

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.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PRAY	OTP	
BALDACCI		

SUMMARY

Last year a bill was passed that required that advanced notice be given to the Attorney General when sale of a gasoline service station was contemplated, in order to give the Attorney General time to rule on any anti-trust implications of the sale. This bill adds firms that sell heating oil to the provisions of this law.

LD 1891 An Act Concerning Railroad Personnel

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HUSSEY		H-557
MCKEEN		

SUMMARY

This bill repeals the law regulating railroad personnel. The United States District Court case, Belfast & M.R.R. et al. v. Peter Dufour et al., United States District Court, District of Maine CV-90-0114P (March 11, 1991), has determined that the provisions of Title 32, chapter 60 offend the Supremacy Clause, Article VI, Section 2 of the United States Constitution and therefore render chapter 60 unconstitutional.

The bill also provides for the refunding of all fees paid to the Board of Licensure of Railroad Personnel by individuals pursuing licensing under Title 32, chapter 60.

Committee Amendment "A" adds an appropriation and fiscal note to the bill.

LD 1909 An Act to Regulate Certain Warranty Practices for Repairs to Watercraft

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KONTOS		
TITCOMB		
RICH		
MELENDY		

SUMMARY

This bill provides that watercraft dealers that provide parts for, or perform labor on, watercraft or engines for watercraft to satisfy a manufacturer's warranty are entitled to "adequate and fair" compensation for parts and reimbursement for labor at a rate not less than the rate customarily charged by the dealer for nonwarranty work. The bill parallels a similar provision for motor vehicle warranty repairs under the Maine Revised Statutes, Title 10, section 1176, which deals with regulation of the relationship between car manufacturers and car dealers.

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