

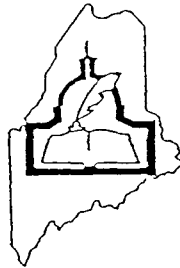
MAINE STATE LEGISLATURE

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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.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ADAMS	OTP-AM	H-835
ALLEN		H-855 TAMMARO
BOST		H-926 ADAMS
MARSH		

SUMMARY

This bill restricts the use of automated sales and solicitation calls within Maine by limiting the hours these calls may be made, allowing people to opt not to receive these calls and prohibiting such calls to providers of emergency and other services.

Committee Amendment "A" accomplishes the following:

1. It separates the types of messages regulated by this bill from the definition of an automated calling device.
2. It adds direct inward dial numbers to the list of those to which automated solicitation calls may not be made.
3. It changes allowed calling hours from weekdays from noon to 7 p.m. to weekdays from 9 a.m. to 5 p.m.
4. It makes it clear that the caller, not the telephone company, is responsible for the disconnection of the calls regulated by this bill and allows 5 seconds for this disconnection.
5. It requires persons making calls regulated by this chapter to identify their organization within the first minute of the call.
6. It eliminates the provision that allowed telephone subscribers to indicate that they do not wish to receive solicitation telephone calls.
7. It exempts governmental calls from the regulations of the bill.
8. It requires persons using automated calling devices to make calls within the State to register with the Secretary of State.
9. It makes violations of the provisions of the bill an unfair trade practice.

House Amendment "A" corrects a numbering error in the laws.

House Amendment "B" to Committee Amendment "A" removes political campaigning from the limitations of the bill and makes technical changes.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ADAMS	OTP-AM	H-845
MARSANO		H-917 ADAMS
ALLEN		
BOST		

SUMMARY

This bill prohibits the unsolicited transmission of telefacsimile messages to request charitable contributions, as advertisements or when the recipient has indicated a desire not to receive them. The bill also prohibits transmissions of threatening or harassing messages. Violations may result in a civil forfeiture of up to \$500 for each transmission.

Committee Amendment "A" accomplishes the following:

1. Exempts devices for the deaf and speech impaired from the provisions of the bill;
2. Removes threatening, harassing or annoying calls from the provisions of the bill;
3. Restricts to current relationships those contractual relationships that are exempt from the provisions of the bill; and
4. Changes the penalty for violation of the chapter by providing that violation is prima facie evidence of an unfair trade practice.

House Amendment "A" to Committee Amendment "A" clarifies the definition of "telefacsimile transmission" to conform to the common understanding of "fax."

LD 1992 An Act to Improve Credit Reporting

**DIED BETWEEN
BODIES**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	OTP-AM MAJ	
WEYMOUTH	OTP-AM MIN	
DELLERT		
FARNSWORTH		

SUMMARY

This bill requires that consumers be identified by age and social security number for credit reporting purposes.

Committee Amendment "A" eliminates the age provision and provides more detail on how the social security number is to be obtained. It eliminates the provision of the original bill that required that a copy of information to be added to a consumer's file be sent to the consumer 30 days before it is added. It adds a provision that an applicant for credit be furnished the name of the reporting agency from which a credit report will be requested. Lastly, the amendment gives rule-making authority to the Bureau of Consumer Credit Protection.

Senate Amendment "A" is essentially the same as Committee Amendment "A".

**LD 2004 An Act to Enable Rulemaking by the Board of Examiners of
Podiatrists**

PUBLIC 632

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
WHITMORE	OTP-AM	S-482
BALDACCI		
ALLEN		
TELOW		

SUMMARY

Current law limits the scope of the rule-making authority of the Board of Examiners of Podiatrists to false, deceptive and misleading advertising only. This bill authorizes the board to engage in rulemaking as necessary to implement its practice act.

Committee Amendment "A" adds a fiscal note to the bill.