

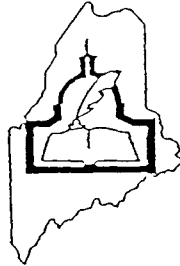
MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION**



**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS LEGISLATION**

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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" exempts those institutions when they are wholesaling these cars, but not when they are selling them at retail. This amendment additionally requires that repossessed cars offered for sale at retail be identified as repossessed and removes the selling dealers from the responsibility of obtaining a statement of damages and defects from the previous owner.

House Amendment "A" to Committee Amendment "A" adds a broader waiver of responsibility for dealers selling and repossessing cars and, inadvertently, eliminates the provision that repossessed cars must be identified as such. This last point was corrected in an errors bill.

LD 1929 **An Act to Amend the Counseling Licensing Laws**

PUBLIC 895

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK N	OTP-AM	S-640
WEBSTER M		S-721 PEARSON
DUTREMBLE D		
BALDACCI		

SUMMARY

Current law provides for a conditional license for persons who have met the educational requirements for licensure as a counselor while they are obtaining the required 2 years of supervised experience. This bill adds a reference to this conditional license as being "time-limited" and extends its provision to those who were practicing counseling at the time the law was enacted and are "actively seeking" the education and supervision required for licensure.

Current law requires a person to be licensed by October 1, 1990 in order to provide counseling. This bill sets this date back until October 1, 1992.

Committee Amendment "A" accomplishes the following:

1. The current law allows a conditional license to persons while completing the supervision required for licensure as a counselor. The original bill extended this to include persons completing the required education. This amendment eliminates that portion of the original bill.

2. This amendment exempts the following additional groups from the necessity to be licensed as counselors:

1. Registered nurses.
2. Career, educational, human resource, management, organizational and vocational consultants.
3. Christian Science healers.
4. Certain practitioners who do not generally refer to themselves as counselors and who use narrow, specific skills to aid consumers in their development. Examples are astrologers, palm readers, and psychic diviners.

3. Current law requires a license which necessitates meeting certain requirements to be able to practice counseling. This amendment requires a license to be called a professional counselor, a marriage and family therapist or a licensed pastoral counselor and adds qualifications required to be a licensed pastoral counselor to those currently in law for the other categories. The amendment requires registration, which is open to anyone, to be allowed to practice counseling. It sets the effective date for requiring registration as October 1, 1992, the same date required for licensure in the original bill.

4. The amendment adds 2 licensed pastoral counselors, a third public member who is to be a consumer of counseling services, a person appointed by the Chancellor of the University System and a non-voting, non-traditional counselor to the Board, bringing its membership to 13.

5. Current law requires a master's degree in counseling or an allied mental health field, plus various supervision and experience requirements for licensure. This amendment makes persons who currently have those degrees or degrees in behavioral or social science or divinity and, who have practiced in 2 of the last 5 years prior to June 1, 1990, eligible for licensure and to take the required written examination.

6. The amendment adds a requirement for a Commission to develop, for the next legislative session, legislation which is to specify qualifications for licensure for those counselors who do not qualify for licensure under current law. The Commission is to consist of 2 legislators, 1 appointee from the two categories of counselors involved in the issue and the Director of the Division of Licensing and Enforcement as a non-voting member. Staffing is to be provided by the Legislative Council. Legislators are to receive per diem. Other members receive no expenses. Findings will be presented informally to the Committee on Business Legislation. No licenses may be issued until the legislation has been submitted.

Senate Amendment "A" to Committee Amendment "A" removes the study commission. It also, inadvertently, removes the statement of legislative intent and the section that states the Committee does not feel that a "sunrise" report to the Legislature is required.

**LD 1964 An Act to Amend the Educational Qualifications for Licensure
 as a Social Worker**

PUBLIC 682

SPONSOR(S)
MARSANO

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-794

SUMMARY

Currently a bachelor's degree in social work or social welfare is necessary to be licensed as a social worker. The Board of Social Worker Licensure may by rule stipulate whether and how additional areas of study may qualify. This bill added a degree in sociology to the degrees which qualify for a social worker license.

Committee Amendment "A" adds any related degree but requires that it have been granted by an institution prior to that institution's offering a program accredited by the Council on Social Work Education.

LD 1967 An Act Concerning Contact Lenses

ONTP-MAJ REP

SPONSOR(S)
HOGLUND
FARNSWORTH
DAGGETT
ALLEN

COMMITTEE REPORT
ONTP MAJ
OTP-AM MIN

AMENDMENTS ADOPTED

SUMMARY

This bill requires that optometrists provide patients with a copy of their contact lens prescriptions.

Committee Amendment "A" uses the more accurate term "specifications," rather than the term "prescriptions." It also requires an optometrist to provide specifications only when the fitting process is complete and requires the person providing the lenses to notify the optometrist issuing them. The amendment also extends these requirements to ophthalmologists. It limits those persons who may fill lens prescriptions to persons licensed to do so and organizations who employ either a pharmacist or an optician.