

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)

Some
ROES

L.D. 1443

Date: 6/6/2017

(Filing No. S-216)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 498, L.D. 1443, Bill, "An Act To Update Professional and Occupational Licensing Laws"

Amend the bill in Part B in section 2 in the 3rd line (page 2, line 15 in L.D.) by striking out the following: "no more than 2 manufactured homes annually" and inserting the following: 'manufactured homes'

Amend the bill in Part B in section 6 by striking out all of the last 3 lines (page 3, lines 18 to 20 in L.D.) and inserting the following: "Manufactured housing" does not include modular homes constructed at an educational facility by students pursuant to rules adopted by the board;'

Amend the bill in Part B in section 10 in the first paragraph in the 4th line (page 4, line 5 in L.D.) by striking out the following: "home" and inserting the following: 'home housing unit'

Amend the bill in Part B in section 10 in the first paragraph in the 5th and 6th lines (page 4, lines 6 and 7 in L.D.) by striking out the following: "mobile manufactured home" and inserting the following: 'mobile home manufactured housing unit'

Amend the bill in Part B in section 19 in subsection 4 in the 6th line (page 6, line 12 in L.D.) by striking out the following: "Affixation Attaching" and inserting the following: 'Affixation'

Amend the bill in Part B by striking out all of section 25.

Amend the bill in Part C by striking out all of sections 2 and 3 and inserting the following:

'Sec. C-2. 32 MRSA §1503-A, as amended by PL 2007, c. 402, Pt. J, §11, is further amended to read:

§1503-A. Practitioner trainee

The board may issue a practitioner trainee license to an individual seeking to obtain the necessary experience to be licensed as a practitioner of funeral service. An individual

ROFS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

who receives a practitioner trainee license shall register with the Maine Apprenticeship Program established under Title 26, section 3202 and complete 2,000 hours of training with a funeral establishment approved by the board under the instruction and supervision of a licensed funeral practitioner who is actively engaged in that practice.

~~In order for any person to receive credit for time served as a practitioner trainee, that person must have served 2,000 hours of employment with a funeral establishment approved by the State Board of Funeral Service under the instruction and supervision of a person licensed for the practice of funeral service and actively engaged in that practice, and must be licensed as a practitioner trainee with the board. Upon terminating employment, the practitioner trainee shall notify the board immediately, giving the date of termination. The practitioner trainee must repeat this procedure with all subsequent employers, accurately showing the dates of beginning and of terminating apprenticeship employment. Before a funeral service license may be issued, the practitioner trainee must file with the board a certification of the trainee time served, signed by the practitioner trainee's employer or employers, before a notary public. Practitioner trainee requirements are satisfied in the case of an applicant who presents proof of present licensure as a practitioner of funeral service in another state at the time application is made for licensure as a practitioner of funeral service in this State.'~~

Amend the bill in Part D in section 1 in subsection 5 in the 4th line (page 13, line 12 in L.D.) by striking out the following: "person, firm or corporation" and inserting the following: 'person, firm or corporation individual'

Amend the bill in Part D by inserting after section 1 the following:

'Sec. D-2. 32 MRS §3301, sub-§6, as amended by PL 1999, c. 386, Pt. L, §1, is further amended to read:

6. Trainee plumber. "Trainee plumber" means any person who is engaged in assisting in making plumbing installations under the direct supervision of a one or more licensed journeyman plumber or master plumber plumbers or licensed master plumbers, whether for the purpose of learning the trade or otherwise.'

Amend the bill in Part D in section 4 by striking out all of subsection 3 (page 14, lines 12 to 18 in L.D.) and inserting the following:

'3. Trainee license. The board may issue a trainee plumber license without examination to any person who submits a written application on a form supplied by the board with the required fee set under section 3501-B and who provides satisfactory evidence that the person ~~has entered the employ of~~ is employed by a licensed master plumber ~~to or an entity that employs a licensed master plumber or plumbers and will assist the licensed master plumber or plumbers as a plumber's trainee plumber. Any person employed as a trainee plumber shall apply for a license within 10 business days after the day the person commences employment.'~~

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

COMMITTEE AMENDMENT

ROFS

SUMMARY

1
2
3
4
5
6
7
8
9
10
11
12

This amendment, which is the unanimous report of the committee, makes several technical changes to the language of the bill and:

1. Expands exemption from the laws governing the Manufactured Housing Board for student-built modular homes created in the bill by applying the exemption to education programs that build more than 2 modular homes annually in accordance with board rules;

2. Clarifies that a practitioner trainee licensed by the State Board of Funeral Service must register with the Department of Labor's Maine Apprenticeship Program; and

3. Clarifies that a trainee plumber licensed by the Plumbers' Examining Board may work under the direct supervision of more than one licensed journeyman or master plumber and may be employed by either a master plumber or an entity that also employs a licensed master plumber or plumbers.

FISCAL NOTE REQUIRED
(See attached)



Approved: 05/18/17 *mac*

128th MAINE LEGISLATURE

LD 1443

LR 764(02)

An Act To Update Professional and Occupational Licensing Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-216)
Committee: Labor, Commerce, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds
Minor revenue decrease - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the various boards and commissions, within or affiliated with the Department of Professional and Financial Regulation, affected by this legislation can be absorbed within existing budgeted resources.

Any decrease in dedicated revenue to the Plumbers' Examining Board as a result of repealing the provision in law that allows the board to issue a company license to a corporation, firm, partnership, limited partnership or limited liability company is expected to be minor.