

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

Staff:
John B. Knox, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

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STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**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.

SPONSOR(S)
HOGLUND
RAND
GRAHAM
BELL

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-393

SUMMARY

This bill does the following:

1. Divides the definition of cosmetology into 2 branches; beautician and hairdresser and specifies that it is not necessary to have a cosmetology license to practice electrolysis;
2. Eliminates from the practice of beauty culture the use of mechanical and electrical apparatus and eliminates the authority to practice on the legs or feet;
3. Changes the definition of aesthetics so that it is similar to that for beauty culture, except that an aesthetician may not practice manicuring and may use mechanical and electrical apparatus;
4. Provides qualifications for the licensure of an aesthetician that are the same as those currently in the law, except that the age is raised from 17 years of age to 18 years of age and the education qualification from 10th grade to high school graduate. Apprenticeship of 1,875 hours is offered as an alternative to the educational requirement;
5. Changes the practice currently called "aesthetics" to "clinical aesthetics" and adds skin care therapy and paramedical treatment to the clinical aesthetics practice and defines those terms. The qualifications for licensure as a clinical aesthetician are 2 years of practice as an aesthetician and 750 additional hours of education;
6. Requires that to be accredited for licensing, courses in aesthetics and clinical aesthetics must be taught by a licensed clinical aesthetician and courses in clinical aesthetics must be taught in an environment separate from courses in cosmetology;
7. Requires for an aesthetics or clinical aesthetics license a practical examination in a clinical environment administered by a person with a license at least equivalent to the one being applied for;
8. Makes the following changes in the composition and duties of the State Board of Cosmetology:
 - A. Requires that the member of the board whose qualifications are currently unspecified be a clinical aesthetician;
 - B. Replaces one of the cosmetologist members with an employee of the Department of Education who is familiar with the licensing of cosmetology schools;
 - C. Requires that the board specify by rulemaking the courses required to meet the educational requirement for licensure;
 - D. Requires the board to produce, and licensees to distribute, a brochure that describes the various licenses issued by the board and the qualifications for each; and
 - E. Requires that the board develop by rulemaking the license examinations; and

9. Raises the allowed license fees for cosmetologists and shops by \$5 in order to pay for the consumer education brochure and establishes a \$40 license fee for clinical aestheticians.

Committee Amendment "A" deletes the original bill and provides only for an apprenticeship for aestheticians following the same procedures as currently in place for apprentice cosmetologists.

LD 1341 An Act to Amend Various Provisions of the Electricians' Examining Board Laws

PUBLIC 531

SPONSOR(S)
GOULD R R
ERWIN
MATTHEWS

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-176

SUMMARY

This bill revises the provisions regarding "low-energy installers" to exempt them from the requirements of licensing though making them adhere to the National Electrical Code.

This bill requires a utility corporation to require proof of a permit prior to connecting services. The bill eliminates the permit exception for new-one family and 2-family dwellings. The bill increases the minimum forfeiture amount for a civil violation. The bill creates an inactive license status. The bill deletes specific continuing education requirements from this law since statutory authority exists in the Maine Revised Statutes, Title 10, section 8003 for the board to set requirements by rule. The bill clarifies the powers of the state electrical inspector.

This bill allows the Commissioner of Professional and Financial Regulation or the Director of the Division of Licensing and Enforcement to have the power to submit evidence of license status to any court in this State.

Committee Amendment "A" replaces the provision that exempts one-family or 2-family dwellings from these permit and inspection requirements.

LD 1343 An Act Related to the Board of Licensure for Substance Abuse Counselors

PUBLIC 456

SPONSOR(S)
BUSTIN
PRAY
DAGGETT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-294

SUMMARY

This bill makes the following changes in the laws governing the licensing of substance abuse counselors:

1. Defines college level course as an education program that includes at least 15 contact hours per credit;
2. Denies practice to anyone not registered or licensed by the board after October 1, 1993, unless specifically exempted;
3. Requires the State Board of Substance Abuse Counselors to keep records and adopt a code of ethics.