

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.

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

ROTONDI

LV/WD

SUMMARY

This bill allows all stores, regardless of their size, to do business on Sundays between the hours of noon and 6:00 p.m. Current law restricts the operation of most stores with greater than 5 employees or more than 5,000 square feet of selling space to noon to 5:00 p.m. on those Sundays between Thanksgiving Day and Christmas Day.

LD 1260 An Act Relating to the Disclosure of Information Concerning Used Motor Vehicles at the Time of Sale or Transfer

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

STEVENS A

OTP-AM

H-165

SUMMARY

This bill:

1. Extends the definition of motor vehicle dealer to include those out-of-state, and, also, banks, car rental companies and other businesses that have occasion to sell cars.
2. Defines the substantial collision damage that requires a report by the dealer to the purchaser as damage that is greater than 25% of the current value of the vehicle.
3. Requires that collision information be reported by a dealer when selling to another dealer.
4. Reduces the statute of limitation for reporting defective cars from 2 years to 1 year and requires the purchaser identify a failure to disclose an accident within 30 days of purchase.
5. Provides the method of computing the purchase price for those dealers who are required to repurchase a vehicle because of failure to report defects or collision damage.

Committee Amendment "A" changes the definition of substantial collision damage, \$500 in the original bill, to an amount greater than 3 times the amount of property damage that requires that an accident be reported to the police. It eliminates the provision which reduced the time period within which action can be brought against a dealer for failure to report damage, currently 2 years, and the provision that the owner must discover the failure to report damage within 30 days of purchase. Lastly, it eliminates the provision that the dealer can subtract 15¢ a mile for customer use of a returned vehicle whose damage was not reported to the customer.

LD 1287 An Act to Amend the Law on Home Construction Contracts

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

MANNING

OTP-AM

H-225

ALLEN

RYDELL

BRANNIGAN

SUMMARY

This bill clarifies that the home construction contract law covers nonstructural work, such as electrical, plumbing, heating and carpeting.

Committee Amendment "A" clarifies that garages are included in the home construction contract law by stating that the warranty shall cover other appropriate uses in addition to habitation. It changes the definition of "change orders" to include any revision, not just a revision upward. This change makes the revised section consistent with other sections of the current law.

LD 1311 An Act to Amend the Third-party Prescription Program Act and Provide for Responsible Health Care Decisions

CARRY OVER

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

HANDY
DUTREMBLE D
JOSEPH
RUHLIN

SUMMARY

This bill allows any pharmacy to participate in a 3rd-party prescription program as long as the pharmacy has registered with the Superintendent of Insurance.

LD 1314 An Act to Regulate the Use of Water Glass Adhesive on Shipping Labels

LV/WD

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

BOUTILIER
MATTHEWS
RUHLIN

LV/WD

SUMMARY

The committee was told that the use of water glass as an adhesive on shipping labels is dangerous as it has a tendency to flake and can cut those handling the packages. This bill limits the use of this adhesive to those situations where use of an alternative is impractical.

LD 1348 An Act to Protect Children from Illegal Tobacco Sales

PUBLIC 445

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

ALLEN
CLARK N
PENDLETON
BRAWN

OTP-AM

H-518
S-304 CLARK N
S-305 BALDACCI

SUMMARY

This bill establishes a mechanism for enforcement of the prohibition against tobacco sales to minors by requiring retailers of tobacco to obtain a retail tobacco sales license. That license may be revoked or suspended if the licensee persists in selling tobacco products to minors. The bill also establishes a store-based permitting system for those employees who sell tobacco products. Failure to obey the law prohibiting tobacco sales to minors may result in penalties to the store clerk as well as to the owner.

This bill places enforcement authority in the Bureau of Liquor Enforcement, which will become the Bureau of Liquor and Tobacco Enforcement. The Administrative Court has jurisdiction over violations of this law, paralleling the liquor laws.