

# 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  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

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

**AUGUST 1991**

**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. Zachary E. Matthews  
Sen. Donald L. Rich*

*\*Rep. Carl F. Sheltra  
Rep. Christopher S. Gurney  
Rep. Virginia Constantine  
Rep. Nason S. Graham  
Rep. Marc J. Vigue  
Rep. Jack L. Libby  
Rep. Albert G. Stevens  
Rep. Harry W. Bailey  
Rep. Leslie Kutasi, Jr.  
Rep. William F. Reed*

*\*Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
DON CLARK  
DYAN M. DYTTER  
BRO FLATEBO  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
KANE ORBETON



KAREN L. HRUBY  
JILL IPPOLITI  
JOHN B. KNOX  
PATRICK NORTON  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
HAVEN WHITESIDE  
MILA M. DWELLEY, RES. ASST.  
ROY W. LENARDSON, RES. ASST.  
BRET A. PRESTON, RES. ASST.

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

**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:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<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 1863 An Act to Improve the Returnable Beverage Container Laws  
(By Request)**

**PUBLIC 491**

<b>SPONSOR(S)</b> BALDACCI SHELTRA GRAHAM STEVENS A	<b>COMMITTEE REPORT</b> OTP-AM	<b>AMENDMENTS ADOPTED</b> S-289
---	-----------------------------------	------------------------------------

**SUMMARY**

This bill prohibits the use of stickers as the method of affixing the refund value to beverage containers sold through nonexclusive distributorships. This restriction is necessary in order to prevent parties other than the legally authorized initiators of the deposit from determining the amount of, and initiating, the deposit.

Committee Amendment "A" grants an exception in specific instances when permission is obtained from the Department of Agriculture, Food and Rural Resources.

**LD 1866 An Act to Prevent Certain Restraint of Trade Practices**

**CARRIED OVER**

<b>SPONSOR(S)</b> STEVENS P HOGLUND CONSTANTINE CONLEY	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
--	-------------------------	---------------------------

**SUMMARY**

Maine currently has the following restrictions on the practice of optometry:

<b><u>Prohibition</u></b>	<b><u>Title 32</u></b>
1. Prohibits employment by unlicensed persons	§2434, sub-§1, §2435
2. Prohibits partnership with non-optometrist	§2434, sub-§1, §2435
3. Limits branch offices to 2	§2431-A, sub-§2, ¶N
4. Prohibits practice on premises where non-optometry goods are sold	§2431-A, sub-§2, ¶J
5. Prohibits leasing office space from opticians	§2434, sub-§4
6. Prohibits encouraging optometry services to be promoted as part of a commercial establishment	§2434, sub-§4
7. Prohibits practice under name other than that of licensee	§2431-A, sub-§2, ¶K
8. Prohibits fee splitting	§2431-A, sub-§2, ¶P

This bill repeals the law governing items 1, 4, 5, 6 and 8 and one statute affecting #2.

The bill requires referral to an ophthalmologist of cases of suspected pathology. It forbids conditioning the provision of an eye examination on the purchase of glasses. The bill also requires an optometrist to make available to persons using the optometrist's services copies of documents in the possession and control of the optometrist when the documents have been prepared for and purchased by the user of the services.