

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

program for general contractors for home improvement and construction.

Sec. 2. Requirements. Resolved: That, in developing a draft registration program as required by section 1, the Commissioner of Professional and Financial Regulation shall consider:

1. "Dwelling" to mean a residential structure that contains one to 4 units, including an individual condominium unit, cooperative unit or, if used as a residence, manufactured housing;

2. "General contractor" to include any individual who undertakes, offers to undertake or submits a bid to build a dwelling or perform any home improvement if the total cost of the project exceeds \$5,000. The commissioner may not consider the term "general contractor" to include:

A. Any individual who builds a dwelling or performs any home improvement on any dwelling that is intended to be used as the individual's residence unless the primary purpose of the structure is a commercial enterprise;

B. Any subcontractor working under the direction of a general contractor; or

C. Any individual licensed as an electrician or plumber or in another profession and who is acting exclusively within the scope of the individual's license;

3. "Home improvement" to include building or constructing a dwelling and fixing, replacing, altering, converting, modernizing, improving or making an addition to real property primarily designed or used as a residence. "Home improvement" includes structural work and the construction, installation, replacement and improvement of in-ground swimming pools, porches, kitchens, chimneys, chimney liners, garages, fallout shelters, central air conditioning, central heating, heat pumps, boilers, furnaces, hot water heaters, electric wiring, sewers, plumbing fixtures, storm doors, storm windows or siding and other improvements to structures within the residence or upon the land adjacent to the residence. "Home improvement" does not include landscaping; interior painting or wall covering; finished floor covering, including but not limited to carpeting, vinyl floor covering or tile; fencing or freestanding masonry walls; installation of aboveground swimming pools; shutter or awning installation; installation of ground-level patios; or asphalt and driveway installation and maintenance; and

4. The requirements for registration for general contractors to include:

A. Disclosure of years of experience in the home improvement and construction industry;

B. Workers' compensation insurance;

C. Liability insurance;

D. Disclosure of prior judgments against the applicant;

E. Disclosure of prior bankruptcy petitions filed by or against the applicant;

F. Disclosure of status of licensure or registration in other jurisdictions; and

G. Applicable fees.

Sec. 3. Draft registration program and legislation. Resolved: That the Department of Professional and Financial Regulation shall submit the draft registration program developed under section 1 and any proposed legislation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business by December 1, 2021. The committee is authorized to submit a bill based on the draft registration program and proposed legislation to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 77

H.P. 575 - L.D. 770

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Issues Related to Hunting Dogs and Civil Trespass

Sec. 1. Examination. Resolved: That the Department of Inland Fisheries and Wildlife shall establish a stakeholder group to examine issues related to hunting dogs and civil trespass. The department shall ensure that the stakeholder group is as broadly representative of interested parties and groups as possible and shall invite participation from at least the following: representatives of affected landowners and persons who use dogs in hunting and others with interest in or expertise on the subject matter of the examination. The department may include or involve the Landowners and Sportsmen Relations Advisory Board under the Maine Revised Statutes, Title 12, section 10157 in the work of the stakeholder group.

Sec. 2. Report. Resolved: That the Department of Inland Fisheries and Wildlife shall report the findings and recommendations resulting from the examination under section 1 to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee may report out a bill related to the subject matter of the report to the 130th Legislature.

See title page for effective date.
