

# MAINE STATE LEGISLATURE

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R of S.

L.D. 1314

DATE: 6/12/95

(Filing No. H- 449 )

**BUSINESS AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 933, L.D. 1314, Bill, "An Act to Make Minor Technical Adjustments to Various Professional Licensing Boards"

Amend the bill by inserting after section 8 the following:

'Sec. 9. 32 MRSA §1100-C, sub-§1, as enacted by PL 1977, c. 484, §2, is repealed and the following enacted in its place:

1. Rules required. Not later than May 1, 1996, the board shall adopt rules relating to the licensing of denturists.

Sec. 10. 32 MRSA §1100-C, sub-§2, as amended by PL 1977, c. 696, §381, is repealed and the following enacted in its place:

2. Contents. The rules adopted pursuant to subsection 1 must pertain, but are not limited to, the following:

A. The administrative procedures relating to the issuance, refusal to issue, suspension and revocation of licenses;

B. The establishment of equivalency training and experience standards for the purpose of eligibility for the issuance of temporary denturist licenses;

C. The methods by which and the conditions under which denturists are required to practice denture technology for both temporary and full licensure;

D. The establishment of educational requirements for the purpose of eligibility for both temporary and full licensure; and

**COMMITTEE AMENDMENT**

2 F. The specification of other procedures incidental to the  
3 practice of denture technology that may be practiced by a  
4 denturist.'

6 Further amend the bill by inserting after section 19 the  
7 following:

8 'Sec. 20. 32 MRSA §2312-B is enacted to read:

10 §2312-B. Major equipment sales information

12 Upon request by the board or its authorized agent,  
13 wholesalers and retailers of major oil and solid fuel heating  
14 equipment shall provide sales information to the board regarding  
15 such equipment. "Major oil and solid fuel heating equipment"  
16 includes, but is not limited to, furnaces, boilers, oil burners,  
17 fuel oil supply tanks of any size and side wall direct venting  
18 space heaters. Sales information may include the identity of the  
19 purchaser, the date of purchase, the make, model and serial  
20 number, if applicable, and any other information requested.'

22 Further amend the bill by inserting after section 20 the  
23 following:

24 'Sec. 21. 32 MRSA §12228, sub-§5, as enacted by PL 1987, c.  
26 489, §2, is amended to read:

28 **5. Examination; passing.** An applicant shall-be-required-to  
29 must pass all parts of the examination provided for in subsection  
30 4, in order to qualify for a certificate. If, at a given sitting  
31 of the examination, an applicant passes 2 or more, but not all,  
32 ~~parts with the accounting practice part of the examination being~~  
33 ~~treated for this purpose as 2 parts of the examination,~~ then the  
34 applicant shall must be given credit for those parts that he the  
35 applicant has passed and need not sit for reexamination in those  
36 parts, provided that:

38 A. The applicant wrote all parts of the examination at that  
39 sitting;

40 B. The applicant passes the remaining parts of the  
41 examination within 6 consecutive examinations given after  
42 the one at which the first parts were passed; and

43 C. At each subsequent sitting at which the applicant seeks  
44 to pass any additional parts, the applicant writes all parts  
45 not yet passed.'

46 Further amend the bill by striking out all of section 21 and  
47 inserting in its place the following:  
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2            'Sec. 21. 32 MRSA §12240, sub-§§4 and 5, as enacted by PL 1987,  
3 c. 489, §2, are amended to read:

4  
5            **4. Examination; administration.** The examination to be  
6 passed as a condition for the granting of a certificate shall  
7 must be in writing, be held twice a year, ~~and include Parts I and~~  
8 ~~II of the "Examination in Accounting Practice" portion of the~~  
9 ~~Uniform Certified Public Accountant Examination prepared by the~~  
10 ~~Board of Examiners of the American Institute of Certified Public~~  
11 ~~Accountants and shall also include other applicable subjects in~~  
12 ~~the field of accounting, such as auditing, theory of accounts,~~  
13 ~~practical accounting problems, commercial law as it affects~~  
14 ~~accountancy, federal and state taxation and such other subjects~~  
15 ~~pertinent to accounting as the board may specify by rule. The~~  
16 ~~examination may include all or part of the examination of and be~~  
17 the public accountant examination prepared by the National  
18 Society of Public Accountants or any other examination approved  
19 by the board. The time for holding that ~~examination shall~~  
20 examinations must be fixed by the board and may be changed from  
21 time to time. The board shall prescribe by rule the methods of  
22 applying for and conducting the ~~examination~~ examinations,  
23 including methods for grading papers and determining a passing  
24 grade required of an applicant for a certificate, provided except  
25 that the board, to the extent possible, shall see to it that the  
26 grading of the ~~examination~~ examinations and the passing grades  
27 are uniform with those applicable in all other states. The board  
28 may contract with 3rd parties to perform those administrative  
29 services with respect to the ~~examination~~ examinations as it  
30 considers appropriate to assist it in performing its duties under  
31 this section.

32  
33            **5. Examination; passing.** An applicant ~~shall be required to~~  
34 must pass all parts of the examination provided in subsection 4,  
35 in order to qualify for a certificate. If, at a given sitting of  
36 the examination, an applicant passes 2 or more, but not all  
37 parts, ~~with the accounting practice part of the examination being~~  
38 ~~treated for this purpose as 2 parts,~~ then the applicant shall  
39 must be given credit for those parts that the applicant has  
40 passed and need not sit for reexamination in those parts,  
41 provided that the applicant passes the remaining parts of the  
42 examination within 6 consecutive examinations given after the one  
43 at which the first parts were passed.'

44  
45            Further amend the bill by inserting after section 31 the  
46 following:

47            '**Sec. 32. Reporting date.** The Board of Dental Examiners shall  
48 review the feasibility of independent practice for denturists and  
49 report its recommendations to the Joint Standing Committee on  
50 Business and Economic Development by February 1, 1996.'

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**Sec. 33. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1995-96	1996-97
<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</b>		
<b>State Board of Substance Abuse Counselors</b>		
Personal Services	\$3,465	\$4,620
All Other	1,650	2,200
<b>TOTAL</b>	<b>\$5,115</b>	<b>\$6,820</b>

Provides additional allocations to cover the costs of paying per diem and expenses for board members.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

	1995-96	1996-97
<b>APPROPRIATIONS/ALLOCATIONS</b>		
Other Funds	\$5,115	\$6,820

The State Board of Substance Abuse Counselors within the Department of Professional and Financial Regulation will require additional allocations of \$5,115 and \$6,820 in fiscal years 1995-96 and 1996-97, respectively, for the costs of paying per diem and expenses for board members. The board has adequate dedicated revenues to cover this increased cost.

Increasing the replacement fee for lost licenses will result in insignificant increases of dedicated revenue to the Arborist Examining Board from replacement fees.

The Board of Dental Examiners will incur some minor additional costs to submit a required report to the Legislature. These costs can be absorbed within the board's existing budgeted resources.'

### STATEMENT OF FACT

This amendment accomplishes the following.

1. It requires the Board of Dental Examiners to make a report by February 1, 1996 to the Joint Standing Committee on Business and Economic Development concerning the licensure of denturists.

2. It requires sellers of heating equipment to report to the Oil and Solid Fuel Board the make, model and serial number of equipment sold if requested by the board.

3. Currently an applicant for certification as a public accountant or certified public accountant who passes 2 or more parts of the required examination is not required to retake these parts and the accounting practice part is considered 2 parts. This amendment eliminates the provision that allows the accounting practice part of the examination to be considered 2 parts.

4. It removes detail concerning the examination required for certification as a public accountant and, instead, specifies that the examination must be the one prepared by the National Society of Public Accountants or any other examination approved by the board.

5. It adds an allocation section and a fiscal note to the bill.