

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BUSINESS LEGISLATION

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

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

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

Senate Amendment "B" (S-333) to Committee Amendment "A" requires the Department of Economic and Community Development to determine by rulemaking the qualifications for a municipality to be appointed as a centralized agency to provide all participating permits and the qualifications for a municipality to be appointed as an agency to conduct one or more of the inspections associated with these permits.

Senate Amendment "C" (S-337) to Committee Amendment "A" makes the following 3 changes in the report that the Department of Economic and Community Development is required to file as to whether the program is meeting its goals and whether it should be expanded.

1. It changes the first report date from January 1, 1996 to January 1, 1994.
2. It changes the receiving committee from the Business Legislation Committee to the Housing and Economic Development Committee.
3. It requires the first report to contain an assessment of the willingness of municipalities to become centralized permitting agencies.

**LD 603**      **An Act to Allow All Retailers to Obtain Cigarettes at the Same Price**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MICHAEL	ONTP	

**SUMMARY**

This bill requires all persons who sell cigarettes to retailers to sell them at the same price to all retailers in the same competitive marketplace. Those persons are required to report their prices to the Bureau of Alcoholic Beverages and Lottery Operations. Violation of either of these provisions is a Class E crime. An aggrieved retailer may bring an action for 3 times the damages sustained.

**LD 607**      **An Act to Clarify the Laws Related to Debt Collectors and Repossession Companies**      PUBLIC 126

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KUTASI	OTP-AM	H-167

**SUMMARY**

This bill amends the Maine Fair Debt Collection Practices Act to include attorneys who engage in collection activities as a principal activity. The bill exempts from the Act common carriers who are retrieving voluntarily surrendered collateral. The bill also clarifies that a person who was engaged in the enforcement of security interests more than 5 times in the previous or current year becomes subject to the debt collector laws.

The bill further states that a debt collector may not enter a dwelling to take possession of collateral and shall notify a consumer if any unsecured property is taken with any collateral.

Committee Amendment "A" (H-167) broadens the category of persons excluded from the definition of "debt collector" by excluding any person, rather than any common carrier, who retrieves voluntarily surrendered collateral.