

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
FIRST SPECIAL SESSION
107TH LEGISLATURE

(Filing No. H-1116)

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to H.P. 2153,
L.D. 2294, Bill, "AN ACT to Implement a Central Licensing Division
within the Department of Business Regulation."

Amend said Amendment by striking out all of the first paragraph
and inserting in place thereof the following:

'Amend said Bill by striking out all of section 1 and
inserting in place thereof the following:

'Sec. 1. 5 MRSA §2301, sub-§1, as amended, is repealed and the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;

Arborist Examining Board;

Board of Accountancy;

Board of Chiropractic Examination and Registration;

Board of Commissioners of the Profession of Pharmacy;

Board of Dental Examiners;

Board of Environmental Protection;

Board of Hearing Aid Dealers and Fitters;

Board of Osteopathic Examination and Registration;

Board of Registration in Medicine;

Board of Sanitation;

Chief of the State Police, but only as he controls and supervises
the licensing of official inspection stations;

Commission on the Arts and Humanities;

Director of the Bureau of Forestry;

Electricians' Examining Board;

Examiners of Podiatrists;

Maine Milk Commission;

Maine Mining Bureau;

Maine State Boxing Commission;

Maine State Museum Commission;

Oil Burner Men's Licensing Board;

Passenger Tramway Safety Board;

Penobscot Bay and River Pilotage Commission;

Plumbers' Examining Board;

Real Estate Commission;

Secretary of State, but only as he controls and supervises
the licensing of auctioneers;

State Board of Barbers;

State Board of Cosmetology;

State Board of Examiners of Psychologists;

State Board of Funeral Service;

State Board of Nursing;

State Board of Optometry;

State Board of Veterinary Medicine;

State Harness Racing Commission;

State Liquor Commission;

State Running Horse Racing Commission.

Department of Human Services, but only as that department controls and supervises the licensing of institutions, businesses or individuals in the following categories:

- A. All establishments licensed under Title 22, chapter 562;
- 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;
- K. Hearing aid dealers and fitters licensed under Title 32, chapter 23-A.

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.

Further amend said Bill by striking out all of sections 8, 32 to 55, 63 to 66, 76 to 108, 112 to 154, 162 and 197 to 206.'

Further amend said Amendment in that part designated "§8001." by striking out all of subsections 1 to 8 and inserting in place thereof the following:

1. Board of Accountancy;
2. Bureau of Banking;
3. Bureau of Consumer Protection;
4. Bureau of Insurance;
5. Electricians' Examining Board;
6. Oil Burner Men's Licensing Board;
7. Land Damage Board;
8. Maine State Boxing Commission;
9. Real Estate Commission; and
10. State Board of Examiners of Psychologists.'

Further amend said Amendment by inserting before the 2nd paragraph from the end before the Statement of Fact the following:

'Further amend said Bill in section 160 in the 5th line (same in L.D.) by striking out the underlined date "May 31st" and inserting in place thereof the underlined date 'November 30th'

Further amend said Bill in section 161 in the 11th line (10th line in L.D.) by striking out the underlined date "May 31st" and inserting in place thereof the underlined date 'November 30th'

Further amend said Bill by inserting after section 161 the following:

'Sec. 161-A. 32 MRSA §3991, 1st ¶, as enacted by PL 1967, c. 334, §1, is repealed and the following enacted in place thereof:

'The board shall have the authority to refuse to issue or, after notice and hearing as provided^{for}/in section 3992, refuse to renew any certificate or any permit issued under section 3990, or it may censure the holder of any such permit, or the board may suspend, after notice and hearing as provided for in section 3992, a license

or permit until the case can be heard by the Administrative Court Judge for any one or any combination of the following causes set forth in this section. The Administrative Court Judge shall have the power to suspend or revoke the certificate of any certified public accountant or public accountant or suspend or revoke a permit issued under section 3990 for any one or any combination of the following causes:'

Further amend said Bill by inserting after section 162 the following:

'Sec. 162-A. 32 MRSA §3992, sub-§10, as enacted by PL 1967, c. 344, §1, is repealed.'

Further amend said Amendment by inserting before the last paragraph before the Statement of Fact the following:

Further
'/amend said Bill in section 207 in subsection 4 by inserting at the end the following sentence: 'Nothing in this section shall be construed to affect the special revenue accounts of any boards or commissions.'

Statement of Fact

The purpose of this amendment is to include the Board of Accountancy and the Board of Examiners of Psychologists in the Department of Business Regulation. These boards are in favor of being included in/
the Department of Business Regulation.

Filed by Mrs. Clark of Freeport.

Reproduced and distributed under the direction of the Clerk of the House.
3/26/76

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