annual reports, or statements required of boards or commissions, shall be submitted to the Commissioner of Business Regulation, who, after reviewing said reports and statements, shall submit them to the Governor with whatever analysis the Governor shall direct.

§ 5005. Compensation of board and commission members

Notwithstanding any statutory provision to the contrary, the members of the boards and commissions of this section shall receive as compensations for their services \$40 a day for the time actually spent and their necessary expenses incurred in the discharge of their duties. Nothing in this section shall be deemed to extend such compensation to persons presently excluded because employed in State Government. Nothing in this section shall affect the limitations on the number of days for which members may be paid or the maximum amount to be received in any year by any member. Nothing in this section shall affect salaries presently received by members or employees of the boards and commissions of this section.

STATEMENT OF FACT

This bill creates a Central Professional and Occupational Licensing Bureau within the Department of Business Regulation. The licensing bureau will 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.

A public member is added to each board and commission covered by this bill which does not already have such a member to represent the public interest.

Board members will be appointed by the Commissioner of Business Regulation, with the advice and consent of the Governor and Executive Council.

Those boards and commissions not presently utilizing the services of the administrative code shall do so pursuant to this bill.

Annual reports required of any board shall be submitted to the Commissioner of Business Regulation for his review and such analysis as the Governor shall dictate and be submitted by the commissioner to the Governor.

Per diem payments to members of the boards and commissions covered by this bill are standardized at \$40 a day.

The licenses of the boards and commissions covered by this Act shall be renewed biennially at twice the current annual rate.

This bill was supported by the Governor in his legislative address of February 13, 1975, to the 107th Legislature.