

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON INNOVATION,  
DEVELOPMENT, ECONOMIC ADVANCEMENT  
AND BUSINESS**

August 2019

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# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129<sup>th</sup> Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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certain required examinations prior to completing all work experience requirements. The bill also updates licensing terminology and deletes outdated provisions.

**Enacted Law Summary**

Public law 2019, chapter 285 establishes a new pathway to licensure for persons who seek to become licensed soil scientists. The new pathway allows individuals with an associate degree in soil science or another natural resources field to qualify with specific documented work experience to take required state and national exams. Current law requires a four-year undergraduate degree in soil science. The law also allows applicants for geologist and soil scientist licenses to take certain required examinations prior to completing all work experience requirements. The law also updates licensing terminology and deletes outdated provisions.

**LD 1768 An Act To Amend the Barbering and Cosmetology Licensing Laws**

**PUBLIC 373**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-533

This bill makes the following changes to the laws governing barbering and cosmetology.

1. It eliminates the demonstrator license.
2. It eliminates the barber license and renames the "limited barbering" license the "barber hair styling" license.
3. It clarifies provisions regarding establishment owners and booth owners by creating level one establishments and level two establishments and providing that leased space is considered an establishment.
4. It replaces references to "shop" with "establishment."
5. It clarifies that the cosmetology scope of practice includes shaving.
6. It exempts certain cosmetology-associated activities from licensure requirements.
7. It allows the practice of cosmetology, barber hair styling, aesthetics and nail technology on inmates of institutions of the Department of Corrections.
8. It changes the seven-day reporting requirement for the change of ownership or location of an establishment to a 10-day reporting requirement for consistency with general reporting requirements of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation under the Maine Revised Statutes, Title 10, section 8003-G. Where applicable, the bill adds the word "calendar" to other reporting requirements. The bill eliminates the necessity of submitting a new application and fee for an establishment location change and makes a location change of a level one establishment or level two establishment a reporting requirement. The new location is still subject to meeting all current laws and rules and inspection requirements.
9. It repeals provisions regarding the age and minimum education requirements for initial practice licenses.
10. It clarifies reporting requirements for trainees for a change in employer or qualified supervisor and also clarifies the number of trainees per establishment that may be trained at one time.
11. It authorizes the Director of the Office of Professional and Occupational Regulation to issue a license to a person who holds a valid license in another jurisdiction of the United States.

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12. Current law requires that a student enrolling in a course of study be at least 16 years of age. The bill adjusts the minimum school enrollment age to 15 years of age with the stipulation that the student turns 16 years of age at some point during the student's course of study.

13. It exempts career and technical education centers that do not collect student tuition for a course of study from surety bond and financial audit requirements.

**Committee Amendment "A" (H-533)**

This amendment creates a hair designer license with limited practice to performing hair and chemical services. It also eliminates the requirement for a special event services permit.

**Enacted Law Summary**

Public law 2019, chapter 373 makes the following changes to the laws governing barber and cosmetology licensing.

1. It eliminates the demonstrator license.
2. It eliminates the barber license and renames the "limited barbering" license the "barber hair styling" license.
3. It clarifies provisions regarding establishment owners and booth owners by creating level one establishments and level two establishments and providing that leased space is considered an establishment.
4. It replaces references to "shop" with "establishment."
5. It clarifies that the cosmetology scope of practice includes shaving.
6. It exempts certain cosmetology-associated activities from licensure requirements.
7. It creates a new hair designer license type.
8. It allows the practice of cosmetology, barber hair styling, aesthetics and nail technology on inmates of institutions of the Department of Corrections.
9. It changes the seven-day reporting requirement for the change of ownership or location of an establishment to a 10-day reporting requirement for consistency with general reporting requirements of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation under the Maine Revised Statutes, Title 10, section 8003-G. Where applicable, the law adds the word "calendar" to other reporting requirements. The law eliminates the necessity of submitting a new application and fee for an establishment location change and makes a location change of a level one establishment or level two establishment a reporting requirement. The new location is still subject to meeting all current laws and rules and inspection requirements.
10. It repeals provisions regarding the age and minimum education requirements for initial practice licenses.
11. It clarifies reporting requirements for trainees for a change in employer or qualified supervisor and also clarifies the number of trainees per establishment that may be trained at one time.
12. It authorizes the Director of the Office of Professional and Occupational Regulation to issue a license to a person who holds a valid license in another jurisdiction of the United States.
13. Current law requires that a student enrolling in a course of study be at least 16 years of age. The law adjusts the minimum school enrollment age to 15 years of age with the stipulation that the student turns 16 years of age at some

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point during the student's course of study.

14. It exempts career and technical education centers that do not collect student tuition for a course of study from surety bond and financial audit requirements.

15. It eliminates the requirement for a special event services permit.

**LD 1791     An Act To Amend Licensure for Professional Engineers**

**PUBLIC 375**

Sponsor(s)

STETKIS J

Committee Report

OTP

Amendments Adopted

This bill makes changes to the laws governing licensure for professional engineers and certification for engineer-interns. The bill:

1. Changes the term "technology accreditation commission" to "engineering technology education commission" to reflect current usage;
2. Clarifies language regarding the use of professional engineers in public works projects;
3. Repeals the temporary licensing provisions for nonresidents;
4. Clarifies and updates references to the building standards and eliminates references to standards that have been superseded;
5. Increases the maximum penalty for violations to \$10,000;
6. Clarifies that the State Board of Licensure for Professional Engineers may refuse to renew a license for failure to pay a required fee or for failure to meet continuing education requirements, which the bill renames professional development requirements;
7. Allows the board to maintain its roster of active licensed professional engineers on its publicly accessible website;
8. Changes the term "certificate of record" to "active national council record" to reflect current usage of the National Council of Examiners for Engineering and Surveying;
9. Clarifies and updates language regarding education requirements and examinations;
10. Identifies the National Council of Examiners for Engineering and Surveying engineering education standard as the standard used by the board when accepting engineering and engineering technology credits from a program not approved by the accreditation board;
11. Eliminates language regarding examinations on fundamental engineering subjects and amends language on passing examination grades and the number of times an examination may be taken by an applicant; and
12. Clarifies language regarding reinstatement of a license after revocation.

**Enacted Law Summary**