

# 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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**Sen. Barry J. Hobbins**  
**Sen. R. Peter Whitmore**

**Rep. Carol M. Allen \***  
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**Rep. Jack L. Libby**

**\* Denotes Chair**

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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.

LD 297 An Act to Require Insurance Agents, Brokers and Consultants to Participate in Continuing Professional Education

PUBLIC 31

SPONSOR(S)  
CURRAN  
ALLEN  
PERKINS

COMMITTEE REPORT  
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires insurance agents, brokers and consultants to participate in continuing education programs as a condition of continued licensure. The Superintendent of the Bureau of Insurance is to develop the educational requirements and approve providers. A Continuing Education Advisory Committee is established to advise the superintendent on specific courses and programs.

LD 300 An Act to Clarify the Maine Used Car Information Laws

PUBLIC 61

SPONSOR(S)  
ALLEN  
BRANNIGAN

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
H-40

SUMMARY

The purpose of this bill is to clarify the Maine used car information laws so that cars that are sold to lessees, or a purchaser obtained by the lessee, are exempt from the requirements of this chapter.

Committee Amendment "A" removes the exemption of the original bill that includes sales or transfers to 3rd parties obtained by the lessee, since it was felt that they might not have the same knowledge of the vehicle that the lessee had and should have the normal protection of used car laws.

LD 305 An Act Amending Various Licensure Laws of Boards and Commissions within the Department of Professional and Financial Regulation

PUBLIC 450  
EMERGENCY

SPONSOR(S)  
STEVENS A  
BALDACCI  
WHITMORE

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
H-404  
H-535 ALLEN

SUMMARY

This bill accomplishes the following:

1. Allows members of the State Board of Social Worker Licensure, the Board of Licensure of Railroad Personnel, the Board of Occupational Therapy Practice and the State Board of Licensure for Professional Surveyors to be paid a per diem rate of \$35.
2. Lists additional boards that have come within the Department of Professional and Financial Regulation.

3. Empowers licensing boards to issue reprimands, to require continuing professional education, to request informal conferences and to recover actual costs expended for investigations by requiring licensees to pay these costs.
4. Clarifies the auctioneering of real estate so as not to conflict with the laws of the Real Estate Commission.
5. Clarifies existing language by removing the residency requirements for applicants, changes any reference to "resident trainee" to "practitioner trainee," authorizes and requires the registration of funeral attendants and funeral homes, establishments and branches, clarifies that mortuary trust agreement funds can be withdrawn, but only if permitted by contract, and eliminates the restriction against solicitation of prearranged funerals.
6. Empowers the Plumber's Examining Board to issue an apprentice license.
7. Removes the requirement that an individual successfully pass a journeyman's examination in order to be issued a journeyman-in-training license as a plumber.
8. Raises the required training time for a plumber trainee to become a journeyman plumber or journeyman-in-training. Allows the Plumbers' Examining Board to recognize a formal apprenticeship program as an avenue to licensure and requires a graduate of such a program to obtain 8,000 hours of experience before obtaining a journeyman's license.
9. Requires every applicant to have served at least one year prior to being allowed to sit for the master plumber's examination.
10. Changes the Board of Licensure of Railroad Personnel from a General Fund to a dedicated revenue account.
11. Clarifies the respiratory care practitioners' laws by adding new definitions, instituting the new license category of "respiratory care practitioner trainee," redefining persons and practices which are exempt from licensure, removing the residency requirement for applicants and changing the renewal cycle to a biennial one effective April 1990.

Committee Amendment "A" makes the following changes to the bill:

1. Clarifies the authority of the bureaus, boards and commissions to take disciplinary actions, enter into consent agreements, require renewal oaths and continuing education and cause the surrender of licenses or registrations.
2. Deletes the section which prohibits solicitation of prearranged funerals.
3. Changes the Board of Cosmetology laws by eliminating the limit on the number of authorized meetings per year and by allowing the board to use the license forms produced by the Department of Professional and Financial Regulation.

House Amendment "A" to Committee Amendment "A" makes necessary adjustments to the allocation section and adds a fiscal note.