

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 1412 An Act to Require Disclosure of the Per Therm Price of Propane Gas

LV/WD

SPONSOR(S)
DIPIETRO

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

This bill requires suppliers of propane gas to give notice to persons who have requested gas of the per therm price of the gas on the day of the delivery.

LD 1421 An Act to Provide for the Regulation of Massage Therapists

PUBLIC 403

SPONSOR(S)
KILKELLY
CONLEY
LAWRENCE
ADAMS

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-481
H-601 LAWRENCE

SUMMARY

This bill establishes the Board of Massage Therapy, a regulatory board of 7 members in the Department of Professional and Financial Regulation. Four members are to be practitioners of massage therapy, 2 are to be consumers and one is to be a provider of health care who is not a massage therapist. Initial appointments are to be made by October 15, 1991.

The bill requires that, effective October 19, 1992, all persons who wish to use the title "massage therapist" or to practice massage therapy must be registered or certified by the State. Initial registration may be accomplished by providing the information required by the Board of Massage Therapy and paying a biennial fee not to exceed \$100. Certification requires graduation from a school of massage therapy or a combination of course work and supervised practice and an initial fee not to exceed \$200 biennially. The board may require an examination and an interview for initial certification and may require programs for maintaining competence as a condition for certification renewal.

Committee Amendment "A" removes regulation of the practice of massage therapy by the Board of Massage Therapy. It requires that to use the title "massage therapist" a person must be registered with the State. Among the qualifications for registration are freedom from infectious disease and 3 character references. Also, pursuant to the Maine Revised Statutes, Title 5, chapter 341, the Commissioner of Professional and Financial Regulation, who is responsible for regulating the practice of massage therapy, may consider conviction for certain crimes, including those directly related to the practice of massage therapy, in deciding whether to grant registration. Incompetence and unprofessional conduct are eliminated as grounds for disciplinary action. A yearly registration fee of \$100 plus a one-time application fee of \$25 is required. Perhaps erroneously, the amendment retains the definitions and exceptions from the original bill, which may give the impression that the bill regulates the practice of massage, not just the use of the title.

House Amendment "A" to Committee Amendment "A" clarifies that local regulation of massage and massage therapy is not preempted by the bill. If a municipality adopts a regulatory ordinance, practitioners must comply with the law and any more restrictive provision of the local ordinance.