

# 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 \***  
**Rep. Carl F. Sheltra**  
**Rep. Christopher Scott Gurney**  
**Rep. Virginia Constantine**  
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**Rep. Albert G. Stevens**  
**Rep. Gary W. Reed**  
**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 1491     **Resolve, to Establish the Commission to Study Real Estate  
Appraiser Certification and Licensing**

**RESOLVE 39  
EMERGENCY**

SPONSOR(S)

ALLEN

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-465

SUMMARY

The United States Office of Management and Budget has recently issued regulations requiring that any use of federal funds, such as highway grants, Veterans Administration and Farmers Home Administration loans, after July 1, 1991, be prohibited unless the real estate appraiser for the project is state licensed or state certified, depending on the complexity of the project. Maine currently has no real estate appraisal licensing or certification law. This resolve establishes a commission to study the best way to implement the necessary law and is to report to the 114th Legislature so that necessary legislation can be passed to be effective in advance of the July 1, 1991 deadline.

Committee Amendment "A" makes the resolve an emergency measure; adds a public member to the commission; provides specific deadlines for appointment and first meeting; eliminates commission compensation; provides staffing from the Department of Professional and Financial Regulation; and requires that the commission report to the joint standing committee of the Legislature having jurisdiction over business legislation. This amendment also adds a fiscal note.

LD 1570     **An Act to Prohibit Cemetery Corporations and Associations  
from Soliciting Prearranged Burials and Burial Business**

**ONTP-MAJ REP**

SPONSOR(S)

HANDY  
JOSEPH  
CARROLL D

COMMITTEE REPORT

ONTP     MAJ  
OTP     MIN

AMENDMENTS ADOPTED

SUMMARY

This bill prohibits cemetery corporations and associations from soliciting prearranged burials and burial plans. The bill also prohibits the payment of commission to a person who secures business for a cemetery. Both restrictions already apply to funeral homes and establishments under the funeral directors and embalmers laws.

**LD 1656**     **Resolve, to Grant a Temporary Psychologist's License to  
Bruce W. Webb**

**ONTP  
EMERGENCY**

SPONSOR(S)

MCKEEN  
ESTY  
LARRIVEE

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This resolve requires the State Board of Examiners of Psychologists to grant Bruce W. Webb a temporary license to practice as a psychologist under the supervision of a licensed psychologist and establishes that he is to be eligible to take the licensing examination given by the State Board of Examiners of Psychologists.

Dr. Webb had been told, initially, that he was eligible for the examination. He failed the exam and when he next applied he was told that his credentials were not sufficient and that he should not have been allowed to take the examination initially.

**LD 1688 An Act to Amend Maine's Unclaimed Property Act**

**PUBLIC 369**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BALDACCI BRANNIGAN ALLEN	OTP	

SUMMARY

This bill provides authority to the administrator (State Treasurer) to deal with tangible property valued at \$1,000 or over. Currently, the law makes no provision for tangible property of \$1,000 or over and no authority exists in the current law for its disposition. These changes give the authority to the administrator to either conduct the auction or authorize the landlord to hold an auction, provided the landlord was granted authority in writing by the administrator. The auctions will be held in conformity with the provisions of the Maine Revised Statutes, Title 33, section 1818, subsection 3.

**LD 1704 An Act to Amend the Definition of Labels in the Beverage Container Deposit Law**

**PUBLIC 427**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WHITMORE ALLEN BALDACCI TELOW	OTP-AM	S-246

SUMMARY

This bill requires that beverage containers coming into this State have the word "Maine" or the abbreviation "ME" on the container along with their refund value. The bill also repeals a transition provision which states that glass containers with a refund value of not less than 5¢ as of January 1, 1978 and having a brand name permanently marked were not required to have the refund value indicated on them.

Committee Amendment "A" continues the exemption of permanently marked glass containers from the labeling provisions of Maine's refundable beverage container law.

**LD 1710 An Act Amending the Licensure Requirements for Plumbers**

**CARRY OVER**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BALDACCI WHITMORE GURNEY STEVENS A		

SUMMARY

This bill defines the word "apprentice", increases by one year the experience requirement to sit for a journeyman examination, and describes the employment and supervision requirements of journeyman plumbers.