

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
BUSINESS LEGISLATION**

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

4. Provides that the requirement that adjusters who are staff employees of insurers, public adjusters or workers' compensation self-insurance adjusters must obtain licenses does not apply until July 1, 1991.
5. Defines adjuster trainees and creates an exception to license provisions for them. Persons with less than 3 years' experience who work under supervision of licensed personnel will be considered trainees for purposes of this exception.
6. Establishes 3 limited insurance adjuster licenses which may be suitable for those persons who adjust claims relating to only limited lines of insurance.
7. Allows persons currently employed as adjusters by insurers or who are public adjusters until July 1, 1991 to pass the adjuster's license exam.
8. Provides that adjusters who are insurance company employees need not meet the bonding requirements applicable to other adjusters. Insurer assets are assessable with respect to these persons.
9. Requires the superintendent to make a recommendation to the Joint Standing Committee on Business Legislation by February 15, 1990, regarding the desirability and feasibility of requiring insurance adjusters to participate in continuing education as a condition of license renewal and excluding adjusters who have been in the business for more than 5 years.

LD 30

An Act to Amend the Medical Practice Laws

**PUBLIC 5
EMERGENCY**

SPONSOR(S)

LISNIK
MACBRIDE
COLLINS
MARTIN J

COMMITTEE REPORT

OTP

AMENDMENTS ADOPTED

SUMMARY

This bill makes the following three changes in the medical licensing portion of the medical practice laws.

1. Deletes the July 1, 1984, date from the law. When this date was added in 1985, concern existed over the possible compromising of the Educational Commission for Foreign Medical Graduates test given in July 1983. The Educational Commission for Foreign Medical Graduates has now ruled out the possibility of a wide-spread compromise and has determined that only in 2 test sites was the exam compromised. All candidates tested that date at those 2 centers were required to retake and pass a different version of the exam on November 17, 1983 in order to be certified by the Educational Commission for Foreign Medical Graduates. Therefore, the provision of the Maine Revised Statutes, Title 32, section 3271, subsection 1, paragraph B, and which renders any Educational Commission for Foreign Medical Graduates certification prior to July 1, 1984 a nonqualifying licensure credential is no longer required.
2. The current licensure provision requires that any graduate of a non-American Medical Association or non-Canadian approved medical school must complete 3 years in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. This provision makes it

impossible to license in Maine foreign medical graduates who may have 3 years post-graduate training in a foreign program. This bill allows the Board of Registration in Medicine to approve the post-graduate training of a foreign graduate as long as it was at least 36 months and it was approved by an accrediting body which the board considers an equivalent of those accrediting bodies.

- 3. The current law provides that a passing composite score on the uniform examination of the Federation of State Medical Boards is sufficient for license qualification. An applicant could fail one component and pass the other to achieve a passing component score yet be deficient in some important aspect of the applicant's preparation for medical practice. This proposal would add a phrase requiring passage of both components individually.

LD 31 An Act to Amend the Real Estate Licensure Laws

**PUBLIC 85
EMERGENCY**

SPONSOR(S)

MCSWEENEY

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-73
S-56 BALDACCI

SUMMARY

This bill is intended to change the transition provisions relating to the changes in real estate licensing. Under the provisions enacted during the Second Regular Session of the 113th Legislature, some individuals passed the examination and all other requirements for a real estate broker's license prior to the deadline date of June 30, 1988, but failed to file their application. The law states that persons who apply for their real estate broker's license prior to July 1, 1988, are to have their applications processed according to an earlier procedure, since rescinded. This bill would allow those persons until July 1, 1989 to complete the application process, if the required examination is completed by July 1, 1988.

Committee Amendment "A" states that the board may, at its discretion, if good cause is shown, extend the deadline to July 1, 1989, if all requirements except the application itself are completed prior to July 1, 1988.

Senate Amendment "A" to Committee Amendment "A" adds a fiscal note.

LD 57 An Act to Allow Graduates of the Department of Corrections Vocational-electrical Program to be Eligible to Apply for the Journeyman-in-training License

PUBLIC 125

SPONSOR(S)

WHITMORE
ANDREWS
BAILEY
MAYO

COMMITTEE REPORT

OTP

AMENDMENTS ADOPTED

H-110 ALLEN

SUMMARY

The Department of Corrections has an electrical training program which is accredited by the same authorities that accredit the State's vocational-technical programs. Under current law, however, only vocational-technical school graduates are eligible to apply for a journeyman-in-training license. This bill would provide an equal opportunity for the Department of Corrections program graduates.