

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To License Commercial Painters

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

Sec. 1. 32 MRSA c. 139 is enacted to read:

CHAPTER 139

COMMERCIAL PAINTERS

§ 18101. Commercial painting license

This section establishes the requirement of a commercial painting license for a commercial painter.

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commercial painter" means a person who provides commercial painting services.

B. "Commercial painting services" means painting the interior or exterior of a building or other structure for money. "Commercial painting services" does not include painting performed by a relative, member of the household or employee of the owner or occupier of the building or structure.

C. "Commissioner" means the Commissioner of Professional and Financial Regulation.

2. License required. A commercial painter must be licensed pursuant to this chapter to provide commercial painting services. An employee of the commercial painter may provide commercial painting services under the license of the commercial painter.

3. Requirements. In order to receive a license under this chapter, a person must:

A. Submit to the commissioner a completed application on a form provided by the commissioner;

B. Pay the fee established in subsection 5; and

C. Carry appropriate commercial liability insurance and, if the person has an employee, carry workers' compensation insurance. Failure to maintain the insurance required under this paragraph may result in the revocation of a license issued under this chapter.

4. Commissioner power and duties. The commissioner shall administer the provisions of this chapter, including providing an application form for a prospective licensee. The commissioner may adopt rules to carry out the purposes of this chapter.

5. Fee. The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for the proper administration of the provisions of this chapter.

6. Term. A licensee is not required to renew a license issued under this chapter as long as the requirements of subsection 3, paragraph C are maintained.

7. Violations. A person who violates subsection 2 is subject to the provisions of Title 10, section 8003-C.

8. Rules. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill establishes the requirement of a commercial painting license for a painter who paints the exterior or interior of buildings and structures for money, unless the painter is a relative, member of the household or employee of the owner or occupier of the building or structure. A licensee must carry appropriate commercial liability and workers' compensation insurance.