

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1216

6  
7 H.P. 857

House of Representatives, April 4, 1985

8 Referred to the Committee on Business and Commerce. Sent up for  
9 concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Stevens of Bangor.

11 Cosponsored by Senator Bustin of Kennebec, Representative Rydell of  
Brunswick and Representative Gwadosky of Fairfield.

12 STATE OF MAINE  
13

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

17 AN ACT to Require Two Members of the Public  
18 on All State Licensing Boards.  
19

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

22 5 MRSA §12004, sub-§1, as amended by PL 1983, c.  
23 862, §§17, 18 and 19, is further amended to read:

24 1. Occupational and professional licensing  
25 boards. The primary responsibilities of occupational  
26 and professional licensing boards include the exami-  
27 nation of applicants, issuance of licenses or certifi-  
28 cates, registration of licenses and regulation of  
29 licensees with respect to the practice of a particu-  
30 lar occupation or profession. The primary powers of  
31 these boards include the authority to hold hearings,  
32 the adoption of rules, the establishment of standards  
33 and procedures, the issuance of licenses and initia-  
34 tion of action for the revocation or suspension of  
35 occupational or professional licenses.

1 A. This classification includes the following  
2 boards:

3	NAME OF	RATE OF	STATUTORY
4	ORGANIZATION	COMPENSATION	REFERENCE
5	(1) Board of Accountancy	\$35/Day	32 MRSA §3971
6	(2) Arborist Examining	\$25/Day	32 MRSA §2001
7	Board		
8	(3) Maine State Board	\$35/Day	32 MRSA §211
9	for Registration of		
10	Architects and Land-		
11	scape Architects		
12	(4) Board of Examiners	Legislative	4 MRSA §801
13	of Applicants for	Per Diem	
14	Admission to the Bar		
15	(5) State Board of	\$35/Day	32 MRSA §351
16	Barbers		
17	(6) Board of Boiler	Expenses	26 MRSA §171
18	Rules	Only	
19	(7) Board of Chiro-	\$25/Day	32 MRSA §501
20	practic Exami-		
21	nation and		
22	Registration		
23	(8) State Board of	\$35/Day	32 MRSA §1601
24	Cosmetology		
25	(9) Board of Dental	\$35/Day	32 MRSA §1071
26	Examiners		
27	(10) Board of Commer-	\$35/Day	32 MRSA §9552
28	cial Driver	Public	
29	Education	Member	
30	(11) Electricians'	\$30/Day	32 MRSA §1151
31	Examining Board		
32	(12) Board of Elevator	Expenses	26 MRSA §475
33	and Tramway Safety	Only	

1	(13)	State Board of	Expenses	32 MRSA §1301
2		Registration for	Only	
3		Professional Engi-		
4		neers		
5	(14)	State Board of	Expenses	32 MRSA §5004
6		Registration for	Only	
7		Professional Foresters		
8	(15)	State Board of	\$20/Day	32 MRSA §1451
9		Funeral Service		
10	(16)	State Board of	Expenses	32 MRSA §4907
11		Certification for	Only	
12		Geologists and Soil		
13		Scientists		
14	(17)	Board of Examiners	Expenses	12 MRSA §7301
15		for the Licensing of	Only	
16		Guides		
17	(18)	Junior Maine Guides	Expenses	12 MRSA §7302
18		and Trip Leaders'	Only	
19		Curriculum Board		
20	(19)	Board of Hearing Aid	\$35/Day	32 MRSA §1658
21		Dealers and Fitters		
22	(20)	State Board of	Expenses	32 MRSA §1671
23		Registration for	Only	
24		Land Surveyors		
25	(21)	Manufactured	\$35/Day	10 MRSA §9003
26		Housing Board		
27	(22)	State Board of	\$30/Day	32 MRSA §63
28		Licensure of		
29		Administrators of		
30		Medical Care		
31		Facilities other		
32		than Hospitals		
33	(23)	Board of Registration	\$1,250/Year-	32 MRSA §3263
34		in Medicine	Member	
35			\$1,500/Year-	
36			Chairman	
37			\$7,500/Year-	

1			Secretary		
2	(24)	State Board of	Legislative	32 MRSA	\$2151
3		Nursing	Per Diem		
4	(24-A)	Board of Occupa-	Expenses	32 MRSA	\$2273
5		tional Therapy	Only		
6		Practice			
7	(25)	Oil and Solid Fuel	\$30/Day	32 MRSA	\$2351
8		Board			
9	(26)	State Board of	\$25/Day	32 MRSA	\$2415
10		Optometry			
11	(27)	Board of Osteopathic	Legislative	32 MRSA	\$2561
12		Examination and	Per Diem		
13		Registration			
14	(28)	Board of Commis-	\$25/Day	32 MRSA	\$2851
15		sioners of the Pro-			
16		fession of Pharmacy			
17	(29)	Board of Examiners	\$25/Day	32 MRSA	\$3112
18		in Physical Therapy			
19	(30)	Plumbers' Examining	\$35/Day	32 MRSA	\$3401
20		Board			
21	(31)	Board of Examiners	\$25/Day	32 MRSA	\$3601
22		of Podiatrists			
23	(32)	State Board	\$35/Day	32 MRSA	\$3821
24		of Examiners of			
25		Psychologists			
26	(33)	Real Estate	\$35/Day	32 MRSA	\$4051-A
27		Commission			
28	(34)	State Board of	Expenses	32 MRSA	\$7026
29		Social Worker	Only		
30		Registration			
31	(35)	Board of Examiners	\$25/Day	32 MRSA	\$6010
32		on Speech Pathology			
33		and Audiology			

- 1 (36) Board of Registration Not 32 MRSA §6201  
2 of Substance Abuse Authorized  
3 Counselors
- 4 (37) State Board of Legislative 32 MRSA §4854  
5 Veterinary Medicine Per Diem
- 6 (38) Penobscot Bay and Not 38 MRSA §89  
7 River Pilotage Authorized  
8 Commission
- 9 (39) Maine Athletic 8 MRSA §141  
10 Commission

11 (a) The total per diem compensation  
12 for each member shall not exceed \$1,000  
13 per year.

14 Notwithstanding any other provision of law, any occu-  
15 pational or professional licensing board set out in  
16 this subsection shall include at least 2 public mem-  
17 bers. If any such board does not have 2 public mem-  
18 bers on January 1, 1986, then the appointing authori-  
19 ty for that board shall make appointments as neces-  
20 sary, as the next appointment is scheduled to be made  
21 and filled by a professional member, in accordance  
22 with the provisions of the statutes establishing that  
23 board, to comply with this subsection; except that if  
24 the professional member whose term is expiring is el-  
25 igible for reappointment and the appointing authority  
26 wishes to make a reappointment of that member, the  
27 requirements for an additional public member may be  
28 delayed until the next appointment is scheduled to be  
29 made. Appointments shall be for such terms as the  
30 statute may set out for members of that board.

31 STATEMENT OF FACT

32 The purpose of this bill is to require that all  
33 occupational and professional licensing boards have  
34 at least 2 public members.

35 0106022185