

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. R. Peter Whitmore

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*** 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.

parts not made by the original manufacturer be attached to the estimate and that a copy of both be given to the person requesting the estimate.

This bill also makes any violation of the notice requirement by an insurer an unfair insurance claims practice, and by a repairer, an unfair trade practice.

LD 543 An Act to Amend the Law on Beverage Container Redemption LV/WD

| | | |
|-------------------|-------------------------|---------------------------|
| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
| ALLEN | LV/WD | |
| LORD | | |
| GRAHAM | | |

SUMMARY

This bill phases in additional containers that must be returnable. Except for cardboard containers, by January 1, 1990 all single-serving beverage containers, by January 1, 1991 all juice containers and by January 1, 1992 all spirits and wine containers must be returnable for a refund.

LD 548 An Act to Increase Handling Fees on Beverage Containers LV/WD

| | | |
|-------------------|-------------------------|---------------------------|
| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
| ALLEN | LV/WD | |
| BRANNIGAN | | |
| GRAHAM | | |
| GURNEY | | |

SUMMARY

This bill increases the handling fee for returnable beverage containers from 2¢ to 4¢ a container.

LD 563 An Act to Amend the Occupational License Disqualification Law PUBLIC 84

| | | |
|-------------------|-------------------------|---------------------------|
| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
| KANY | OTP-AM | S-38 |
| JOSEPH | | |
| BALDACCI | | |
| GAUVREAU | | |

SUMMARY

This bill amends the occupational license disqualification law by:

1. Allowing the appropriate licensing agency to consider criminal history information not only from Maine but from other states in determining eligibility for granting a license, registration or permit;
2. Allowing a licensing agency to use criminal history information on convictions which involve minor sexual misconduct offenses by an applicant or licensee of certain health-related boards in connection with an application or reapplication for license;

3. Clarifying existing law which places the burden of proof on the applicant, licensee, registrant or permit holder to show that there exists sufficient rehabilitation to warrant the public trust; and
4. Extending for licensees and registrants of certain boards the period of time for consideration of prior criminal conviction as an element of fitness to practice a licensed profession, trade or occupation. Presently, that period of time is 3 years. This bill would extend the period of time to 10 years.

Committee Amendment "A" adds the words applicants and registrants to those sections of the bill dealing with prior criminal convictions.

LD 567 An Act to Regulate the Installation of Fire Sprinklers

PUBLIC 247

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| CLARK N | OTP-AM | S-126 |
| WHITMORE | | S-139 BALDACCI |
| BOST | | |
| STEVENS A | | |

SUMMARY

This bill requires that persons installing fire sprinkler systems be licensed by the Department of Public Safety under criteria and fees to be set by that department. Each contractor must employ a person who is registered with the State as a fire sprinkler installation supervisor, which registration requires a minimum educational standard. Additionally, each individual installation is to require a permit based on a review of the plans for the proposed installation. The Fire Sprinkler Advisory Council is created to advise the State Fire Marshal on issues dealing with fire sprinkler safety.

Committee Amendment "A" amends the original bill as follows:

1. The definition of "plan" has been clarified to distinguish the roles of fire sprinkler system planners and professional engineers.
2. A registration is required for persons inspecting fire sprinkler systems other than certified responsible managing supervisors or agents of municipal or state government or licensed insurers.
3. Possible duplicate registration fees for certified responsible managing supervisors and professional engineers have been eliminated.
4. The requirement that each fire sprinkler system contractor employ full-time a certified responsible managing supervisor has been eliminated. This amendment provides that a fire sprinkler system contractor may retain a responsible managing supervisor either by employment or contract.
5. Requirements for maintaining a certified responsible managing supervisor have been simplified.
6. All plans submitted to the Office of the State Fire Marshall must indicate the certified responsible managing supervisor and installer. Additionally, within 30 days of completion of a system or addition, the responsible managing supervisor must certify that the system or addition was installed according to the plan.