

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)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42

L.D. 959

(Filing No. S-140)

STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 357, L.D. 959, Bill, "An Act to Exempt Certain Persons from the Counselors Licensure Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 3 MRSA §927, sub-§11, ¶B, as enacted by PL 1989, c. 483, Pt. A, §§4 and 62, is amended to read:

B. Independent agencies:

- (1) State Civil Service Appeals Board;
- (2) Maine Labor Relations Board;
- (3) Workers' Compensation Commission;
- (4) Board of Accountancy;
- (5) State Board of Social Worker Licensure;
- (6) Electricians' Examining Board;
- (7) Maine Occupational Information Coordinating Committee; and
- (8) State Employee Health Commission; and
- (9) Board of Counseling Professionals Licensure.

C
O
M
M
I
T
T
E
E
A
M
E
N
D
M
E
N
T

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 357, L.D. 959

2 Sec. 2. 32 MRSA §13852, sub-§2, as amended by PL 1989, c. 895,
§4 and affected by §21, is further amended to read:

4 2. ~~Members.~~ The board consists of 13 members, 12 of them
6 appointed by the Governor. Each member must be a citizen of the
United States and a resident of this State. Eight members shall
8 must be licensed counseling professionals under this chapter, 2
of whom must be professional counselors, 2 must be clinical
10 professional counselors, 2 must be marriage and family therapists
and 2 must be pastoral counselors. Two members must be
12 registered counseling professionals who are not qualified for
licensure. Each counselor member must have been, for at least 5
14 years immediately preceding appointment, actively engaged as a
practitioner, educator or researcher. ~~Three~~ Two members must be
16 representatives of the general public and may not be currently
practicing counseling or receiving compensation for counseling
18 services. One of the ~~3~~ 2 public members must be a consumer of
counseling services. One member, appointed by the Chancellor of
20 the University of Maine System, must be a member of the
university faculty involved in the training of counselors. ~~--A~~
22 ~~counselor currently not qualified for licensure shall serve as an~~
~~ex-officio nonvoting member of the board.~~

24 Sec. 3. 32 MRSA §13858, sub-§3-A, ¶B, as enacted by PL 1989,
c. 895, §12, is amended to read:

26 B. Received a Master of Divinity degree, or an equivalent
28 degree approved by the board, from an accredited institution
or program approved by the board. Academic preparation
30 includes a minimum graduate core curriculum to include 20
credit hours of counseling and human relations and 400 hours
32 of clinical pastoral education;

34 Sec. 4. 32 MRSA §13858, sub-§6, as enacted by PL 1989, c. 895,
§14, is repealed and the following enacted in its place:

36 6. Existing counselors. An individual who holds at least a
38 master's degree from a nationally or regionally accredited
institution approved by the board or its equivalent, as
40 determined by the board, in counseling, an allied mental health
field or a behavioral or social science; has supervised
42 experience as determined necessary by the board through
rulemaking or has passed an examination prescribed by the board;
44 and was actively engaged as a counselor for at least 2 of the
preceding 5 years prior to January 1, 1991, is deemed to have met
46 all the requirements for licensure.

48 Sec. 5. PL 1989, c. 895, §1 is repealed.

50 Sec. 6. PL 1989, c. 895, §22 is amended to read:

2 ~~Sec. 22. Effective date. Section A-1 of this Act takes effect~~
 3 ~~October 1, 2000.~~ The Maine Revised Statutes, Title 32, section
 4 13853, subsection 14, enacted in section A-6 6 of this Act, takes
 5 effect January 1, 1991. Section A-19 19 of this Act takes effect
 6 October 1, 1992.

7 **Sec. 7. Allocation.** The following funds are allocated from
 8 Other Special Revenue to carry out the purposes of this Act.

| | 1991-92 | 1992-93 |
|----|--|-----------------|
| 10 | | |
| 12 | PROFESSIONAL AND FINANCIAL | |
| 14 | REGULATION, DEPARTMENT OF | |
| 16 | Board of Counseling Professionals | |
| | Licensure | |
| 18 | Positions (0.5) | (0.5) |
| | Personal Services \$6,787 | \$8,550 |
| 20 | All Other 5,000 | 5,000 |
| | Capital Expenditures 5,100 | |
| 22 | | |
| 24 | Provides funds to the Board | |
| | of Counseling Professionals | |
| 26 | Licensure for a part-time | |
| | Clerk Typist II, per diem and | |
| 28 | expenses of board members, | |
| | and operating expenses | |
| 30 | related to establishing a | |
| | program of continuing | |
| 32 | education and supervision for | |
| | counseling professionals. | |
| 34 | DEPARTMENT OF PROFESSIONAL AND | |
| | FINANCIAL REGULATION | |
| 36 | TOTAL | \$16,887 |
| | | \$13,550 |

38 **Sec. 8. Transition.** Within 30 days of the effective date of
 40 this Act, the Governor shall remove one of the public members of
 42 the Board of Counseling Professionals Licensure who is not
 44 required to be a consumer of counseling services and replace that
 46 member with a registered counselor who is not qualified for
 48 licensure.

46 **FISCAL NOTE**

| | 1991-92 | 1992-93 |
|----|-----------------------------------|----------|
| 48 | | |
| 50 | APPROPRIATIONS/ALLOCATIONS | |
| 52 | Other Funds \$16,887 | \$13,550 |

COMMITTEE AMENDMENT

R. of S.

2 REVENUES

4 Other Funds \$20,000 \$20,000

6 This bill requires the Board of Counseling Professionals
8 Licensure to establish continuing education and supervision
10 requirements. The costs associated with rulemaking and
12 establishing such a program will require allocations from Other
14 Special Revenue funds of \$16,887 in fiscal year 1991-92 and
\$13,550 in fiscal year 1992-93. Allocations will provide for a
part-time Clerk Typist II, printing and advertising, per diems
and travel for board members and office equipment, including a
computer.

16 The easing of licensing requirements will increase the
18 number of licensees and provide additional dedicated revenue,
20 approximately \$20,000 annually beginning in fiscal year 1991-92,
to cover the cost of the program.'

22 STATEMENT OF FACT

24 This amendment does the following:

26 1. Allows the current nonvoting member of the Board of
28 Counseling Professionals Licensure, who is a counselor not
eligible for licensure, and adds a 2nd such member to the board;

30 2. Allows the board to accept a master's degree, other than
32 one in divinity, as qualification for an individual's licensure
as a pastoral counselor;

34 3. Keeps the requirement of the bill that existing
36 counselors need not sit for the examination but requires that
their degrees be from accredited institutions approved by the
38 board and that they have supervised experience as determined by
the board. Passage of the examination may be substituted for the
supervised experience;

40 4. Changes to January 1, 1991, the provision of the bill
42 that extends the provision for licensing existing counselors
until January 1, 1992;

44 5. Removes the provision of the bill that requires the
46 board to make continuing education and supervision a condition
for license renewal; and

48 6. Changes the sunset provision of the law regulating
50 counseling professionals that is required by the Maine Sunset Act
to make it conform to standard procedures for sunset provisions.

52