

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS LEGISLATION**

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

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, 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)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MANNING	ONTP MAJ	
CONLEY	OTP-AM MIN	
CONSTANTINE		
GRAHAM		

SUMMARY

This bill requires allopathic physicians, chiropractors, osteopathic physicians and podiatrists to accept Medicare assignments as a condition of licensure and practice.

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

LD 2246 An Act to Modify Various Licensing and Registration Laws and to Address Budgetary Constraints

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
STEVENS A	OTP-AM	H-990
COLLINS		

SUMMARY

This bill addresses various operational and budgetary matters affecting the regulatory responsibilities of the Division of Licensing and Enforcement within the Department of Professional and Financial Regulation and certain boards within the division.

The bill increases the registration statement fee for charitable organizations from \$25 to \$40 and increases the financial report filing fee from \$25 to \$50. The bill proposes that professional fund-raising counsels, professional solicitors and commercial co-venturers file an application with an application fee of \$50 and further increases the registration fee from \$100 to \$200.

The bill changes the law regarding those activities which don't require an architect to add structures whose principal purpose is not human occupancy or habitation and changes the provision regarding alterations from exempting those which do not affect the structure of the building and do not require a building permit to only those which do not affect the structure of the building.

The bill eliminates the requirement that helpers and apprentices provide the name of an employer when applying for licensure with the Electricians' Examining Board.

The bill corrects a technical error that inserted the word "waste" to define the type of solid fuel burning central heating equipment that is within the jurisdiction of the Oil and Solid Fuel Board.

The 113th Legislature, pursuant to the recommendations of the Legislature's Manufactured Housing Commission in Public Law 1989, chapters 271 and 690, recognized that the Manufactured Housing Board required 2 additional field people and one part-time clerical person to carry out its statutory responsibilities. As a result, these positions were authorized. Funding for the additional personnel was not provided at that time. As a result, the board is unable to meet its existing financial obligations. Consequently, the bill increases park license fees from \$30 to \$40 and the additional fee per mobile home site from \$3 to \$4.

The bill replaces the word "more" with "less" in the penalties provision of the itinerant vendors law to provide for higher penalties that may be adjudged to persons in violation of the law. The bill provides for an application fee for itinerant vendors and increases the registration fee for itinerant vendors from \$15 to \$75 and the registration fee for each employee of itinerant vendors from \$5 to \$25.

Committee Amendment "A" adds manufactured housing that is in compliance with HUD standards to the housing that is eligible for State certification.

LD 2248 An Act to Clarify Maine's Rent-to-own Laws

PUBLIC 787

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CARROLL D RICH POULIOT	OTP-AM	H-1033 H-1132 SHELTRA

SUMMARY

This bill regulates many aspects of the rent-to-own industry, including:

1. Contract disclosure requirements, including the cash price of the merchandise, the total of payments necessary to acquire ownership of the property, and consumer rights upon default and reinstatement.
2. Price limitations - LD 2248 places a cap on total rent-to-own charges of 2 times the stated cash price of the property.
3. Late-payment grace periods, rights of reinstatement, and notice of default and right to cure requirements.
4. Rent-to-own advertising disclosure requirements.

Committee Amendment "A" replaces the original bill. The changes reflected in this amendment strengthen the consumer protection aspects of the bill placing strict limitations on rental purchase pricing and on other allowable charges associated with rental purchase agreements. The amendment applies specific sections of the Maine Consumer Credit Code to rental-purchase agreements and additionally applies the Maine Fair Debt Collection Practices Act, the Maine Revised Statutes, Title 32, chapter 109-A, subchapter I to the collection practices of rental-purchase merchants.

House Amendment "A" (H-1132) to Committee Amendment "A" makes minor changes in the civil action rights of an aggrieved consumer.

LD 2266 An Act to Amend the Laws Governing the Practice of Hairdressing

**PUBLIC 728
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GOODRIDGE HOGLUND	OTP	

SUMMARY

This bill removes the requirement that persons licensed to practice barbering, cosmetology, manicuring or aesthetics must maintain or be employed in a licensed shop in order to practice on persons in their residences.