

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.

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.

Committee Amendment "A" does the following:

1. Allows to vote the current nonvoting member of the Board of Counseling Professionals Licensure, who is a counselor not eligible for licensure, and adds a 2nd such member to the board;
2. Allows the board to accept a master's degree, other than one in divinity, as qualification for an individual's licensure as a pastoral counselor;
3. Keeps the requirement of the bill that existing counselors need not sit for the examination but requires that their degrees be from accredited institutions approved by the board and that they have supervised experience as determined by the board. Passage of the examination may be substituted for the supervised experience;
4. Changes to January 1, 1991, the provision of the bill that extends the provision for licensing existing counselors until January 1, 1992;
5. Removes the provision of the bill that requires the board to make continuing education and supervision a condition for license renewal; and
6. Changes the sunset provision of the law regulating counseling professionals that is required by the Maine Sunset Act to make it conform to standard procedures for sunset provisions.

LD 980 An Act to Clarify Certain Provisions of the Lien Laws LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
COTE HANDY	LV/WD	

SUMMARY

A lien is a claim upon property contingent upon receiving payment for services performed in conjunction with that property. 10 MRSA c. 603 which deals with buildings provides a lien to a wide range of specific individuals performing a wide range of specific services. This bill replaces the listing of specific individuals and specific services with more general language in order to overcome the weakness of trying to list every specific individual and circumstance.

LD 993 An Act to Regulate Building Contractors LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LUTHER BELL CATHCART	LV/WD	

SUMMARY

This bill requires that persons who construct, remodel or repair commercial or residential buildings as contractors or subcontractors must be registered with the State. Registration requires that the applicant provide information regarding related education and experience and provide a credit report, financial statement and 5 references. If the firm or its principals do not have 4 years of experience or can not provide the required references, the board may require that the firm complete 80% of any project over \$5,000 before beginning the next such project. Bonding in an amount of \$5,000, or as determined by the board, is required. Several alternatives to bonding are offered.