

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
TITCOMB	OTP-AM	H-1099 SHELTRA
BOST		S-584
JACQUES		
SIMPSON		

SUMMARY

The original bill requires suppliers of propane gas to establish price schedules based on estimated annual usage and to disclose all prices to potential and current consumers. The bill also prohibited suppliers from requiring that consumers use the suppliers' tanks but does not require a supplier to permit its tanks to be filled by another supplier. It also prohibits assessment by suppliers of storage tank removal charges.

Committee Amendment "A" replaces the bill with provisions that prohibit propane dealers from filling each others tanks and that require that sellers of propane disclose the unit price of propane to potential and current customers.

House Amendment "A" (H-1099) to Committee Amendment "A" clarifies the definition of owner and the provision concerning unlawful use of containers. The amendment also removes a provision which states that possession of a container by a person other than the owner is presumptive evidence of unlawful filling of the container.

LD 2361 An Act to Repeal a State Mandate Requiring a National Plumbing Code

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KILKELLY	OTP-AM	H-1105
RICH		H-1188 SHELTRA
SHELTRA		
BALDACCI		

SUMMARY

In 1989, the Audit & Program Review Committee put in a bill to require the Department of Human Services to adopt a nationally recognized plumbing code. This bill was a response to that Committee's concern that plumbing regulation is divided between the Plumbing Board and the Division of Health Engineering. In response to this legislation, the Department of Human Services planned to adopt the BOCA Code effective July 1, 1991.

The Business Legislation Committee passed LD 1792 last year in response to complaints that the proposed code had not been taken through the required rule making process. The bill put off the allowed adoption of the code until February 1, 1992 and required a report from the Department by January 1, 1992.

The Department's report concluded by recommending the adoption of the BOCA Code effective July 1, 1992.

At a meeting this session at which the results of this report were studied and discussed, the Business Legislation Committee received testimony against adopting the BOCA Code at this time based on the costs involved and the lack of training. LD 2361 is a result of this testimony and removes the requirement that a nationally recognized code be adopted. It also inadvertently removes the entire law dealing with the adoption and enforcement of plumbing rules.

Committee Amendment "A" adds a fiscal note to the bill.

House Amendment "A" (H-1188) replaces those portions of the law that deal with adoption and enforcement of plumbing rules.

LD 2362 An Act Concerning the Authority of Podiatrists

**PUBLIC 731
EMERGENCY**

SPONSOR(S)

BUTLAND
PRAY
HOLT
PENDLETON

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-1059

SUMMARY

This bill authorizes nurses to execute medical regimens ordered by licensed podiatrists.

Committee Amendment "A" makes the bill an emergency measure in order that podiatrists may be free to utilize the services of nurses in their practice at the earliest possible time.

The amendment also adds podiatrists to the section of the law dealing with practical nurses, a change which corrects what was apparently an oversight in the original bill.

LD 2422 An Act to Extend the Appraisal License Effective Date

**PUBLIC 801
EMERGENCY**

SPONSOR(S)

LIBBY
BALDACCI
SHELTRA
RICH

COMMITTEE REPORT

AMENDMENTS ADOPTED

H-1284 KUTASI
S-645 BALDACCI

SUMMARY

In order to conform with recently promulgated federal requirements, a law was passed in 1991 that detailed the qualifications to become a certified real estate appraiser, a certification which became necessary in order to do federally related appraisals. The law also required all appraisers to be licensed by January 1, 1991. This was not a federal requirement.

The federal government has subsequently set back, several times, its requirement for certification and, even though the two are not related, Maine has set back its licensure requirement. The history of the setbacks is April 1, 1991, July 1, 1991 and December 31, 1991. This bill set back the license requirement to December 31, 1992. It also provides a credit toward future fees for those who have previously paid licensing fees.

House Amendment "A" (H-1284) adds an inadvertently omitted change required to be in conformance with federal requirements.

Senate Amendment "A" (S-645) raises the requirements for licensure effective December 31, 1992 in order to conform to the revised federal requirements.

In a technical change, the amendment places the Board of Real Estate Appraisers into the normal schedule for legislative review and eliminates the section of the chapter regulating appraisers that terminates the board in the year 2000.