

# MAINE STATE LEGISLATURE

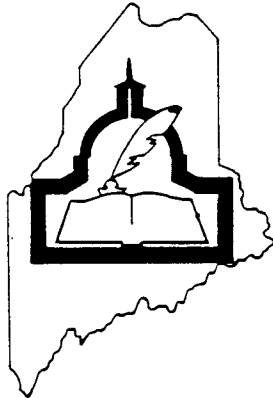
The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
BUSINESS LEGISLATION  
BILL SUMMARY



JUNE 1987

PREPARED BY:

John B. Knox, Legislative Analyst

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

HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, DEP. DIRECTOR  
GILBERT W. BREWER  
DAVID C. ELLIOTT  
GRO FLATEBO  
MARTHA E. FREEMAN, SR. ATTY.  
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  
CAROLYN J. CHICK, PARALEGAL  
ROBERT W. DUNN, RES. ASST.  
HARTLEY PALLESCHI, JR., RES. ASST.  
KATHRYN VAN NOTE, RES. ASST.

ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

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 summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD  
1044

AN ACT TO ESTABLISH A VOLUNTARY STATEWIDE  
BUILDING CODE AND REQUIRE BASIC WRITTEN  
CONTRACTS FOR HOME CONSTRUCTION WORK

CARRY-OVER

Sponsor: BRANNIGAN, Rydell  
Committee Report: CARRY-OVER  
Amendments Adopted:  
S-108 COMMITTEE

PURPOSE: This bill has 2 major purposes:

1. It requires that any contract for home construction in excess of \$500 be in writing.
2. It establishes a statewide building code for all buildings. This code is taken from the code of the Building Officials and Code Administrators International. Local governments may exempt themselves from having to adhere to the code. A Board of Building Contractors is established to be the administrative authority for the code. There is no provision for registering or licensing contractors and there is no provision for registering or licensing building inspectors. The BOCA code itself establishes a Department of Building Inspection and a code official as its head. This individual is empowered to enforce the code, is the issuing agent for permits and either conducts inspections or approves others to conduct them. There is no indication of the basis for qualifying others to conduct these inspections.

This bill is a response to LD 1892 which was given an ONTP last year. This bill also set up the BOCA Code as the statewide code but did not make the code optional. It set up a Board of Building Contractors as administrative authority. Local building inspectors were charged with enforcing the code or if a qualified individual did not exist, this role could be performed by an engineer, architect or a Board approved contractor. There was no provision for registering or licensing the local inspectors. The bill called for licensing contractors. This license was based on a test of the applicant's knowledge of the Code and knowledge of construction. There were no specific educational or experience requirements.

At the time of hearing this bill the Committee made an informal request to the interested parties that they attempt to get together to work out a bill that would be satisfactory to all parties. Jim McKenna of the Attorney General's Office acted as the coordinator of the group and this bill is the result of their activity.

LD 1342 also deals with this subject area. It differs from LD 1044 bill in that:

1. It only refers to public buildings.
2. It makes the code mandatory.
3. it makes the Department of Public Safety the administrative agency.
4. It identifies the qualifications of the inspecting officer.
5. It does not deal with home contracts.

Committee Amendment A: This amendment eliminates the voluntary statewide building code from the bill. It also eliminates the requirement for an Attorney General fact sheet in conjunction with home construction portion of the bill, which portion now becomes the whole bill.

LD AN ACT TO REGISTER ACUPUNCTURISTS  
1100

PL 1987  
c. 488

Sponsor: PERKINS, Diamond, Allen, Hillock  
Committee Report: OTP-AM  
Amendments Adopted:  
S-214 COMMITTEE

SUMMARY: The rules of the Board of Registration in medicine prohibit the practice of acupuncture by other than physicians. In spite of this prohibition, some 20 persons in Maine practice acupuncture as a treatment onto itself. This bill requires that a person register with the Department of Human Services before he may practice acupuncture. The Department is to set rules as to what qualifies someone to be registered to practice. These rules are to cover health, safety, sanitation and procedures. They are not to cover education, training or experience, subjects which are the usual qualifications for certification or licensing. There is no provision for a regulatory board.

Committee Amendment A sets up an Acupuncture Licensing Board within the Department of Professional and Financial Registration. This Board is to license persons as acupuncturists and no person may practice as an acupuncturist without this license. The Board is to have five members of whom three shall be licensed acupuncturists, one shall be a licensed, practicing physician and one shall be a public member.