

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.

**An Act to Regulate the Construction of Chimneys and
Fireplaces and to Amend the Oil and Solid Fuel Laws**

SPONSOR(S)
LARRIVEE
NADEAU
ESTY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-231

SUMMARY

This bill establishes the Chimney and Fireplace Construction Board modeled after the Oil and Solid Fuel Board established by the Maine Revised Statutes, Title 32, chapter 33. The bill provides for the appointment of 7 members to the board and authorizes the Commissioner of Professional and Financial Regulation to hire persons to carry out the provisions of the bill. The bill requires that people who construct chimneys and fireplaces be licensed by the board. The bill gives the board power to make rules for the issuance of licenses and to suspend or revoke a license. The bill provides that chimney and fireplace construction must meet the standards prescribed by the board and that state compliance officers may enter and inspect the construction of chimneys and fireplaces. The bill authorizes forfeitures and injunctive relief.

Committee Amendment "A" establishes the jurisdiction for regulation of the construction of chimneys and fireplaces with the Oil and Solid Fuel Board; mandates civil penalties for any installers of chimneys and fireplaces who fail to give disclosures to consumers prior to installation; and gives enforcement jurisdiction over the disclosure provisions to the Office of the State Fire Marshal, state oil and solid fuel inspectors, fire chiefs and municipal building inspectors.

This amendment also allows the State Oil and Solid Fuel Board to register manufacturers of equipment rather than approve individual pieces of equipment as is done now. This amendment limits the enforcement powers of state inspectors, increases the allowed fee for initial licensing from \$100 to \$200, allows the Oil and Solid Fuel Board more discretion over reissuing lapsed licenses and raises the daily forfeiture for failure to comply with the order of a compliance officer from \$5 to \$100.

**An Act to Provide an Opportunity for Complainants to be
Heard before the Board of Registration in Medicine**

SPONSOR(S)
LIPMAN
DONNELLY
PARADIS P
FOSTER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-177

SUMMARY

Currently, without giving the complainant an opportunity to be heard, the Board of Registration in Medicine may dismiss a complaint or enter into a consent agreement or stipulations with the accused licensee. The licensee has the right to a conference before the board decides upon any action.

This bill requires that a complainant be given the opportunity to appear before the board prior to the board deciding what action to take on the complaint.

Committee Amendment "A" requires only that the complainant be given an opportunity to speak at any informal licensee conference that the board may call.