

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

Committee Amendment "A" does the following:

1. Changes from 30 business days to 21 calendar days the time within which a credit reporting agency must respond to a consumer complaint;
2. Makes it even clearer that a consumer may choose whether to provide a social security number;
3. Establishes a 60-day period during which a consumer who has been turned down for credit may request disclosure of the consumer's file without charge;
4. Limits the liability of a credit reporting agency that responds to a telephone inquiry from a consumer when the credit reporting agency has utilized reasonable procedures to ensure proper identification of the consumer;
5. Allows credit report items, deleted following dispute and investigation, to be added back into a consumer's file if the items are subsequently verified as accurate by the credit reporting agency;
6. Authorizes the Bureau of Consumer Credit Protection to register credit reporting agencies operating in the State;
7. Provides that credit reports will reflect the name of the original debtor; and
8. To allow preparation by credit reporting agencies, creditors and regulators, provides for an effective date of January 1, 1992.

House Amendment "A" clarifies that users must request social security numbers only in connection with initial credit applications and not for prescreening operations or for routine review of credit reports for existing customers of the users.

**LD 573 An Act to Expand the Availability of Automatic Liens to
 Certain Businesses**

PUBLIC 41

SPONSOR(S)
KILKELLY
HOLLOWAY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

A lien is an interest in property to secure the payment of debt. Chapter 629 of Title 10 deals with watches, jewelry, clothes, appliances and musical instruments that are left for repair or servicing. This bill adds furniture, photographs, artwork, sports equipment and photographic equipment to the list of items on which the servicing or repairing organization has a lien contingent on the payment of its charge for service or repair.

**LD 581 An Act to Require Each Person Licensed for the Practice of
 Funeral Service to Participate in Continuing Professional
 Education**

PUBLIC 117

SPONSOR(S)
BALDACCI

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-66

SUMMARY

This bill requires continuing education for funeral directors, with the requirements to be under the supervision of the State Board of Funeral Service.

Committee Amendment "A" requires that the board report to the Joint Standing Committee on Business Legislation on courses to be required, the procedures for approving course providers, the cost of this mandated continuing education program and the availability of courses in the various parts of the State.

LD 619 An Act Regarding the Licensing of Nurses

PUBLIC 153

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SWAZEY PINES CONSTANTINE DUPLESSIS	OTP-AM	H-154

SUMMARY

Currently, registered nurses and practical nurses must renew their licenses every year. This bill provides a 3 year renewal period. Also, the licensing fee has been adjusted to reflect the longer licensing period.

Committee Amendment "A" makes the following changes to the bill.

1. It changes the 3-year renewal period to a 2-year renewal period.
2. It removes the specific license fee and replaces it with a fee limit of \$100 per renewal.
3. It retains language currently in law that designates the anniversary of a person's birth as the expiration date of the license.
4. It provides an effective date of 1992 and provides that the renewal period for 1/2 of the licenses in that year are to be for one year.

LD 623 An Act to Improve the Regulatory Operations of the Board of Licensing of Auctioneers

**PUBLIC 203
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
STEVENS A RICH GURNEY MATTHEWS	OTP-AM	H-146 H-262 SHELTRA

SUMMARY

This bill accomplishes the following:

1. Increases the size of the Board of Licensing of Auctioneers by adding an additional public member and an additional licensed auctioneer;
2. Allows the board to adopt bonding requirements by rule. The current law requires a bond of \$10,000.
3. Allows the board a higher fee cap for new, renewal and nonresident licenses to cover the costs of administering the laws;
4. Adds "unprofessional conduct" as grounds for disciplinary action by the board;