

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
BUSINESS AND COMMERCE  
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE  
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JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1986

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, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

SUMMARY: The bill eliminates the exemptions from securities licensing for broker-dealers and sales representatives. It allows the Superintendent of Banking to deny or revoke a license of any individual who has engaged in unlawful, unethical or dishonest conduct in any business dealing with the sale of insurance, real estate or other forms of investments. It authorizes the Superintendent to require the submission of sales and advertising literature for a securities offering which is exempt from registration but not from filing for an exemption.

The Committee Amendment (H-578) narrows the authority which the original bill would have given the Superintendent to deny or revoke licenses. The amendment provides that any action against a person will be authorized only if similar action has been taken against the person's real estate, insurance or other license by a court or governmental agency. The amendment clarifies the superintendent's power to create and review exemptions from registration and allows the superintendent to waive the filing fee for registering a security or filing for an exemption in those cases where the fee would be unreasonable.

LD AN ACT TO PROTECT HOMEOWNERS AGAINST WORKERS' LVWD  
1776 COMPENSATION EXPOSURES

Sponsor: DUTREMBLE, Rydell, Aliberti, Telow  
Committee Report: LVWD

SUMMARY: This bill requires all insurers who provide comprehensive personal liability, tenants' or homeowners' insurance to also provide coverage against liability for the named insured if a workers' compensation claim is made which arises out of employment in or about the covered residence. Although domestic employees and independent contractors are specifically exempted from the workers' compensation laws, there might be a situation where an employment relationship is found to exist.

LD AN ACT CONCERNING THE LABELING OF SEAFOOD ND LD 2194  
1810

Sponsor: SCARPINO, Holloway  
Committee Report: OTP-ND

SUMMARY: See LD 2194.

LD AN ACT TO REQUIRE ADEQUATE SOCIAL SERVICES IN LVWD  
1847 MAINE'S HOSPITALS AND NURSING HOMES

Sponsor: BUSTIN  
Committee Report: LVWD

SUMMARY: This bill provides a permanent exemption from licensure for social workers in nursing homes. Currently, social workers in nursing homes have only a temporary exemption under 32 MRSA §7003.

The issue was addressed through LD 2370, AN ACT Relating to the Social Worker Registration Law.

LD AN ACT TO PROVIDE FOR THE LICENSING OF PERSONS ND LD 2160  
1849 ENGAGED IN PROPERTY MANAGEMENT

Sponsor: TRAFTON, Sewall, Aliberti, Murray  
Committee Report: OTP-ND-NT

SUMMARY: See LD 2160.

LD AN ACT TO PROHIBIT INSURERS FROM DENYING LVWD  
1850 MEDICAL MALPRACTICE INSURANCE TO CERTAIN  
PHYSICIANS

Sponsor: PEARSON  
Committee Report: LVWD

SUMMARY: The bill prohibits any insurer writing medical malpractice insurance in the State from refusing to insure any licensed physician solely because of the physician's particular medical specialty.

LD AN ACT TO REGULATE FUNDS AVAILABILITY FOR ITEMS PL 1985  
1854 DEPOSITED IN AN ACCOUNT WITH A FINANCIAL c. 561  
INSTITUTION

Sponsor: BRANNIGAN  
Committee Report: OTP-AM

H-506 CA  
H-520 BRANNIGAN H S