

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.

Committee Amendment "A" eliminates the provisions of the original bill dealing with licensing and registering persons who sell tobacco and increasing the responsibilities of the Department of Finance, Bureau of Liquor Enforcement and Bureau of Alcoholic Beverages to include tobacco. It keeps the provisions of the bill which prohibit furnishing or selling cigarettes or tobacco products to those under 18 and prohibits purchase or possession of cigarettes or tobacco products by those under 18. This amendment also retains the provision requiring stores to post notices of the prohibition of tobacco sales to minors.

The amendment adds a provision which tightens the law regarding vending of tobacco products and another which prohibits the sale of cigarettes in quantities less than those in which the manufacturer packaged them. It provides that persons under 18 who violate the prohibitions on cigarette and tobacco product sales and purchases will be dealt with under the provisions of the Maine Juvenile Code, the Maine Revised Statutes, Title 15, Part 6, and through the Juvenile Court.

Senate Amendment "A" to Committee Amendment "A" removes the prohibition against possession of cigarettes or other tobacco products by children, but retains the prohibition against purchase.

Senate Amendment "B" to Committee Amendment "A" adds a fiscal note which states that the Lung Association will pick up the cost of providing the notices required by the bill.

LD 1351 An Act Amending the Oil and Solid Fuel Board Laws

PUBLIC 320

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
TELOW GURNEY	OTP-AM	H-370

SUMMARY

This bill authorizes State compliance officers to order the installers, as well as the owners, to correct code violations for improper installation of oil burners.

Committee Amendment "A" removes reference to the regulations of 2 national associations and empowers the State's Oil and Solid Fuel Board to set forth all standards and regulations for product and installation approval of oil and solid fuel burners.

LD 1407 An Act Concerning Complaints Against Health Care Practitioners

PUBLIC 462

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GWADOSKY FARNSWORTH RYDELL	OTP-AM	H-546

SUMMARY

This bill accomplishes the following.

1. Adds 3 members of the public to the Board of Registration in Medicine.
2. Requires investigation of consumer complaints by the board to be done in a timely fashion.
3. Requires a report by the board to the Legislature concerning the disposition of complaints received by it.

4. Requires the board to budget for adequate personnel to handle consumer complaints in a timely fashion.
5. Increases the allowed biannual registration fee for physicians from \$250 to \$500 in order to fund the additional board activities required by this bill.
6. Requires physicians and hospitals to post material prepared by the board which will indicate to consumers the procedure for filing complaints against physicians.
7. Provides for staggered terms for the initially appointed additional public members.

Committee Amendment "A" accomplishes the following:

1. Changes the title to indicate a shift in emphasis and a broadening of the subject area;
2. Requires that hospitals, or similar institutions, and professional societies report to the appropriate board when any health practitioner has been disciplined or has resigned to avoid discipline;
3. Requires that insurers report to the Bureau of Insurance when they cancel or refuse to renew insurance for a medical doctor or a doctor of osteopathy;
4. Changes the number of public members to be added to the Board of Registration in Medicine from 3 to 1 and adds one public member to the Board of Osteopathic Examination and Registration;
5. Eliminates the following from the information that the Board of Registration in Medicine is to report to the Legislature:
 - A. The types of complaints and the average time for resolution;
 - B. The number and types of administrative procedures held; and
 - C. The reasons for the disciplinary actions taken.

The same information that is required of the board is also to be required of the osteopathic board;
6. Eliminates the specific investigative staffing requirement by the Attorney General and, instead, specifies that the Attorney General shall provide sufficient legal and investigative staff to respond to consumer complaints in a timely fashion;
7. Strikes out the section calling for an increase in the allowed limit of registration fees for medical doctors from \$250 to \$500 biannually, and raises the osteopathic registration limit from \$125 to \$200 annually; and
8. Eliminates the requirement that the board disseminate to, and medical doctors use, the materials concerning complaint procedures to be provided to them by the board. The osteopathic board is required to prepare the same type of informative materials as the bill requires of the Board of Registration in Medicine.