

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
BUSINESS AND COMMERCE  
BILL SUMMARY



MAY 1986

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BILL SUMMARIES  
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The new draft maintains the provision in the original bill and adds two provisions which were formerly in the law. It adds a provision allowing graduates from Maine vocational-technical institutes and registered electrical apprentice programs to take the journeyman's examination immediately upon graduation. The new draft reduces the number of hours required for licensure as a journeyman from 8,000 to 4,000 for graduates of Maine vocational-technical institutes. The new draft also rewrites the subsection in current law for clarity.

The House Amendment (H-716) adds a reference to the Maine Administrative Procedure Act.

**LD** AN ACT RELATING TO THE SOCIAL WORKER  
**2370** REGISTRATION LAW

PL 1985  
c. 736

Sponsor:

Committee Report: New Draft of LD 2140

H-712 BRANNIGAN H S

SUMMARY: The original bill, LD 2140, was the result of a study by the Business and Commerce Committee. The original bill clarifies the functions, supervision and educational requirements of social workers. All exemptions from licensure found in current law are removed. Three levels of licensure are established. By 1987 all new social workers will be required to have a baccalaureate degree or higher. Future educational requirements for licensure will be waived for those persons currently licensed or registered as social workers. New social workers with a baccalaureate degree and new master social workers working in a clinical setting will be required to receive 2 years of consultation (supervision) at the rate of 4 hours a month. The original bill alters the composition of the board from one public member to 2 and total membership from 8 to 7.

The new draft maintains most of the original bill, but adds new language to clarify several provisions including the one which states that use of the title of "social worker" is restricted, but not the functions of social workers. Certified Social Workers with Independent Practice will be allowed to keep their title under the new draft. All persons currently employed in social work, even those without a license, will be licensed without examination under the new draft.

The House Amendment (H-712) corrects references to the  
Maine Administrative Procedure Act.

LD AN ACT TO STRENGTHEN PROFESSIONAL REGULATION  
2396

PL 1985  
c. 748

Sponsor: CLARK, N., Davis, Rolde, Joseph  
Committee Report: New Draft of LD 2134

SUMMARY: The original bill, LD 2134, changes the name of the Department of Business, Occupational and Professional Regulation to the Department of Professional and Financial Regulation. The bill places all licensing boards within the Department. It creates a single unit to provide technical and professional services for all boards and commissions. Initial investigation of complaints are to be handled by the Attorney General's Office, but authority to dispose of or take action on complaints is to remain with the board. All boards are given authority to suspend a license up to 90 days, assess a civil penalty up to \$500 and enter into consent agreements. The separate dedicated funds are consolidated, and uniform license fees are established. The original bill also has a sunrise provision which sets standards for any group seeking licensure in the future.

The new draft keeps the sunrise provision from the original bill and the new name for the Department. Instead of placing all outside boards within the Department, they will be affiliated with the Department under the new draft. All boards are required to move to the Capital area by January 1, 1990 unless an extension is granted for reasons of undue hardship. The new draft gives all boards the authority to issue subpoenas during an investigation if approved by the Attorney General. Boards within the Department will have the authority to suspend licenses for up to 90 days, impose civil penalties up to \$500 and enter into consent agreements. All boards must go to administrative court for revocation of a license.