

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.

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.

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

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

§8012. Unrelated violations

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

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

§3704. Unrelated violations

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

Sec. 3. Report by Department of Professional and Financial Regulation. No later than December 1, 2021, the Department of Professional and Financial Regulation shall identify all statutes that provide for denial or revocation of licenses for violations unrelated to the practice of the licensed profession or occupation. The department shall submit a report identifying these statutes to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The committee may report out legislation to the Second Regular Session of the 130th Legislature to repeal such statutes.

Sec. 4. Report by Department of Economic and Community Development.No later than December 1, 2021, the Department of Economic and Community Development shall identify all statutes that provide for denial or revocation of business licenses for violations unrelated to the conduct of the business. The department shall submit a report identifying these statutes to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The committee may report out legislation to the Second Regular Session of the 130th Legislature to repeal such statutes.

27 SUMMARY

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

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

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