

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

PREPARED BY:

Jeri Gautschi, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

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

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

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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

The new draft adds specific limitations regarding where a mobile unit may operate, who may operate a mobile unit and what services must be offered by a mobile unit. Mobile branches are prohibited in communities which are within 10 road miles of an existing permanent facility. Preference will be given to financial institutions which have traditionally served the community if more than one institution applies for a mobile branch site.

LD AN ACT TO AMEND THE REGULATION OF THE PRACTICE PL 1985
2061 OF NURSING c. 724

Sponsor: CLARK, N., Gill, Dexter, Murray
Committee Report: OTP-AM

S-458 CA H S

SUMMARY: The bill updates current law regarding the practice of nursing by revising definitions and other provisions and by establishing new educational requirements for nurses. All nurses graduating after 1995 are required to have either an associate degree or a baccalaureate degree under this bill.

The Committee amendment (S-458) removes the educational requirements in the bill, but establishes a Commission that will study conditions in Maine in order to determine a time when the educational requirements can become part of the law. The amendment also adds an exemption from the law for nursing services performed in accordance with religious principles of any church which relies only upon prayer or spiritual means for healing.

LD AN ACT TO AUTHORIZE PREFERRED PROVIDER ARRANGE- ND LD 2290
2068 MENTS IN MAINE AND TO ESTABLISH A CASH RE-
SERVE REQUIREMENT FOR HEALTH MAINTENANCE OR-
GANIZATIONS

Sponsor:
Committee Report: OTP-ND

SUMMARY: See LD 2290.

LD AN ACT TO PROTECT INDIVIDUAL RETIREMENT LVWD
2077 ACCOUNTS FROM ATTACHMENT AND EXECUTION

Sponsor: NELSON
Committee Report: LVWD

SUMMARY: The bill exempts both principal and accumulated interest of individual retirement accounts from attachment or execution.

LD AN ACT TO CLARIFY THE APPLICABILITY OF THE LVWD
2083 MOTOR VEHICLE DEALER LAWS AND THE USED CAR
INFORMATION LAW TO FINANCIAL INSTITUTIONS

Sponsor: VIOLETTE
Committee Report: LVWD

SUMMARY: The bill exempts from the definition of a "dealer of used cars" and from registration those financial institutions who use full-time employees to sell repossessed vehicles but use a private business or agency to repossess the vehicles. Current law exempts financial institutions that use full-time employees to both repossess and sell the vehicles.

LD AN ACT RELATING TO HANDLING FEES AND INDEF PP
2103 UNREDEEMED DEPOSITS IN THE RETURNABLE CONTAINER
LAW

Sponsor: Business and Commerce Committee
Committee Report: OTP-ND, ONTP, OTP-ND

SUMMARY: This bill was the result of a study by the Business and Commerce Committee. The bill gives the Department of Agriculture the authority to raise the handling fee by applying increases in the consumer price index to the handling fee once a year. The bill also requires the Department of Agriculture to estimate the amount of unredeemed deposits and report this estimate to the Business and Commerce Committee each year.

Two new drafts of this bill were reported out by the Committee. LD 2348 is the majority report. It is essentially the same as the original bill but increases the handling fee to 2 1/4¢ and removes the minimum handling fee of 2¢. The House Amendment (H-658) deletes the section of the original bill regarding the report of the estimate of unredeemed deposits.

LD 2349 is similar to the original bill but provides specific criteria which the Commissioner of Agriculture must use in setting the handling fee rather than using the consumer price index. This new draft also eliminates the section of the original bill regarding the report of the estimate of unredeemed deposits.