

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION**



**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS LEGISLATION**

JUNE 1990

Staff:
John B. Knox, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670

MEMBERS:

***Sen. John E. Baldacci**
Sen. Barry J. Hobbins
Sen. R. Peter Whitmore

***Rep. Carol M. Allen**
Rep. Carl F. Sheltra
Rep. Christopher Scott Gurney
Rep. Virginia Constantine
Rep. Nason S. Graham
Rep. Bertram Marston
Rep. John Helms
Rep. Albert G. Stevens
Rep. Gary W. Reed
Rep. Jack L. Libby

***Denotes Chair**

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
TODD R. BURROWES
GRO FLATEBO
DEBORAH C. FRIEDMAN
JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

PATRICK NORTON
HARTLEY PALLESCHI
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN R. SELSER
HAVEN WHITESIDE
JILL IPPOLITI, RES. ASST.
BARBARA A. MCGINN, RES. ASST.
BRET A. PRESTON, RES. ASST.

**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)
BUSTIN
ROLDE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1039 ALLEN
S-483
S-506 BUSTIN

SUMMARY

This bill accomplishes the following:

1. Adds the Director of the Office of Alcoholism and a member of the University faculty to the Board, bringing the total to 11.
2. Reduces the number of counselor members from 7 to 5.
3. Requires that one of the 2 non-provider members be a public member and that one board member be a representative of a regional alcohol and drug abuse council.
4. Requires that eligibility, examination and practice standards, which the Board is currently empowered to set, must be clear, measurable and written and requires an examination appeals process.
5. Establishes an Advisory Committee to make recommendations to the Board and the Legislature.

Committee Amendment "A" accomplishes the following:

1. It eliminates the provision that certain State Board of Substance Abuse Counselors members may be registered or certified, which results in requiring that they be licensed. The category of certified substance abuse counselors does not exist.
2. It eliminates the requirement that the board have a treasurer, since this function is performed by the Department of Professional and Financial Regulation.
3. It increases to 60 days the time allowed for selection of the members of the advisory committee that is created in the bill.
4. It indicates that the required study of reciprocity is an ongoing study.
5. It requires that the advisory committee recommend the quorum to be required for administering oral examinations.
6. It requires the advisory committee to report to the Legislature by February 1, 1991, and sunsets the committee on July 1, 1991. It also provides that the committee receive no compensation.
7. It raises the initial fees and renewal fees to a maximum of \$150 biennially from initial fees of \$100 for licensed substance abuse counselors, \$50 for registered substance abuse counselors, and renewal fees of \$25 biennially for both categories.

House Amendment "A" to Committee Amendment "A" changes the initial and renewal licensing registration fees from \$150 to \$125.

House Amendment "B" to Committee Amendment "A" adds language to the committee amendment to clarify that legislative members of the advisory committee to the State Board of Substance Abuse Counselors are appointed by legislative leadership. It also removes changes made by the committee amendment to initial license and registration fees and restructures the renewal fees so that a license renewal is \$100 biennially and registration renewal is \$50 biennially. And, finally, it also changes the allocation and the fiscal note.

House Amendment "C" to Committee Amendment "A" incorporates the changes proposed in House Amendment "B" to Committee Amendment "A", except that it removes the provision concerning the appointment of legislative members to the advisory committee.

Senate Amendment "A" removes the requirement for legislators on the Advisory Board.

Senate Amendment "A" to Committee Amendment "A" removes the fee increases authorized in Committee Amendment "A" for initial registration and licensure. The amendment changes the fee schedule for renewals by authorizing a maximum biennial fee of \$100 until February 1, 1991, at which time the fee returns to the current statutorily authorized fee of \$25 biennially unless the Legislature authorizes a higher fee. The amendment also requires the advisory committee to include in its report due February 1, 1991, an analysis of and, justification for, the amounts of these fees.

LD 1852 An Act to Amend the Professional Service Corporation Act PUBLIC 613

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RIDLEY	OTP	
HOBBS		
PARADIS P		
HASTINGS		

SUMMARY

The Professional Service Corporation Act was enacted in 1969 to allow professionals licensed in the same profession to practice in a corporate setting. However, "professional service" under the Maine Revised Statutes, Title 13, section 703, subsection 2, separately lists osteopaths and physicians and surgeons, thereby precluding these 2 types of professionals from practicing together in a single professional service corporation. The purpose of this bill is to define their service as the same for the purpose of the Professional Service Corporation Act, thus allowing osteopathic and allopathic physicians to practice together in a professional service corporation.

LD 1866 An Act to Amend the Law Concerning the Use of Replacement Motor Vehicles PUBLIC 623

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RICHARDS	OTP-AM	H-738
ALLEN		
LEBOWITZ		
CAHILL P		

SUMMARY

Current law limits to 30 days the time for which a person must be reimbursed for a rental car to replace that person's damaged vehicle. This bill removes the 30-day limit.

Committee Amendment "A" increases the limit to 45 days.

LD 1892 An Act to Amend the Definition of Dealer Under the Used Car Information Laws PUBLIC 684

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAHILL P	OTP-AM	H-824 ALLEN
MCPHERSON		S-505
MACOMBER		
GOULD R R		

SUMMARY

The bill exempts finance companies and banks who are selling repossessed cars from the requirement that used cars must pass inspection and from the requirement of reporting prior damages.