

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1173
6

7 S.P. 381

In Senate, March 14, 1983

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

JOY J. O'BRIEN, Secretary of the Senate

10 Presented by Senator Pray of Penobscot.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Regulate Gymnastic Instructors.
18

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

21 32 MRSA c. 96 is enacted to read:

22 CHAPTER 96

23 GYMNASTIC INSTRUCTORS

24 SUBCHAPTER I

25 GENERAL PROVISIONS

26 §9651. Definitions

27 As used in this chapter, unless the context
28 otherwise indicates, the following terms have the
29 following meanings.

1 cause to be investigated, all complaints involving a
2 gymnastic instructor and all cases of noncompliance
3 with, or violation of, this chapter or rules issued
4 under this chapter. The board may, after a hearing
5 in conformance with the Maine Administrative Procedure
6 Act, Title 5, chapter 375, refuse to issue or
7 renew a license. The Administrative Court Judge may
8 suspend or revoke the license of any instructor found
9 guilty of violating any provision of this chapter or
10 of any lawful order or rule rendered or adopted by
11 the board.

12 §9663. Compensation and expenses of board members

13 Except for the public representatives, members of
14 the board shall serve without compensation, but shall
15 receive expenses as provided for all state employees.
16 The public representatives shall each receive as com-
17 ensation \$35 a day for no more than 4 days in each
18 calendar year.

19 SUBCHAPTER III

20 LICENSURE

21 §9671. License required

22 No person may act as an gymnastic instructor
23 without first being licensed under this chapter. The
24 board shall, with the approval of the commissioner,
25 establish rules governing the issuance and renewal of
26 license of instructors. In addition to requirements
27 set forth by the board, all applicants shall meet the
28 following minimum requirements.

29 1. Age and education. An applicant must be at
30 least 21 years of age and be a graduate of an ac-
31 credited high school or have been granted high school
32 equivalency status by the State.

33 2. Criminal conviction. An applicant must not
34 have been convicted of a crime involving moral turpi-
35 tude.

36 3. Examination. An applicant must pass an exam-
37 ination consisting of the knowledge of gymnastics as
38 prescribed by the board. The board may not waive any

1 part of the prescribed examination for an
2 instructor's license.

3 §9672. Display of license

4 Each person granted an instructor's license shall
5 display the license conspicuously on the premises
6 where the gymnastic instruction is conducted.

7 §9673. Licensing fees

8 Each application for an instructor's license
9 shall be accompanied by an application fee of \$20
10 which shall not be refunded. If the application is
11 approved by the board, the applicant, upon payment of
12 an additional fee of \$10, shall be granted a license,
13 which shall be valid during the calendar year of its
14 issue unless sooner revoked. The renewal fee is \$30.

15 §9674. Disposition of fees

16 All fees received by the board under this chapter
17 shall be used to carry out the purposes of this chap-
18 ter. Any balance of these fees shall not lapse, but
19 shall be carried forward as a continuing account to
20 be expended for the same purposes in the following
21 fiscal years.

22 §9675. Penalties

23 Any person who acts as a gymnastic instructor
24 without a license commits a civil violation for which
25 a forfeiture not to exceed \$500 may be adjudged.

26 STATEMENT OF FACT

27 The purpose of this bill is to require that
28 gymnastic instructors be licensed.

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