

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

| | |
|-----------------------------------|---|
| PUBLIC XXX | <i>Chapter # of enacted Public Law</i> |
| P&S XXX | <i>Chapter # of enacted Private & Special Law</i> |
| RESOLVE XXX | <i>Chapter # of enacted Resolve</i> |
| CON RES XXX | <i>Chapter # of Constitutional Resolution passed by both Houses</i> |
| EMERGENCY | <i>Enacted law takes effect sooner than 90 days</i> |
| CARRIED OVER | <i>Bill carried over to 2nd Session</i> |
| FAILED EMERGENCY ENACTMENT | <i>Bill failed to get 2/3 vote</i> |
| ONTP | <i>Ought Not to Pass report accepted</i> |
| LVWD | <i>Leave to Withdraw report accepted</i> |
| INDEF PP | <i>Bill Indefinitely Postponed</i> |
| DIED BETWEEN BODIES | <i>House & Senate disagree; bill died</i> |
| VETO SUSTAINED | <i>Legislature failed to override Governor's Veto</i> |
| UNSIGNED | <i>Not signed by Governor within 10 days</i> |
| DIED ON ADJOURNMENT | <i>Action incomplete when 1st session ended</i> |

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

LD 1195 An Act Concerning Credit Card Surcharges

PUBLIC 261

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| GWADOSKY | OTP-AM | H-282 |
| GURNEY | | |
| GRAHAM | | |

SUMMARY

Under current law, an agent of a seller may collect a full commission when the buyer makes the purchase with a check or cash. If the buyer uses a credit card, the agent's commission is substantially reduced. This bill allows agents of sellers to collect the commission to which they are entitled for services they provide when buyers use a credit card.

Committee Amendment "A" deletes the bill and replaces it by a prohibition against providers of travel services reducing commissions to or charging surcharges to travel agents for customer purchases of travel services with credit cards.

LD 1201 An Act to Amend the Laws Pertaining to Pastoral Counseling Professionals

ONTP

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| KONTOS | ONTP | |
| GEAN | | |
| VIGUE | | |
| LEBOWITZ | | |

SUMMARY

Current law requires that to qualify as a licensed pastoral counselor a person must have a Master of Divinity degree. The bill amends the qualifications to require that a person either has a Master of Divinity degree or an equivalent degree from an accredited institution or program approved by the Board of Counseling Professionals Licensure.

LD 1206 An Act Relating to the Sale of Business Opportunities

PUBLIC 210

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| DORE | OTP | H-211 TAMMARO |
| RYDELL | | |

SUMMARY

This bill makes certain that persons selling business opportunities such as franchises can not avoid the business opportunities registration laws by charging an initially small fee and then charging larger amounts thereafter.

House Amendment "A" is being presented on behalf of the Committee on Bills in Second Reading to clarify the intended meaning of this provision of law by correcting the punctuation.