MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1670

S.P. 618

In Senate, May 11, 2005

An Act To Exempt Internet Sales from the Definition of "Auction"

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator BROMLEY of Cumberland. Cosponsored by Representative EBERLE of South Portland and Representative: BLISS of South Portland.

2	Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
4	Whereas, there is uncertainty as to the application of
6	auctioneering laws to sales over the Internet; and
8 LO	Whereas, it is in the best interests of the citizens of Maine to resolve this uncertainty as soon as possible; and
LU	Whereas, in the judgment of the Legislature, these facts
L2	create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately
L 4	necessary for the preservation of the public peace, health and safety; now, therefore,
L6	Be it enacted by the People of the State of Maine as follows:
L8	
20	Sec. 1. 32 MRSA §284, sub-§1, as enacted by PL 1999, c. 146, §5, is amended to read:
22	1. Auction. "Auction" means the offering of goods or real estate for sale by means of exchanges between an auctioneer and
24	bidders. "Auction" does not include Internet-based sales of goods or real estate.
26	
28	Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.
30	
	SUMMARY
3 2 34	This bill clarifies that sales of goods or real estate occurring over the Internet are not considered auctions for
	purposes of regulation of auctions.