

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BUSINESS LEGISLATION

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

|                                   |   |
|-----------------------------------|---|
| <i>PUBLIC XXX</i>                 | <i>Chapter # of enacted Public Law</i>                              |
| <i>P&amp;S XXX</i>                | <i>Chapter # of enacted Private &amp; Special Law</i>               |
| <i>RESOLVE XXX</i>                | <i>Chapter # of enacted Resolve</i>                                 |
| <i>CON RES XXX</i>                | <i>Chapter # of Constitutional Resolution passed by both Houses</i> |
| <i>EMERGENCY</i>                  | <i>Enacted law takes effect sooner than 90 days</i>                 |
| <i>CARRIED OVER</i>               | <i>Bill carried over to Second Session</i>                          |
| <i>ONTP</i>                       | <i>Ought Not to Pass report accepted</i>                            |
| <i>ENACTMENT FAILED</i>           | <i>Bill failed to get majority vote</i>                             |
| <i>INDEF PP</i>                   | <i>Bill Indefinitely Postponed</i>                                  |
| <i>FAILED EMERGENCY ENACTMENT</i> | <i>Emergency bill failed to get 2/3 vote</i>                        |
| <i>FAILED MANDATE ENACTMENT</i>   | <i>Bill imposing local mandate failed to get 2/3 vote</i>           |
| <i>DIED BETWEEN BODIES</i>        | <i>House &amp; Senate disagree; bill died</i>                       |
| <i>CONF CMTE UNABLE TO AGREE</i>  | <i>Committee of Conference formed but unable to agree</i>           |
| <i>VETO SUSTAINED</i>             | <i>Legislature failed to override Governor's Veto</i>               |
| <i>UNSIGNED</i>                   | <i>Not signed by Governor within 10 days</i>                        |
| <i>DIED ON ADJOURNMENT</i>        | <i>Action incomplete when session ended; bill died</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.

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

4693NRG

**LD 727      An Act to Require Postgraduate Residency Training for Podiatric Medical Licensure and to Permit Temporary Residency Licensure**

PUBLIC 278

| <b>SPONSOR(S)</b> | <b>COMMITTEE REPORT</b> | <b>AMENDMENTS ADOPTED</b> |
|-------------------|-------------------------|---------------------------|
| BALDACCI          | OTP-AM                  | S-176                     |

**SUMMARY**

This bill requires an applicant for a podiatrist's license after July 1, 1995 to have completed a one-year residency. Further, the bill requires a licensed podiatrist from another state applying for a Maine license between July 1, 1995 and June 30, 2000 by reciprocity or endorsement to have had a one-year residency if that person has fewer than 5 years' experience. After that time, all applicants for a reciprocity license must have a one-year residency.

Committee Amendment "A" (S-176) requires anyone applying for a license who graduated from podiatric medical school after January 1, 1991 to have completed a one-year residency.

The amendment also requires those persons who have graduated from podiatric medical school after January 1, 1991 to meet the residency requirement in order to obtain a license by reciprocity or endorsement.

**LD 761      An Act to Allow Consumers to Request a Written Estimate for Car Repairs**      ONTP

| <b>SPONSOR(S)</b>  | <b>COMMITTEE REPORT</b> | <b>AMENDMENTS ADOPTED</b> |
|--------------------|-------------------------|---------------------------|
| MELENDY<br>HOGLUND | ONTP                    |                           |

**SUMMARY**

This bill allows consumers to request a written estimate for car repairs. Under this bill, a car repair facility may not charge a customer any amount that exceeds the estimate by 10% without the customer's oral or written consent. The car repair facility must also disclose whether the repair is based on a flat rate calculation or the number of hours actually needed to make the repair.

**LD 788      An Act to Prevent Unauthorized Use of the Name Passamaquoddy**      PUBLIC 210

| <b>SPONSOR(S)</b> | <b>COMMITTEE REPORT</b> | <b>AMENDMENTS ADOPTED</b> |
|-------------------|-------------------------|---------------------------|
| BAILEY H          | OTP-AM                  | H-210<br>H-292    HOGLUND |

**SUMMARY**

This bill grants to the Passamaquoddy Tribe trademark protection for the name "Passamaquoddy," requiring written authorization from the Passamaquoddy Tribe for use of the name for commercial purposes after December 31, 1993. Violation of the provision is made enforceable under the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-210) grants to the Passamaquoddy Tribe protection from any unauthorized use of the word "Passamaquoddy" for commercial or nonprofit purposes after December 31, 1993. The bill limited the protection to that granted to a trademark. The amendment makes a violation of the provision enforceable under the Maine Deceptive Trade Practices Act rather than the Unfair Trade Practices Act, as the bill specified. The amendment exempts the term "Passamaquoddy Bay" and the use of the term "Passamaquoddy" for a specific product or service or as a trade name by persons who were using it for that product or service or as a trade name before January 1, 1993.