

MAINE STATE LEGISLATURE

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Date: 5/7/7

L.D. 686
(Filing No. H-198)

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 517, L.D. 686, Bill, "An Act To Ensure Truth in Music Advertising"

Amend the bill in section 1 in §1157 by inserting after subsection 1 the following:

'2. Person. "Person" means any individual, partnership, corporation or association.'

Amend the bill in section 1 in §1157 by renumbering the subsections to read consecutively.

Amend the bill in section 1 in §1158 in the first paragraph in the first line (page 1, line 22 in L.D.) by inserting after the following: "not" the following: 'promote.'

Amend the bill in section 1 in §1159 in subsection 1 in the 2nd line (page 2, line 5 in L.D.) by striking out the following: "advertising or conducting or is about to" and inserting the following: 'promoting, advertising or conducting or is preparing to promote.'

Amend the bill in section 1 in §1159 in subsection 2 in the 3rd line (page 2, line 12 in L.D.) by striking out the following: "any person in interest" and inserting the following: 'the recording group'

Amend the bill in section 1 in §1160 in the first paragraph in the 2nd and 3rd lines (page 2, lines 17 and 18 in L.D.) by striking out the following: "\$5,000 nor more than \$15,000" and inserting the following: '\$500'

Amend the bill in section 1 by inserting after §1160 the following:

'§1160-A. Exemption

This chapter does not apply to any nonprofit corporation incorporated under the laws of this State and subject to the provisions of Title 13, chapter 81 or 93 or the Maine Nonprofit Corporation Act.'

COMMITTEE AMENDMENT

SUMMARY

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This amendment makes the following changes to the bill:

1. It prohibits a person to promote, in addition to advertise or conduct, a live musical performance or production through the use of a false, deceptive or misleading affiliation with a performing group and a recording group;
2. It clarifies that the court may order restitution only for the recording group;
3. It exempts nonprofit corporations from liability under this chapter; and
4. It reduces the minimum fine from \$5,000 to \$500 for each violation and removes the maximum fine.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 686

LR 177(02)

An Act To Ensure Truth in Music Advertising

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Business, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new civil violations.

The collection of additional fines may increase General Fund revenue by minor amounts.