

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.

LD 737 An Act to Remove the Sunset Provision of the Journeyman-in-training Electrician's Licensure Laws

**ONTP
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
COLLINS NORTON MELENDY	ONTP	

SUMMARY

The law creating the journeyman-in-training level for electricians, including a sunset provision, was a result of a recommendation by the Audit & Program Review Committee in 1986. At that time, it dealt only with Vo-Tech graduates. The provision for the Department of Corrections was made in 1989. At the time the law was passed, a person wishing an electrician or to be an electrician had a choice of a journeyman requiring 4,000 hours of experience and being employed by a master electrician or a helper/apprentice with no experience requirement and working under the direct supervision of a journeyman or master. An electrician JIT isn't required to work under the direct supervision of a supervisor. The purpose of this law appears to have been to create a level between helper and the journeyman in order to make electricians more available and provide a higher salary for electricians on their way up.

This bill ensures continuance without interruption of the journeyman-in-training level of licensure.

LD 853 An Act to Amend the Maine Lemon Law

PUBLIC 64

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN RYDELL GURNEY MATTHEWS	OTP	

SUMMARY

A consumer who has purchased a new automobile that by law is considered a "lemon" is entitled to receive either a replacement vehicle or a refund. This bill entitles the consumer to receive not only the return of the purchase price or, if a leased vehicle, the lease payments made to date, but also any finance charges paid by the consumer.

LD 860 An Act to Amend the Warranty and Disclosure Requirements Applicable to Certain Sellers of Repossessed Vehicles

PUBLIC 62

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MAYO STEVENS A CONLEY ERWIN	OTP	

SUMMARY

The 1989 amendments to the Maine Revised Statutes, Title 10, chapter 217, make it clear that a financial institution that repossesses a motor vehicle in accordance with a note and security agreement and sells it to a consumer is subject to the requirements of the warranty and disclosure laws in that chapter. When a vehicle is repossessed, however, the financial institution often is unable to obtain information necessary to comply with the laws. The 1989 amendments recognize problems faced by the seller of a repossessed vehicle when the seller obtains that vehicle from the financial institution that repossessed it. The amendments do not, however, provide the same benefits to the financial institution that, instead

of selling the vehicle to a dealer in a wholesale transaction, chooses to sell the vehicle itself. This bill treats such a financial institution on an equal basis with a dealer who obtains a repossessed vehicle from a financial institution and subsequently sells it to a consumer.

LD 899 An Act to Cover Replacement Vehicle Costs ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GEAN NADEAU NUTTING CONLEY	ONTP	

SUMMARY

Current law provides for the recovery of the cost of replacement motor vehicles for a period of up to 45 days. This bill removes the 45-day limitation and provides that the motor vehicle owner is entitled to recover reasonable rental costs actually expended for a replacement vehicle during the time that the damaged vehicle can not be operated.

LD 903 An Act to Change the Membership Requirements of the Board of Registration in Medicine LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS J RAND PENDLETON GWADOSKY	LV/WD	

SUMMARY

This bill adds a 2nd and 3rd public member to the Board of Registration in Medicine to give the public more representation on the board.

LD 959 An Act to Exempt Certain Persons from the Counselors Licensure Laws PUBLIC 263

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BALDACCI CLARK N	OTP-AM	S-140

SUMMARY

Beginning on October 1, 1992, persons who wish to practice as professional counselors, marriage and family therapists or pastoral counselors must be licensed. Current law provides that persons who were in practice prior to January 1, 1990 may meet the educational component of the licensing requirements with a degree that is not in a directly related discipline.

This bill expands that provision to exempt from all the requirements for licensure those individuals who hold a master's degree or its equivalent in an allied field and were actively engaged as counselors for at least 2 of the preceding 5 years prior to January 1, 1992. The bill also requires the Board of Counseling Professionals Licensure to establish continuing education and supervision requirements.