

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Business and Economic Development*

August 2001

Members:

Sen. Kevin Shorey, Chair

Sen. Lynn Bromley

Sen. Ed Youngblood

Rep. John Richardson, Chair

Rep. Bruce S. Bryant

Rep. Susan Dorr

Rep. Paul R. Hatch

Rep. Marc Michaud

Rep. Jonathan Thomas

Rep. Harold A. Clough

Rep. Thomas W. Murphy, Jr.

Rep. Brian M. Duprey

Rep. John R. Morrison

Staff:

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER..... *Bill Carried Over to Second Regular Session*
CON RES XXX..... *Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES..... *House & Senate disagree; bill died*
DIED IN CONCURRENCE..... *One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT..... *Action incomplete when session ended; bill died*
EMERGENCY..... *Enacted law takes effect sooner than 90 days*
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... *Emergency bill failed to get 2/3 vote*
FAILED ENACTMENT/FINAL PASSAGE..... *Bill failed to get majority vote*
FAILED MANDATE ENACTMENT..... *Bill imposing local mandate failed to get 2/3 vote*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
INDEF PP..... *Bill Indefinitely Postponed*
ONTP..... *Ought Not To Pass report accepted*
OTP ND..... *Committee report Ought To Pass In New Draft*
OTP ND/NT..... *Committee report Ought To Pass In New Draft/New Title*
P&S XXX..... *Chapter # of enacted Private & Special Law*
PUBLIC XXX..... *Chapter # of enacted Public Law*
RESOLVE XXX..... *Chapter # of finally passed Resolve*
UNSIGNED..... *Bill held by Governor*
VETO SUSTAINED..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Business and Economic Development

LD 1117

An Act Concerning Motor Vehicle Dealer Sale Practices

PUBLIC 256

<u>Sponsor(s)</u> RICHARDSON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-324
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LD 1117 proposed to provide consumers protection against 2 motor vehicle dealer practices. This bill proposed to require dealers to disclose any mark-up in the financing interest rate the dealer receives from the lender in return for arranging the financing. Under the proposed bill, a dealer who fails to comply would commit an unfair trade practice. The bill also proposed to restrict the practice of dealers who, following the sale of a motor vehicle, contact the buyer to inform the buyer that the dealer has decided to cancel the contract and to require the buyer to return the vehicle. Under the proposed bill, if a dealer were to engage in this practice, the dealer must reimburse the buyer the total purchase price of the vehicle, including any money given for a trade-in. This proposed requirement would not apply to a dealer who cancels the contract due to a material misrepresentation by the buyer. However, a dealer who failed to comply with this requirement would commit an unfair trade practice.

Committee Amendment "A" (H-324) proposed to amend the original bill by requiring a motor vehicle dealer to disclose to the buyer, both at the time of the purchase of a new or used vehicle and at the time of cancellation of a sale, that if financing can not be obtained on the terms agreed to in the sales contract, then the dealer must reimburse the consumer for the vehicle purchase price or for lease payments made in the case of a lease and all other charges pertinent to the sale and must return the vehicle traded in or the value of the traded-in vehicle as established in the contract in the event the vehicle is no longer available. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 256 requires a motor vehicle dealer to disclose to the buyer, both at the time of the purchase of a new or used vehicle and at the time of cancellation of a sale, that if financing can not be obtained on the terms agreed to in the sales contract, then the dealer must reimburse the consumer for the vehicle purchase price, or for lease payments made in the case of a lease, and all other charges pertinent to the sale and must return the vehicle traded in or the value of the traded-in vehicle as established in the contract in the event the vehicle is no longer available.

LD 1157

An Act to Amend the Laws Governing the Examination of Electricians

ONTP

<u>Sponsor(s)</u> SHOREY DUGAY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1157 proposed to provide that an applicant for licensure by the Electricians' Examining Board could take an examination before that applicant has completed the educational requirements for licensure.