STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-ONE

S.P. 83 - L.D. 195

Resolve, Directing the Department of Professional and Financial Regulation
To Develop a Draft Registration Program for General Contractors for Home
Improvement and Construction

Sec. 1. Registration for general contractors for home improvement and
construction. Resolved: That the Commissioner of Professional and Financial
Regulation shall develop a draft registration program for general contractors for home
improvement and construction.

Sec. 2. Requirements. Resolved: That, in developing a draft registration program
as required by section 1, the Commissioner of Professional and Financial Regulation shall
consider:

1. "Dwelling" to mean a residential structure that contains one to 4 units, including an
individual condominium unit, cooperative unit or, if used as a residence, manufactured
housing;

2. "General contractor" to include any individual who undertakes, offers to undertake
or submits a bid to build a dwelling or perform any home improvement if the total cost of
the project exceeds $5,000. The commissioner may not consider the term "general
contractor" to include:

   A. Any individual who builds a dwelling or performs any home improvement on any
dwelling that is intended to be used as the individual's residence unless the primary
purpose of the structure is a commercial enterprise;

   B. Any subcontractor working under the direction of a general contractor; or

   C. Any individual licensed as an electrician or plumber or in another profession and
who is acting exclusively within the scope of the individual's license;

3. "Home improvement" to include building or constructing a dwelling and fixing,
replacing, altering, converting, modernizing, improving or making an addition to real
property primarily designed or used as a residence. "Home improvement" includes
structural work and the construction, installation, replacement and improvement of in-
ground swimming pools, porches, kitchens, chimneys, chimney liners, garages, fallout
shelters, central air conditioning, central heating, heat pumps, boilers, furnaces, hot water
heaters, electric wiring, sewers, plumbing fixtures, storm doors, storm windows or siding and other improvements to structures within the residence or upon the land adjacent to the residence. "Home improvement" does not include landscaping; interior painting or wall covering; finished floor covering, including but not limited to carpeting, vinyl floor covering or tile; fencing or freestanding masonry walls; installation of aboveground swimming pools; shutter or awning installation; installation of ground-level patios; or asphalt and driveway installation and maintenance; and

4. The requirements for registration for general contractors to include:
   A. Disclosure of years of experience in the home improvement and construction industry;
   B. Workers' compensation insurance;
   C. Liability insurance;
   D. Disclosure of prior judgments against the applicant;
   E. Disclosure of prior bankruptcy petitions filed by or against the applicant;
   F. Disclosure of status of licensure or registration in other jurisdictions; and
   G. Applicable fees.

Sec. 3. Draft registration program and legislation. Resolved: That the Department of Professional and Financial Regulation shall submit the draft registration program developed under section 1 and any proposed legislation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business by December 1, 2021. The committee is authorized to submit a bill based on the draft registration program and proposed legislation to the Second Regular Session of the 130th Legislature.