

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1151, L.D. 1676, Bill, "An Act to Make Technical Adjustments to Various Licensing Board Laws and to Adjust Budgetary Constraints Affecting Various Boards"

Amend the bill in section 3 in subsection 9 in the next the last line (page 2, line 11 in L.D.) by striking out the following: "sole"

Further amend the bill by inserting after section 4 the following:

'Sec. 5. 10 MRSA §9006-A, sub-§2, as enacted by PL 1989, c. 271, §3, is amended to read:

2. Fee. At the same time the notice of installation is given, the dealer or mechanic shall pay a fee of up-to-\$5 \$10 to the board for each unit installed.'

Further amend the bill in section 5 in subsection 1 in the 9th line (page 2, line 38 in L.D.) by striking out the following: "not to exceed \$200" and inserting in its place the following: 'of \$185'

Further amend the bill in section 5 in subsection 2 in the 8th and 9th lines (page 3, lines 4 and 5 in L.D.) by striking out the following: "in such amount as the board may establish up to \$150 \$250" and inserting in its place the following: '~~in such amount as the board may establish up to \$150~~ of \$185' and in the 20th and 21st lines (page 3, lines 16 and 17 in L.D.) by striking out the following: "in such amount as the board may establish up to \$150 \$250" and inserting in its place the following: '~~in such amount as the board may establish up to \$150~~ of \$185'

2 Further amend the bill in section 7 in that part designated
3 "\$1658-M." in the first paragraph in the 3rd and 4th lines (page
4 4, lines 10 and 11 in L.D.) by striking out the following: "in
5 such amount as the board may establish up to \$100 \$200" and
6 inserting in its place the following: '~~in such amount as the
board may establish up to \$100~~ of \$185'

8 Further amend the bill in section 7 in that part designated
9 "\$1658-M." by striking out all of the 2nd paragraph and inserting
10 in its place the following:

12 'Notwithstanding this section, no annual renewal certificate
13 may be issued by the board until such time as the applicant
14 submits proof satisfactory to the board that during the year
15 preceding his the applicant's application for renewal, he the
16 applicant has participated in not fewer than 8 clock hours for
17 courses of continuing education in fitting and dealing in hearing
18 aids offered by an institution approved by the board.'

20 Further amend the bill in section 17 by striking out all of
21 subsection 1 (page 6, lines 15 to 23 in L.D.) and inserting in
22 its place the following:

24 '1. Amount. Fees ~~may be established by the board in~~
25 ~~amounts which are reasonable and necessary for their respective~~
26 ~~purposes.~~ The fees may ~~not exceed~~ are in the following amounts:

28 A. For an initial application, \$80 \$100;

30 B. For biennial renewal of a license, \$80 \$120; and

32 C. For a temporary license, \$25 \$50.'

34 Further amend the bill in section 19 in subsection 8 in the
35 10th line (page 7, line 8 in L.D.) by striking out the
36 following: "4" and inserting in its place the following: '2'

38 Further amend the bill by striking out all of section 21.

40 Further amend the bill by striking out all of section 22 and
41 inserting in its place the following:

42 'Sec. 22. 32 MRSA §2352, first ¶, as amended by PL 1987, c.
43 395, Pt. A, §170, is further amended to read:

46 The Commissioner of Professional and Financial Regulation,
47 with the advice and ~~consent~~ of the board, ~~shall be empowered to~~
48 may appoint, subject to the Civil Service Law, such employees as
49 may be necessary to carry out this chapter. Any persons so
50 employed ~~shall be~~ is located in the Department of Professional
51 and Financial Regulation and under the administrative and
52 supervisory direction of the Commissioner of Professional and

2 Financial Regulation. In addition, the board may enter into
contracts to carry out its responsibilities under this chapter.'

4 Further amend the bill by striking out all of sections 23 to
25.

6 Further amend the bill in section 29 in that part designated
8 "\$4912." in the 2nd paragraph in the last line (page 11, line 51
in L.D.) by striking out the following: "\$60" and inserting in
10 its place the following: '\$45'

12 Further amend the bill in section 30 by striking out all of
the first paragraph and inserting in its place the following:

14 'An application fee and an examination fee may be
16 established by the board in amounts which that are reasonable and
necessary for their respective purposes. Every person to whom an
18 initial license is issued pursuant to this chapter shall pay a
license fee of ~~up to \$50~~ \$90. The fee for a temporary license
20 shall ~~not exceed \$50~~ is \$90. The fee for biennial renewal of a
license shall ~~not exceed \$100~~ is \$140. The board may, by rule,
22 provide for the waiver of all or part of the fee for an initial
license, if it is issued less than 120 days before the date on
24 which it will expire. When the unexpired term of an initial
license of an applicant is or will be more than one year at time
26 of licensure, the board may, by rule, require the applicants to
pay an additional fee not to exceed 1/2 the biennial renewal fee.'

28 Further amend the bill by striking out all of sections 31
30 and 32.

32 Further amend the bill by inserting after section 33 the
following:

34 'Sec. 34. 32 MRSA §9605, sub-§§1 and 2, as amended by PL 1983,
36 c. 413, §238, are further amended to read:

38 1. Commercial driver education school license. Each
application for a commercial driver education school shall must
40 be accompanied by an application fee established by the board in
an amount which that is reasonable and necessary for its
42 purposes, which shall may not be refunded. If the application is
approved by the board, the applicant, upon payment of an
44 additional a fee of ~~up to \$80~~ \$250, shall must be granted a
license, which shall ~~be~~ is valid during the calendar year of its
46 issue unless sooner revoked as provided. The renewal fee is ~~up~~
~~to \$100~~ \$250.

48 2. Instructor license. Each application for an
50 instructor's license shall must be accompanied by an application
fee established by the board in an amount which that is
52 reasonable and necessary for its purpose, which shall may not be

2 refunded. If the application is approved by the board, the
applicant, upon payment of an-additional a fee of \$20 ~~\$125~~, shall
4 must be granted a license, which shall-be is valid during the
calendar year of its issue unless sooner revoked. The renewal
6 fee is \$40 ~~\$125~~.'

8 Further amend the bill in section 34 by striking out all of
subsection 1 and inserting in its place the following:

10 '1. Amount. Application and examination fees may be
12 established by the board in amounts that are reasonable and
necessary for their respective purposes. Original and renewal
14 license fees for respiratory care practitioner licenses are \$135
biennially. Temporary license fees are \$70.'

16 Further amend the bill in section 35 in that part designated
"§9859." in the first paragraph in the 5th line (page 13, line 42
18 in L.D.) by striking out the following: "~~\$120~~" and inserting in
its place the following: '\$70'

20 Further amend the bill in section 51 in that part designated
22 "~~§92~~." in the first paragraph in the 2nd line (page 19, line 5 in
L.D.) by striking out the following: "2 years" and inserting in
24 its place the following: 'year'

26 Further amend the bill in section 52 in that part designated
28 "~~§93~~." in the first paragraph in the 3rd and 4th lines (page 19,
lines 15 and 16 in L.D.) by striking out the following: "not to
30 exceed \$150 as set by rule by the commission" and inserting in
its place the following: 'of \$100'

32 Further amend the bill in section 52 in that part designated
34 "~~§93~~." in the first paragraph in the 6th line (page 19, line 18
in L.D.) by striking out the following: "The commission may set
original" and inserting in its place the following: 'Original'

36 Further amend the bill in section 52 in that part designated
38 "~~§93~~." in the first paragraph in the 7th line (page 19, line 19
in L.D.) by striking out the following: "in amounts not to
40 exceed \$100" and inserting in its place the following: 'are \$10'

42 Further amend the bill by inserting after section 54 the
following:

44 'Sec. 55. PL 1989, c. 806, §7, as amended by PL 1991, c. 14, is
46 further amended to read:

48 Sec. 7. Effective date. The Maine Revised Statutes, Title 32,
section 13964 takes effect July--1 December 31, 1991 or at an
50 earlier date if so mandated by federal requirements pursuant to
Title 11 of the federal Financial Institutions Reform, Recovery
52 and Enforcement Act of 1989, Public Law 101-73.'

2 Further amend the bill by renumbering the sections to read
consecutively.

4 Further amend the bill by inserting before the statement of
6 fact the following:

8
10 **FISCAL NOTE**

12 This bill amends the laws of many licensing boards under
the authority of the Department of Professional and Financial
14 Regulation and increases the fees for various boards. These fee
increases are the basis for anticipated expenditure levels in
16 fiscal year 1991-92 and fiscal year 1992-93 for these boards and
are included in the Governor's current services budget proposal.

18 The following boards will have increased dedicated revenues
as reflected below:

20 BOARD	1991-92	1992-93
22 Board of Hearing Aid Dealers and		
24 Fitters	\$13,685	\$13,685
26 Board of Occupational Therapy Practice	-0-	\$15,000
State Board of Certification of		
28 Geologists and Soil Scientists	\$6,725	-0-
State Board of Examiners on Speech		
Pathology and Audiology	\$19,980	-0-
30 Board of Respiratory Care Practitioners	\$25,000	-0-
Maine State Pilotage Commission	\$2,500	\$2,500
32 Manufactured Housing Board	\$10,000	\$10,000
Board of Commercial Driver Education	\$20,000	\$20,000

34 The bill additionally requires the Board of Hearing Aid
36 Dealers and Fitters, the Board of Occupational Therapy Practice
and the Plumbers' Examining Board to adopt rules in several
38 areas. The costs associated with rulemaking can be absorbed
within current allocated resources of those boards.'

40
42 **STATEMENT OF FACT**

44 The original bill made many technical changes in the laws
concerning various licensing boards.

46 This amendment sets back the effective date for the law
48 regulating appraisers from July 1, 1991 to December 31, 1991
unless an earlier date is mandated by federal authority. It also
50 specifies the licensing fees rather than giving a limit and
reduces the fees requested in the bill as follows:

COMMITTEE AMENDMENT "A" to H.P. 1151, L.D. 1676

	<u>Current Limit</u>	<u>Original Bill</u>	<u>Amendment</u>
2			
4			
6	\$ 100	\$200	\$185
8	\$ 80	\$150	\$120
10	\$ 100	\$200	\$140
12	\$ 20	\$ 60	\$ 45
14	\$ 80	\$180	\$135
16	\$ 70	\$120	\$ 70
18	\$ 100	\$250	\$250
20			

Reported by the Committee on Business Legislation
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 House
 (6/6/91) (Filing No. H-583)