

# MAINE STATE LEGISLATURE

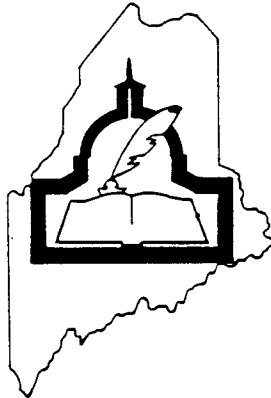
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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
BUSINESS LEGISLATION  
BILL SUMMARY



JUNE 1987

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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

4. It reduces the number of times that the dealer can attempt to fix the vehicle from 4 to 3 and reduces the days out of service from 30 to 15. Both these are conditions that must be met before the dealer must offer a new vehicle or a refund.

This bill requires the Committee to study the informal dispute settlement requirements of the Maine "Lemon Law".

This new draft accomplishes the following.

1. Current law exempts business vehicles from provisions of the lemon laws. The original bill removed the exemption. This new draft puts it back in.

2. The new draft clarifies the provision of the original bill that a consumer may reject a replacement vehicle and elect a refund.

3. The new draft states that the law shall not affect the obligation of the purchaser to anyone from whom he has secured a loan to enable him to purchase the vehicle. It states that the person making the loan must accept a comparable value replacement vehicle as security for the loan.

4. The new draft gives the manufacturer one final opportunity to repair the vehicle.

5. The new draft eliminates the legislative study of the arbitration provisions of the lemon laws. The Department of the Attorney General has indicated that it can perform this study and report the results to the committee. It indicates that no funding will be necessary.

LD  
1801

RESOLVE, TO AUTHORIZE EXTENDING THE ISSUANCE OF  
CERTIFICATES OF GOOD STANDING TO SEPTEMBER 1,  
1987

RESOLVE 1987  
c. 35  
EMERGENCY

Sponsor: ALLEN, Baldacci  
Committee Report: NOT REFD TO COMTE

SUMMARY: For profit corporations are required to submit an annual report and non profit corporation a biennial report to the Secretary of State by June 1.

It is the practice of the Secretary of State to issue upon request certificates of good standing based on the receipt of these required reports.

The only mention in the law of such certificates is in 5 MRSA §86 which indicates the fees to be changed for certification from the Secretary of State, without mentioning any specific certificate by name.

This bill appears to required that for the current year the Secretary of State is not required to issue such certificates until Sept.1 of the year. According to the Secretary of State the purpose of the bill is to allow his office to issue such certificates until Sept. 1 without verifying that a report has been filed. The reason for the bill is a staff reduction in the Secretary's office.

This was an after deadline bill and was not heard by the Committee.

LD AN ACT TO AMEND THE MAINE OPTOMETRIC CODE  
1828

PL 1987  
c. 439

Sponsor: ROLDE, Berube, McGowan, Curran  
Committee Report: New Draft of LD 1028

SUMMARY: This bill allows optometrists to prescribe medication for the treatment of eye problems upon issuance of a special license by the Board of Optometry. This approval is contingent upon completion of a federal and board approved course.

Currently optometry is defined in statute as consisting of examination, correctional treatment without drugs or surgery, and fitting of glasses. A topically administered anesthetic may be administered for examination purposes. To qualify for licensure by the State a person must be a graduate of a recognized school of optometry and have passed a board-designed examination.

The current law regarding diagnostic drugs is fairly specific in defining the permissible drugs and the purposes for use. This proposed legislation is much broader as to the allowable medications and purposes for use.

This new draft authorizes optometrists to utilize topical therapeutic pharmaceuticals in the diagnosis and treatment of diseases and conditions of the human eye except glaucoma. This bill does not extend authority to utilize other than topical medications or surgical authority to optometrists.

Optometrists will be held to the same standard of care as physicians. To be eligible to use pharmaceuticals, optometrists will have to be certified by the Board of Optometry and will have to complete an examination and transcript quality course and have 1 year of experience as an optometrist. Continuing education requirements are set forth in the bill as well.