

# 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:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<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.

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)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GOULD R R ERWIN MATTHEWS	OTP-AM	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)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN PRAY DAGGETT	OTP-AM	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.

4. Allows persons who have been practicing for at least a year prior to October 1, 1993, to comply with existing licensing standards;
5. Eliminates the title "registered substance abuse counselor" but retains the registration requirement;
6. Allows the board to recognize master's level education and 1,000 hours of experience or other exceptional education or experience as eligibility for licensure;
7. Increases the eligibility requirements for registered substance abuse counselors to include high school graduation and demonstration of adherence to the ethical standards adopted by the board;
8. Increases the eligibility requirements for associate substance abuse counselors to include 300 education hours in substance abuse or a related field and a minimum of 4,000 hours of direct client service;
9. Increases the eligibility requirements for licensed substance abuse counselors to include an associate's degree in substance abuse or a related field and a minimum of 4,000 hours of direct client service;
10. Allows the board to revoke a license or registration for incompetence in the practice of counseling and establishes specific criteria for reinstatement; and
11. Increases the license fees.

Committee Amendment "A" adds a requirement that substance abuse counselors who are service providers under the Driver Education Evaluation Program must report annually to the State Board of Substance Abuse Counselors concerning the number of clients they have treated and have currently under treatment. The amendment corrects a technical error in which the desired amendments to the qualifications for licensed and associate substance abuse counselors were placed in each other's sections. It also requires associate counselors be licensed rather than certified. The amendment changes the licensing and registration fees from \$250 in the original bill to \$150. The current fee is \$100.

**LD 1393      An Act Increasing the Membership of the Nursing Home  
Administrators Licensing Board and Clarifying the Penalty  
for Unlicensed Practice**

**PUBLIC 341**

**SPONSOR(S)**  
LEBOWITZ  
GURNEY

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-395

**SUMMARY**

This bill:

1. Increases the membership of the Nursing Home Administrators Licensing Board to include one member who is an administrator of an intermediate care facility for the mentally retarded.
2. Makes operating a medical care facility other than a hospital without holding a nursing home administrator's license a Class E crime. Currently, there is no specific penalty for this offense.

Committee Amendment "A" adds an allocation section and a fiscal note to the bill.