



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF CONSUMER CREDIT PROTECTION
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Janet T. Mills
GOVERNOR

William N. Lund
SUPERINTENDENT

March 16, 2021

Senator Curry, Chair
Representative Roberts, Chair
Members of the Joint Standing Committee on Innovation,
Development, Economic Advancement and Business

Re: Opposition to LD 612 “An Act To Recognize Occupational Licenses and Certifications from Other States To Attract New Residents and Businesses to Maine (Emergency)”; Public hearing March 16, 2021

Dear Senator Curry, Representative Roberts and Members of the Committee:

The Bureau of Consumer Credit Protection submits this letter in opposition to LD 612, a bill that establishes a process for mandatory licensure of individuals and companies that have been doing business in other states. This letter is intended to supplement and reinforce testimony in opposition to the bill being presented by Anne Head, Commissioner of the Department of Professional and Financial Regulation,

The Bureau of Consumer Credit Protection licenses and regulates a variety of individuals and businesses that undertake credit, collection, credit reporting and other financial activities with respect to Maine residents. At least 50% of the 15,000 business and individuals that hold licenses or registrations with the Bureau, also operate in other states.

Because our statutes define a “person” as: “an individual, partnership, association, joint-stock association, limited liability company, trust or corporation;” the bill would apply to any individual or company our agency licenses or registers.



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Under the bill, if a company operated its business in another state, *even if that state does not regulate the particular type of business*, Maine regulators would be required to grant a license based on the out-of-state work experience. As an example, if Florida does not license and regulate repossession companies, our Bureau would nonetheless be required to grant a license to a company that had worked a number of years in that state.

While the bill would allow our agency to deny a license to anyone about whom complaints, allegations or investigations are “pending” in another state, that information is not readily available. In most states, as in Maine, ongoing complaints, allegations and investigations are not public information. In other words, our agency would have no practical way of verifying whether an applicant is under investigation in another state.

Passage of this bill would result in a great deal more work than is currently required. Under current law, the primary focus of the application process is to determine whether a company meets Maine’s minimum requirements, and whether the company would be accountable to Maine consumers and Maine regulators if questions or problems were to arise. However, under the bill’s provisions, Maine regulators would be required to perform a 50-state survey on each applicant, requesting information about the “equivalency” of the other states’ laws, the status of any licenses in those states, and the pendency (and specific nature of the allegations) of any public and non-public investigations, allegations and complaints.

For these reasons, we oppose the bill and urge that it be voted “Ought not to pass.”

Sincerely,

Will Lund, Superintendent
Maine Bureau of Consumer Credit Protection