

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1480

S.P. 505

In Senate, March 24, 2005

An Act Regarding Licensing Boards

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland. (GOVERNOR'S BILL)
Cosponsored by Representative SMITH of Monmouth and
Representatives: BERUBE of Lisbon, COLLINS of Wells, RECTOR of Thomaston,
ROBINSON of Raymond.

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

PART A

Sec. A-1. 32 MRSA §502, first ¶, as amended by PL 1999, c. 214, §3, is further amended to read:

The board shall meet at least twice each year at such times and places as its chair may designate to consider applications, examine applicants and consider such other business as may properly come before the board. At its first meeting in each calendar year, the board shall elect one of its members as chair for a term of one year and one of its members as secretary to hold office at the pleasure of the board. Special meetings may be called at the pleasure of the chair and, in case of the death or inability of the chair, the secretary may call special meetings. The board shall keep correct records of all proceedings. The chair and secretary are empowered to administer oaths in matters connected with the duties of the board. The records, or duplicates of the records, must be open to inspection and are prima facie evidence of all matters recorded in the records. Four members of the board constitute a quorum for the transaction of business, but a license to practice chiropractic may not be granted except on an affirmative vote of at least 4 members of the board. The board has the power to make and adopt rules and a code of ethics consistent with law necessary for the enforcement of its authority, the performance of its duties and the governing of the practice of chiropractic, but a rule or code of ethics may not be made that is unreasonable or contravenes this chapter. The board shall adopt rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A 2-A, authorizing and governing the use of chiropractic acupuncture by certified licensees. The rules must set forth the requirements for chiropractic acupuncture certification, which must include, but are not limited to, a minimum number of classroom hours of education in acupuncture theory and techniques; a component of supervised clinical acupuncture training or documented clinical acupuncture experience for licensees practicing chiropractic acupuncture prior to April 30, 1999; and instruction in exposure control for blood-borne pathogens and registration as a biomedical waste generator pursuant to Title 38, section 1319-O, subsection 3. Licensees who can prove to the satisfaction of the board that they were engaged in the practice of chiropractic acupuncture prior to April 30, 1999 may continue to practice chiropractic acupuncture but must comply with all of the certification requirements set forth in board rules within 2 years from the adoption of the rules. A person applying for a chiropractic acupuncture certificate shall file an application together with the required fee as set under section 558. In establishing the rules and

code of ethics, the board must, in addition to the standards set forth in this chapter, be guided by the following standards setting forth conduct ~~deemed~~ considered unprofessional:

Sec. A-2. 32 MRSA §506, as amended by PL 1995, c. 397, §27, is repealed.

Sec. A-3. 32 MRSA §551, as amended by PL 1993, c. 600, Pt. A, §48, is further amended to read:

§551. Examination and licensure

An individual, before engaging in the practice of chiropractic in this State, shall ~~make submit an~~ application for a license to practice chiropractic ~~to--the--board--on--a--form prescribed--by--the--board~~ together with the required license fee as set under section 558. ~~The application must be filed with the clerk--of--the--board--at--least--30--days--before--the--date--of examination,--together--with--an--application--and--examination--fee. The--application--fee--is--not--refundable--if--an--application--is denied.~~ Each applicant must be at least 18 years of age and present proof of 2 years' satisfactory attendance at a college of liberal arts. A candidate for licensure shall present a transcript from an accredited college or university certifying that the candidate has completed 2 years of preprofessional work, 2 subjects of which must be English and biology, or otherwise satisfy the members of the board that the candidate has acquired sufficient prior academic education. The applicant shall present a diploma granted by a legally chartered chiropractic college, school or university in good standing and having the power to confer degrees in chiropractic, which diploma must show that it was granted on personal attendance of the applicant and completion of a course of 4 school years of not less than 8 months each and of a total of 4,400 60-minute school hours. If an applicant matriculated in a chiropractic college on or after January 1, 1984, the diploma must show that it was granted by a chiropractic college accredited by a chiropractic educational accrediting agency approved by the United States Department of Education or its successor agency or, if no accrediting agency exists, approved by the board, or the applicant must have evidence of having successfully passed a licensing procedure from another state having similar requirements. If an applicant matriculated in a chiropractic college before January 1, 1984, the diploma must show that it was granted by a chiropractic college accredited as set out in this section, or the applicant must present evidence of having become a diplomate of the National Board of Chiropractic Examiners or of having successfully passed a licensing procedure from another state having similar requirements. Each applicant ~~must~~ shall present a certificate of good moral character signed by a reputable individual and any

2 other reasonable and proper facts the board may require in its
3 application form.

4 **Sec. A-4. 32 MRSA §552**, as amended by PL 1993, c. 600, Pt. A,
5 §49, is further amended to read:

6 **§552. Examination of applicants; subjects included; license;**
7 **endorsement**

8
9
10 The board ~~applicant~~ shall ~~require the applicant to~~ submit to
11 an application for examination that demonstrates qualifications
12 for the practice of chiropractic together with the required
13 examination fee as set under section 558. The examination must
14 include the subjects of anatomy, physiology, symptomatology,
15 hygiene, sanitation, chemistry, pathology, electrotherapy,
16 hydrotherapy, dietetics, bacteriology, chiropractic analysis, the
17 principles and practice of chiropractic as taught in reputable
18 chiropractic schools and colleges and any other subjects the
19 board determines necessary. If the examination is passed in a
20 manner satisfactory to the board, the board shall issue, upon
21 payment of the required license fee as set under section 558, to
22 the applicant a license granting that individual the right to
23 practice chiropractic in this State.

24
25 ~~An individual licensed by a chiropractic board of any other~~
26 ~~state or territory having a standard equal to that of this State~~
27 ~~may be licensed without examination upon the payment of a fee of~~
28 ~~\$225 and submission of a chiropractic diploma and proof of~~
29 ~~licensure in that other state. The board may, in its discretion,~~
30 ~~require an examination of the applicant.~~

31
32 The board may waive the examination requirements and grant a
33 license to any applicant who presents proof of being licensed to
34 practice in another jurisdiction of the United States or another
35 country whose licensing requirements are considered by the board
36 to be substantially equivalent to or higher than those set forth
37 in this chapter, if no cause exists for denial of a license under
38 section 503-A. The applicant shall pay the required license fee
39 as set under section 558.

40
41 **Sec. A-5. 32 MRSA §553-A**, as amended by PL 1999, c. 386, Pt.
42 E, §1, is further amended to read:

43 **§553-A. Licenses renewal procedure; continuing education**

44
45 **1. Renewal procedure.** ~~The board shall notify every~~
46 ~~licensed chiropractor of the expiration date of the chiropractic~~
47 ~~license and indicate the amount of the fee required for biennial~~
48 ~~renewal. Notice must be mailed to each licensee's last known~~
49 ~~address at least 30 days before the expiration date of that~~
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2 license. A license expires on the date set by the Commissioner
3 of Professional and Financial Regulation pursuant to Title 10,
4 section 8003, subsection 4 for the licensing period for which the
5 license was issued. A renewal license must be issued for each
6 ensuing licensing period in the absence of any reason or
7 condition that might warrant the refusal to grant a license, upon
8 receipt by the board of the written request of the applicant and
9 the required fee for the license as set under section 558 and
10 upon the applicant's presenting evidence of compliance with the
11 requirements of subsection 2. An expired license may be reissued
12 up to 90 days after the date of expiration upon payment of a late
13 fee of \$10 as set under section 558 in addition to the a renewal
14 fee as set under section 558. An individual who submits an
15 application for renewal more than 90 days after the license
16 expiration date is subject to all requirements governing new
17 applicants under this chapter, including a renewal fee, late fee
18 and filing fee as set under section 558, except that the board
19 may, in its discretion and giving due consideration to the
20 protection of the public, waive examination if that renewal
21 application is made within 2 years from the date of that
22 expiration. The board may assess penalty fees for late renewals.

23 **2. Continuing education.** The board shall require
24 applicants for license renewal to submit evidence of satisfactory
25 completion of continuing education in accordance with rules
26 adopted by the board.

27 **3. Fees.** Fees are established as follows:

28 A. For the application, an amount set by the board not to
29 exceed \$75;

30 B. For the examination, an amount set by the board not to
31 exceed \$75;

32 C. For the initial license, an amount set by the board but
33 no more than \$225; and

34 D. For the license renewal, biennially, an amount set by
35 the board but no more than \$225.

36 All fees received by the board must be paid to the Treasurer of
37 State and used to carry out this chapter. Any balance of these
38 fees may not lapse but must be carried forward as a continuing
39 account to be expended for the same purposes in the following
40 years.

41 **4. Continuing education program approval.** Each application
42 for approval of a continuing education program or course must be

2 submitted according to rules adopted by board, together with a
3 required fee as set under section 558.

4 **Sec. A-6. 32 MRSA §556**, as amended by PL 1993, c. 600, Pt. A,
5 §52, is further amended to read:

6 **§556. Certificates**

7
8 An individual may not render ancillary services under
9 section 555 until that individual has applied-for-and-obtained
10 been approved and issued a certificate of qualification or a
11 temporary certificate issued by the board, which-must-be-renewed
12 biennially either of which is renewable. The applicant must pay
13 a required certification fee as set under section 558. The board
14 shall adopt rules regarding the training and certification of
15 individuals permitted to render ancillary services under section
16 555.

17
18 **Sec. A-7. 32 MRSA §558**, as amended by PL 1995, c. 502, Pt. H,
19 §23, is repealed and the following enacted in its place:

20 **§558. Fees**

21
22 The Director of the Office of Licensing and Registration
23 within the Department of Professional and Financial Regulation
24 may establish by rule fees for purposes authorized under this
25 chapter in amounts that are reasonable and necessary for their
26 respective purposes, except that the fee for any one purpose may
27 not exceed \$300. Rules adopted pursuant to this section are
28 routine technical rules as defined in Title 5, chapter 375,
29 subchapter 2-A. All fees received by the board must be paid to
30 the Treasurer of State and used to carry out this chapter. Any
31 balance of these fees may not lapse but must be carried forward
32 as a continuing account to be expended for the same purposes in
33 the following years.

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38 **PART B**

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40 **Sec. B-1. 32 MRSA §13721, sub-§1, ¶H**, as amended by PL 1997,
41 c. 245, §7, is further amended to read:

42
43 H. The registration of pharmacy technicians, including the
44 required fee as set under section 13724, and adoption of
45 rules governing the training, qualification and employment
46 of pharmacy technicians.

47
48 **Sec. B-2. 32 MRSA §13723, sub-§5**, as amended by PL 1997, c.
49 245, §§9 and 10, is repealed.

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Sec. B-3. 32 MRSA §13724 is enacted to read:

§13724. Fees

The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$325. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. All fees received by the board must be paid to the Treasurer of State and used to carry out this chapter. Any balance of these fees may not lapse but must be carried forward as a continuing account to be expended for the same purposes in the following years.

Sec. B-4. 32 MRSA §13732, sub-§1, ¶¶A, E and F, as enacted by PL 1987, c. 710, §5, are amended to read:

A. Have submitted a written application in the form prescribed by the board together with the required examination and license fee as set under section 13724;

E. Have completed an internship or other program which that has been approved by the board or demonstrated, to the board's satisfaction, experience in the practice of pharmacy which that meets or exceeds the minimum internship requirement of the board; and

F. Have successfully passed an examination given approved by the board; and.

Sec. B-5. 32 MRSA §13732, sub-§1, ¶G, as enacted by PL 1987, c. 710, §5, is repealed.

Sec. B-6. 32 MRSA §13733, sub-§1, ¶¶A and F, as enacted by PL 1987, c. 710, §5, are amended to read:

A. Have submitted a written application in the form prescribed by the board together with the required fee as set under section 13724;

F. Have passed the state pharmacy law exam as administered by the board; and

Sec. B-7. 32 MRSA §13733, sub-§1, ¶G, as amended by PL 1999, c. 130, §7, is further amended to read:

2 G. Have presented to the board proof of initial licensure
4 by examination and proof that the license and any other
6 license or licenses granted to the applicant by any other
8 state or states have not been suspended, revoked, canceled
10 or otherwise restricted for any reason except nonrenewal or
12 the failure to obtain required continuing education credits
14 in any state where the applicant is licensed, but not
engaged in the practice of pharmacy. If an otherwise
qualified applicant for licensure by reciprocity has had a
license suspended, revoked, cancelled or otherwise
restricted for any reason, the board may assess the prior
disciplinary event and in its discretion issue the license
and.

16 **Sec. B-8. 32 MRSA §13733, sub-§1, ¶H,** as enacted by PL 1987,
c. 710, §5, is repealed.

18 **Sec. B-9. 32 MRSA §13734,** as amended by PL 1993, c. 600, Pt.
20 A, §270, is further amended to read:

22 **§13734. Renewal of licenses**

24 ~~1. **Renewal.** A license shall expire annually on December
31st or on such other date as the commissioner may determine.
Notice of expiration shall be mailed to each licensee's last
known address at least 30 days in advance of the expiration of
the license. The notice shall include any requests for
information necessary for renewal. A license expires on the date
set by the Commissioner of Professional and Financial Regulation
pursuant to Title 10, section 8003, subsection 4 for the
licensing period for which the license was issued. A renewal
license is issued for each ensuing licensing period in the
absence of any reason or condition that might warrant the refusal
to grant a license, upon receipt by the board of the written
request of the applicant and the required fee for the license as
set under section 13724 and upon the applicant's presenting
evidence of compliance with the requirements of section 13735.~~

38 Licenses may be renewed up to 90 days after the date of
40 expiration upon payment of a late fee of ~~\$10~~ as set under section
42 13724 in addition to the a required renewal fee as set under
44 section 13724. Any person who submits an application for renewal
more than 90 days after the license renewal date shall be is
subject to all requirements governing new applicants under this
chapter, including a late fee, renewal fee and filing fee as set
46 under section 13724, except that the board may, giving due
48 consideration to the protection of the public, waive examination
if that renewal application is made within 2 years from the date
of that expiration.

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2 **2. Nonactive renewal registration.** Every registered
3 pharmacist not practicing pharmacy within this State shall pay
4 ~~annually, on or before December 31st or on another~~ the expiration
5 ~~date as determined by the commissioner, a renewal fee to--the~~
6 ~~secretary of the board~~ as set under section 13724, in return for
7 which a nonactive renewal registration shall must be issued.

8 Every registered pharmacist holding a nonactive renewal
9 registration who desires to practice pharmacy in this State shall
10 be is required to submit proof satisfactory to the board that,
11 during the calendar year preceding application for active
12 registration, the pharmacist has participated in not less than 15
13 hours of approved courses of continuing professional
14 pharmaceutical education as defined in section 13735. The board
15 may make exceptions from the operation of the continuing
16 education requirement of this section in emergency or hardship
17 cases.

18 If any person fails or neglects to procure the annual nonactive
19 renewal registration, notice of that failure having been mailed
20 to that person's last known address by the board, after the
21 expiration of 30 days following the issue of notice, that
22 person's original registration shall--~~expire~~ expires. That
23 person, in order to regain registration, shall-be is required to
24 pay one renewal fee as set under section 13724 in addition to the
25 sum of all fees that person may be in arrears.

26
27 ~~3.--Fees.--The board shall specify by rule the procedures to~~
28 ~~be followed, in addition to those specified by section 13715-A,~~
29 ~~and the fees to be paid for renewal of licenses.~~

30
31 **Sec. B-10. 32 MRSA §13735**, as amended by PL 1999, c. 130, §8,
32 is further amended by adding at the end a new paragraph to read:

33
34 Each application for approval of a continuing education
35 program or course must be submitted according to the guidelines
36 prescribed by rule by the board, together with a required fee as
37 set under section 13724.

38
39 **Sec. B-11. 32 MRSA §13751, sub-§3-A**, as amended by PL 1997, c.
40 117, §11, is further amended to read:

41
42 **3-A. Mail order contact lens suppliers.** In order to meet
43 the board's minimum licensure requirements, a mail order contact
44 lens supplier must:

45
46 A. Apply for a license annually, if filling contact lens
47 prescriptions by mail or carrier for a patient that resides
48 in this State;

- 2 B. Pay the a license fee, ~~which may not exceed \$200 as set~~
4 under section 13724;
- 6 C. Provide the name and address of the owner, partners or
8 corporation and its officers;
- 10 D. Fill only written contact lens prescriptions containing
12 expiration dates that do not exceed 24 months from the date
14 of issue;
- 16 E. Maintain a record of every contact lens prescription
filled for a period of 5 years; and
- F. Supply, upon request, all information needed by the
board to ensure compliance with this subchapter.

18 The board may adopt rules establishing additional licensure
20 requirements and disciplinary actions for violation of this
22 subchapter and board rules. Rules adopted pursuant to this
subsection are routine technical rules as defined by Title 5,
chapter 375, subchapter II-A- 2-A.

24 **Sec. B-12. 32 MRSA §13752, sub-§1**, as enacted by PL 1987, c.
26 710, §5, is amended to read:

28 **1. Procedures.** The board shall specify by rule the
30 registration procedures to be followed, including, but not
32 limited to, specification of forms for use in applying for
~~certificates of registration and the times, and places and fees~~
for filing an application, ~~provided that the annual fee for an~~
~~original or renewal certificate does not exceed \$200.~~

34 **Sec. B-13. 32 MRSA §13752, sub-§2**, as amended by PL 1999, c.
36 130, §11, is further amended to read:

38 **2. Required information.** Applications for certificates of
40 registration must include the required fee as set under section
13724 and the following information about the proposed drug
outlet and pharmacist in charge:

- 42 A. Ownership of the outlet;
- 44 B. Location of the outlet;
- 46 C. Identity of the pharmacist licensed to practice in the
48 State who will be the pharmacist in charge of the drug
outlet, when one is required by this chapter, and such
50 further information as the board may determine necessary. A
pharmacist may be the pharmacist in charge for only one drug

2 outlet, except upon the pharmacist applying for and
receiving written authorization from the board. The position
4 of pharmacist in charge may not be held by a qualified
assistant pharmacist; and

6 D. A certification by the pharmacist identified as the
pharmacist in charge that the pharmacist has read and
8 understands the requirements and duties of a pharmacist in
charge set forth in board rules.

10 **Sec. B-14. 32 MRSA §13752, sub-§4**, as enacted by PL 1987, c.
12 710, §5, is amended to read:

14 **4. Professional responsibility.** The board shall specify by
rule minimum standards for the professional responsibility in the
16 conduct of any drug outlet that has employees or personnel
engaged in the practice of pharmacy. The board may require that
18 the portion of the facility to which the certificate of
registration applies be operated only under the direct
20 supervision of no less than one pharmacist licensed to practice
in this State and not otherwise and to provide such other special
22 requirements as necessary. A change in the pharmacist in charge
who is responsible for the drug outlet must be reported to the
24 board together with the required fee as set under section 13724.

26 **Sec. B-15. 32 MRSA §13758, sub-§5**, as enacted by PL 1987, c.
710, §5, is amended to read:

28 **5. Fees.** Each registrant shall pay a required fee ~~not to~~
30 exceed \$200 as set under section 13724.

32 **Sec. B-16. 32 MRSA §13762, sub-§1**, as amended by PL 1993, c.
716, §4, is further amended to read:

34 **1. License required.** A rural health center that desires to
36 contract for pharmaceutical services with a pharmacy ~~must be~~
~~licensed by the board and shall abide by the rules of the board~~
38 shall submit an application together with the required fee as set
under section 13724. ~~These~~ The board may adopt rules ~~may be that~~
40 are no more restrictive than those regulating private pharmacy
practice in the State. A rural health center is eligible for
42 licensure under this subchapter if:

44 A. It serves a rural area without a pharmacy;

46 B. It is located in a community where available pharmacy
services can not meet the documented need; or

48

2 C. It requires a license in order to receive pharmaceutical
discounts authorized by the federal Veterans' Health Care
Act of 1992, Title VI.

4
6 **Sec. B-17. 32 MRSA §13762, sub-§2**, as enacted by PL 1987, c.
710, §5, is amended to read:

8 **2. Renewal.** Licenses--shall--expire--annually--on--December
31st--or--on--such--other--date--as--the--commissioner--determines.
10 ~~Notice--of--expiration--shall--be--mailed--to--each--licensee's--last
known--address--at--least--30--days--in--advance--of--the--expiration--of
the--license.---The--notice--shall--include--any--requests--for
information--necessary--for--renewal.~~ A license expires on the date
14 set by the Commissioner of Professional and Financial Regulation
pursuant to Title 10, section 8003, subsection 4 for the
16 licensing period for which the license was issued. A renewal
license is issued for each ensuing licensing period in the
18 absence of any reason or condition that might warrant the refusal
to grant a license and upon receipt by the board of the written
20 request of the applicant and the required fee for the license as
set under section 13724.

22 Licenses may be renewed up to 90 days after the date of
24 expiration upon payment of a late fee ~~of \$10~~ in addition to the
renewal a required fee, both of which are set under section
26 13724. Any person who submits an application for renewal more
than 90 days after the license renewal date ~~shall be~~ is subject
28 to all requirements governing new applicants under this chapter,
including a late fee, renewal fee and filing fee as set under
30 section 13724.

32 **Sec. B-18. 32 MRSA §13762, sub-§3**, as amended by PL 1993, c.
716, §4, is further amended to read:

34 **3. Notice.** Any rural health center wishing to be licensed
36 under this subchapter shall notify the board of its intent to
establish a contract with a pharmacy for pharmaceutical services
38 and shall apply for a license, submit floor plans of the physical
plant and pay ~~the same a required fee required for a pharmacy
under section 13723~~ as set under section 13724. The application
40 must include the name, address and registration number of the
42 provider of pharmaceutical services.

44
46 **PART C**

48 **Sec. C-1. 32 MRSA §13906, 2nd ¶**, as enacted by PL 1989, c.
346, §3, is amended to read:

2 The passing grade on any examination shall must be
3 established by the board. ~~A candidate failing one examination~~
4 ~~may apply for reexamination, which may be granted upon payment of~~
5 ~~a fee established by the board. The applicant shall pay the~~
6 ~~required examination fee as set under section 13910-A.~~

8 **Sec. C-2. 32 MRSA §13907, first ¶,** as amended by PL 1991, c.
9 509, §42, is further amended to read:

10 The board shall issue a license, upon payment of a ~~license~~
11 ~~required~~ fee ~~as provided in this chapter~~ as set under section
12 13910-A, to any applicant who, in the opinion of the board, has
13 satisfactorily met the requirements of this chapter. The license
14 authorizes the practice of land surveying.

16 **Sec. C-3. 32 MRSA §13908, sub-§1,** as enacted by PL 1989, c.
17 346, §3, is amended to read:

18 **1. License renewal.** ~~Licenses shall expire on the last day~~
19 ~~of December or such other time as the commissioner designates.~~
20 ~~The department shall mail renewal notices to all licensees at~~
21 ~~least one month in advance of the date of expiration. A license~~
22 ~~expires on the date set by the Commissioner of Professional and~~
23 ~~Financial Regulation pursuant to Title 10, section 8003,~~
24 ~~subsection 4 for the licensing period for which the license was~~
25 ~~issued. A renewal license is issued for each ensuing licensing~~
26 ~~period in the absence of any reason or condition that might~~
27 ~~warrant the refusal to grant a license, upon receipt by the board~~
28 ~~of the written request of the applicant and the required fee for~~
29 ~~the license as set under section 13910-A and upon the applicant's~~
30 ~~presenting evidence of compliance with the requirements of~~
31 ~~section 13908, subsection 4.~~

32 Licenses may be renewed up to 90 days after the date of
33 expiration upon payment of a late fee ~~of \$10~~ as set under section
34 13910-A in addition to ~~the renewal~~ a required fee as set under
35 section 13910-A. Any person who submits an application for
36 renewal more than 90 days after the licensure renewal date shall
37 be ~~is~~ subject to all requirements governing new applicants under
38 this chapter, including a late fee, renewal fee and filing fee as
39 set under section 13910-A, except that the board may waive
40 examination, giving due consideration to the protection of the
41 public.

42 **Sec. C-4. 32 MRSA §13910,** as amended by PL 1995, c. 397,
43 §117, is repealed.

44 **Sec. C-5. 32 MRSA §13910-A** is enacted to read:

45 **§13910-A. Fees**

2 The Director of the Office of Licensing and Registration
4 within the Department of Professional and Financial Regulation
6 may establish by rule fees for purposes authorized under this
8 chapter in amounts that are reasonable and necessary for their
respective purposes, except that the fee for any one purpose may
not exceed \$350. Rules adopted pursuant to this section are
routine technical rules as defined in Title 5, chapter 375,
subchapter 2-A.

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12

PART D

14

Sec. D-1. 32 MRSA §14012, sub-§7, as enacted by PL 1999, c.
185, §5, is repealed.

16

Sec. D-2. 32 MRSA §14012-A is enacted to read:

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§14012-A. Fees

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22 The Director of the Office of Licensing and Registration
24 within the Department of Professional and Financial Regulation
26 may establish by rule fees for purposes authorized under this
28 chapter in amounts that are reasonable and necessary for their
respective purposes, except that the fee for any one purpose may
not exceed \$450. Rules adopted pursuant to this section are
routine technical rules as defined in Title 5, chapter 375,
subchapter 2-A.

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Sec. D-3. 32 MRSA §14021, sub-§1, as enacted by PL 1999, c.
185, §5, is amended to read:

32

34 **1. Application.** The applicant must submit a properly
36 completed application on forms furnished by the board, together
with the-prescribed a required fee as set under section 14012-A.

36

38 **Sec. D-4. 32 MRSA §14025,** as enacted by PL 1999, c. 185, §5,
is amended to read:

38

§14025. License renewal

40

42 ~~Licenses-expire-biennially-on-December-31st-or-on-such-other~~
44 date-as-the-commissioner-determines A license expires on the date
46 set by the Commissioner of Professional and Financial Regulation
48 pursuant to Title 10, section 8003, subsection 4 for the
licensing period for which the license was issued. The board
shall issue a renewal license for each ensuing biennial licensing
period in the absence of any reason or condition that might
warrant the refusal of-granting to grant a license, upon receipt
50 by the board of the written request of the applicant, and the

50

2 biennial required fee for the license as set under section
4 14012-A and upon the applicant presenting evidence of compliance
6 with the requirements of section 14027. Licenses may be renewed
8 up to 90 days after the date of expiration upon payment of a late
10 fee, as established-by-board-rule set under section 14012-A, in
12 addition to the a required renewal fee as set under section
14 14012-A.

16 The board shall deny a renewal license to any applicant
18 whose license has lapsed for more than 90 days, unless the
20 applicant satisfies the provisions governing new applicants under
22 this subchapter, except that the board may waive the education
24 and examination requirements for new applicants, if the renewal
26 application is received, together with a late fee, renewal fee
28 and filing fee as set under section 14012-A, within 2 years from
30 the date of that expiration.

32 **Sec. D-5. 32 MRSA §14027,** as enacted by PL 1999, c. 185, §5,
34 is repealed and the following enacted in its place:

36 **§14027. Continuing education**

38 **1. Requirement.** As a prerequisite to renewal of a license,
40 an applicant must have completed the minimum hour requirements
42 for continuing education in programs or courses approved by the
44 board and as set by the appraiser qualification board. For
46 purposes of this section, the board may establish, by rule, a
48 core educational requirement.

1 2. Program approval. Each application for approval of a
3 continuing education program or courses must be submitted
5 according to the rules adopted by the board together with a
7 required fee as set under section 14012-A.

9 **Sec. D-6. 32 MRSA §14030, sub-§2, ¶C,** as enacted by PL 1999,
11 c. 185, §5, is amended to read:

13 C. Pass an examination administered approved by the board
15 designed to test an individual's knowledge of the basic
17 principles of land economics, real estate appraising, the
19 Uniform Standards of Professional Appraisal Practice and the
21 ethical rules to be observed by a real estate appraiser.

23 **Sec. D-7. 32 MRSA §14031, sub-§2, ¶C,** as enacted by PL 1999,
25 c. 185, §5, is amended to read:

27 C. Pass an examination administered approved by the board
29 designed to test an individual's knowledge of the basic
31 principles of land economics, real estate appraising, the

2 Uniform Standards of Professional Appraisal Practice and the
ethical rules to be observed by a real estate appraiser.

4 **Sec. D-8. 32 MRSA §14032, sub-§2, ¶C**, as enacted by PL 1999,
c. 185, §5, is amended to read:

6 C. Pass an examination administered approved by the board
8 designed to determine the fitness of the applicant to
practice.

10
12 **SUMMARY**

14 The bill proposes increases in the statutory fee caps with
16 respect to the Board of Chiropractic Licensure, the Maine Board
of Pharmacy, the Board of Licensure for Professional Land
18 Surveyors and the Board of Real Estate Appraisers. The bill
provides for a standardized approach to licensure renewal
procedures.