

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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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 936 **An Act to Require That Professional Boards Set Copying Fees for Members of the Professions They Regulate** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LIPMAN	ONTP	

SUMMARY

This bill requires persons, who provide a professional service to members of the public and are licensed by the State, to maintain the records that relate to provision of the professional service. Copies of these records must be provided to the client or patient within 30 days of the receipt of a request for copies and the copies must be provided at a reasonable charge, which may not exceed \$5 for the first page and \$1 for each subsequent page. A violation of the provisions of this bill constitutes an unfair trade practice.

LD 1063 **An Act to Amend the Laws Concerning Requirements for Licensure of Counseling Professionals** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP MAJ OTP-AM MIN	

SUMMARY

To be eligible for a license as a counseling professional the law requires 2 years of experience, including a specified number of hours of supervised or direct clinical experience, after obtaining a master's degree. This bill eliminates the requirement that this experience be after the master's degree.

Committee Amendment "A" (S-137) allows 1/2 of the internship hours received while obtaining the master's degree to be applied toward the experience requirement.

LD 1065 **An Act to Clarify the Laws Regarding Interior Design Services** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BALDACCI	ONTP	

SUMMARY

Current law regulates interior designers, who are designers that perform services that include the preparation of working drawings, plans and specifications relative to nonload bearing interior construction, space planning and the like, under the same laws that regulate architects and landscape architects. This bill provides a specific exemption from those laws for interior designers.

LD 1070 **An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services** CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN		

SUMMARY

Currently, 3rd-party mental health reimbursement is limited to psychologists, psychiatrists, social workers and psychiatric nurses. In addition, current law makes a distinction between master-level

clinicians with similar training, allowing some to be insurance reimbursable and leaving others without this ability. This bill recognizes for 3rd-party reimbursement for all mental health professionals who have at least a masters degree in counseling, are licensed by the State and have been practicing for at least 2 years.

**LD 1088 An Act Repealing Advisory Boards on Business Legislation
Matters**

ONTP

SPONSOR(S)

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill repeals the Petroleum Advisory Committee.

This bill is an outgrowth of the activities of the Restructuring Committee last year. That committee recommended that a bill be put in that would sunset all advisory boards. The only advisory board under the jurisdiction of the Business Legislation Committee is the Petroleum Advisory Committee. That committee was formed to assist and advise the Attorney General in conjunction with a LD 2148, PL 1991 c. 836 last year which sought to regulate refiner ownership of retail gasoline stations.

The original version of the bill setting up the Petroleum Advisory Committee, LD 2148, required wholesalers and retailers of heating oil and fuel oil to report gallonage information to the Attorney General and to pay a fee of 35¢ for each 10,000 gallons sold. According to the Statement of Fact, the Attorney General was to use this information to determine whether additional legislation is needed to limit or curtail the activity of refiners in operating retail outlets. This bill was the latest in a series of such proposals extending back at least to the mid 70's.

The bill establishing this Committee was amended in committee to prohibit a refiner from securing control of additional gasoline stations within 2 miles of one of its existing outlets unless the Attorney General decided that such an acquisition would not decrease competition and to set up a Petroleum Advisory Committee to assist the Attorney General in formulating the recommendations to the Legislature as to the need for additional legislation to curtail refiners and to advise him on reducing the burden of the reporting requirements on retailers. It was further amended on the floor to require reporting only by suppliers and to prohibit unfair competitive or trade practices, with those terms to be defined by the Attorney General.

LD 1102 An Act Related to Suppliers of Compressed Air for Breathing

PUBLIC 314

SPONSOR(S)
PENDEXTER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-466

SUMMARY

State law currently requires suppliers of compressed air for breathing to be licensed. By rule, these suppliers are required to have their equipment checked yearly by the Department of Human Services.

This bill requires a yearly inspection by a private testing company as a qualification for yearly licensing.

Committee Amendment "A" (H-466) requires that the testing company report the results of unsatisfactory tests to the department and that, in the case of compressed air exceeding the permissible level of contaminant, the supplier be required to shut down until this defect is corrected.