

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 992

H.P. 730

House of Representatives, March 10, 2021

**An Act To Prevent the Denial or Revocation of a Professional or
Business License for a Violation Not Related to That Profession or
Business**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NEWMAN of Belgrade.
Cosponsored by Representatives: COLLAMORE of Pittsfield, COSTAIN of Plymouth,
PICKETT of Dixfield, RUDNICKI of Fairfield, Senator: FARRIN of Somerset.

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

2 **Sec. 1. 10 MRSA §8012** is enacted to read:

3 **§8012. Unrelated violations**

4 Notwithstanding any provision of law to the contrary, beginning January 1, 2022, the
5 commissioner, or a bureau, board or commission within or affiliated with the department,
6 may not deny or revoke a professional or occupational license if the denial or revocation is
7 for a violation unrelated to the practice of the licensed profession or occupation.

8 **Sec. 2. 30-A MRSA §3704** is enacted to read:

9 **§3704. Unrelated violations**

10 Notwithstanding any provision of law to the contrary, beginning January 1, 2022, a
11 municipality may not deny or revoke a license if the denial or revocation is for a violation
12 unrelated to the conduct of the business.

13 **Sec. 3. Report by Department of Professional and Financial Regulation.**

14 No later than December 1, 2021, the Department of Professional and Financial Regulation
15 shall identify all statutes that provide for denial or revocation of licenses for violations
16 unrelated to the practice of the licensed profession or occupation. The department shall
17 submit a report identifying these statutes to the Joint Standing Committee on Innovation,
18 Development, Economic Advancement and Business. The committee may report out
19 legislation to the Second Regular Session of the 130th Legislature to repeal such statutes.

20 **Sec. 4. Report by Department of Economic and Community Development.**

21 No later than December 1, 2021, the Department of Economic and Community
22 Development shall identify all statutes that provide for denial or revocation of business
23 licenses for violations unrelated to the conduct of the business. The department shall submit
24 a report identifying these statutes to the Joint Standing Committee on Innovation,
25 Development, Economic Advancement and Business. The committee may report out
26 legislation to the Second Regular Session of the 130th Legislature to repeal such statutes.

27 **SUMMARY**

28 This bill prohibits the Commissioner of Professional and Financial Regulation, or any
29 bureau, board or commission within or affiliated with the Department of Professional and
30 Financial Regulation, from denying or revoking a professional or occupational license if
31 the denial or revocation is for a violation unrelated to the practice of the licensed profession
32 or occupation. It requires the department to submit to the Joint Standing Committee on
33 Innovation, Development, Economic Advancement and Business a report identifying
34 existing statutes that allow for such denial or revocation and gives the committee the
35 authority to report out legislation repealing these statutes to the Second Regular Session of
36 the 130th Legislature.

37 The bill also prohibits municipalities from denying or revoking a business license if
38 the denial or revocation is for a violation unrelated to the conduct of the business. It
39 requires the Department of Economic and Community Development to submit to the Joint
40 Standing Committee on Innovation, Development, Economic Advancement and Business
41 a report identifying existing statutes that allow for such denial or revocation and gives the

1 committee the authority to report out legislation repealing these statutes to the Second
2 Regular Session of the 130th Legislature.