

# MAINE STATE LEGISLATURE

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L.D. 1502  
(Filing No. S- 233 )

STATE OF MAINE  
SENATE  
112TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " B " to S.P. 556, L.D. 1502, Bill, "AN ACT Affecting the Statutes of Agencies within the Department of Business, Occupational and Professional Regulation."

Amend the bill in section 7, in that part designated "§9083." in the first paragraph, by striking out all of the 2nd sentence (page 7, lines 18 to 20 in L.D.) and inserting in its place the following:

'The fee shall be \$5 per mobile home site, but the total fee may not exceed \$500 per mobile home park.'

Further amend the bill by striking out all of sections 12 to 30.

Further amend the bill by inserting after section 35 the following:

'Sec. 36. 32 MRSA §3301, sub-§3, as amended by PL 1977, c. 469, §2, is further amended to read:

3. Journeyman plumber. "Journeyman plumber" shall mean any person who customarily performs the work of installing plumbing and drainage under the employment and direction of a master plumber or, not being a master plumber, does plumbing repair work as a regular part time occupation. The biennial fee for a journeyman plumber's license shall be \$30.'

Further amend the bill in section 37, by striking out all of subsection 5 (page 20, lines 1 to 11 in L.D.) and inserting in its place the following:

'5. Orders. The board and any person designated by the board may issue an order to cease and desist the installation or substantial alteration of plumb-

COMMITTEE AMENDMENT " B " to S.P. 556, L.D. 1502

1 ing systems by any person required to be licensed by  
2 the board and who is not licensed by the board. The  
3 order is immediately effective and shall be accompa-  
4 nyed by written notice of opportunity and procedure  
5 for appeal. The person ordered to cease and desist  
6 may appeal the order and may request a hearing. The  
7 appeal and request for hearing shall be filed with  
8 the board within 48 hours of the order. A hearing  
9 shall be granted by the board within 5 days of re-  
10 ceipt of the request. The board shall issue its  
11 written decision of its review within 15 days of re-  
12 ceipt of the request for appeal or hearing.

13 Any person ordered by the board to cease and de-  
14 sist may appeal to the Superior Court in accordance  
15 with the Maine Administrative Procedure Act, Title 5,  
16 chapter 375, subchapter VII, by filing a petition for  
17 review within 48 hours of receipt of the order. The  
18 court shall issue a written decision within 20 days  
19 after receipt of the petition for review. The deci-  
20 sion of the Superior Court on an appeal as provided  
21 is final. The decision of the board or order of the  
22 board shall also be final and subject to no further  
23 appeal upon failure to file a timely written appeal  
24 as provided.'

25 Further amend the bill in section 52, in that  
26 part designated "§87-A.", in subsection 1, by adding  
27 at the end the following:

28 'E. All military and commercial ships navigating  
29 the Kennebec River to and from the Bath Iron  
30 Works Corporation for the purpose of accomplish-  
31 ing overhaul, repair, post shakedown availability  
32 and sea trials.'

33 Further amend the bill in section 53, in that  
34 part designated "§89." in the 5th line (page 24, line  
35 30 in L.D.) by inserting after the underlined words  
36 "Bar Harbor" the following: '- Eastport'

37 Further amend the bill by renumbering the sec-

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COMMITTEE AMENDMENT " B " to S.P. 556, L.D. 1502

1 tions to read consecutively.

2 STATEMENT OF FACT

3 This amendment does the following:

4 1. Limits the fee for mobile home parks to a  
5 maximum of \$500 regardless of the number of sites.

6 2. Deletes sections 12 to 30 covered in other  
7 legislation.

8 3. Modifies the power to enjoin the issuance of  
9 cease and desist orders and parallels procedure pro-  
10 vided in electricians' licensing law.

11 4. Adds to exceptions from jurisdiction of the  
12 Maine State Pilotage Commission, the ships being re-  
13 paired at the Bath Iron Works.

14 5. Makes a correction in the designation of the  
15 district Bar Harbor - Eastport for which interests a  
16 licensed pilot shall represent on the Maine State  
17 Pilotage Commission.

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Reported by the Minority for the Committee on Business and  
Commerce. Reproduced and Distributed Pursuant to Senate  
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