

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. 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.

Initial registration is for one year. Subsequent reregistration is for 2 years. Registration fees are to be set by the board but are not to exceed \$125 a year. The board may refuse reregistration or suspend or revoke registration based on a number of grounds, including incompetence, violation of a board-developed code of ethics, failure to exercise diligence, negligence, misconduct and violation of building codes and ordinances.

This bill establishes the Board of Building Contractors to oversee contractor regulation. The board is to have its first meeting by November 10, 1991 and registration is required by October 1, 1992. The board is to make available educational materials for contractors and for consumers, including a bill of rights, procedures for dealing with contractors and a listing of registered contractors, including appropriate information from their registration forms.

LD 994 An Act to Amend the Maine Traveler Information Services Laws CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN TWITCHELL		

SUMMARY

This bill requires that an applicant for an official business directional sign erect the sign at the applicant's expense. Current law requires only that the applicant furnish the sign. This bill also includes real estate signs alerting the traveler to the sale or lease of real property among those signs that may be erected and maintained without a license or permit.

LD 1007 An Act to Address Budgetary Concerns of the Maine Athletic Commission and to Deregulate Certain Aspects of the Sport of Wrestling PUBLIC 338 EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BAILEY H TAMMARO WEBSTER GURNEY	OTP-AM	H-314 H-338 SHELTRA

SUMMARY

This bill:

1. Changes the authority under which members of the Maine Athletic Commission are appointed from the Department of Professional and Financial Regulation to the Governor;
2. Authorizes the Commission to establish a medical advisory committee to alleviate the problem of obtaining adequate medical staff for events and to provide medical advice to the Commission;
3. Allows the Commission to set fees for athletes and promoters;
4. Eliminates licensing requirements and fees for wrestling participants to reflect more adequately industry and event structure;
5. Revises the advance bond requirements to ensure tax payments by promoters; and