

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BUSINESS AND ECONOMIC DEVELOPMENT**

**JULY 1999**

**MEMBERS:**

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Sen. Susan W. Longley  
Sen. Bruce W. MacKinnon*

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**Staff:**

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing and Select Committees***  
***August 1999***

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select 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](http://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*  
*ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage*  
*NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died*  
*INDEF PP.....Bill Indefinitely Postponed*  
*ONT P..... Ought Not To Pass report accepted*  
*OT P ND..... Committee report Ought To Pass In New Draft*  
*OT P 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 18, 1999.

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

4. The mitigation of unsolicited bulk e-mail or spamming by:
  - A. Defining spamming and providing appropriate criminal penalties;
  - B. Clarifying that the use of an Internet service provider's facilities and computer network located in Maine subjects the user to Maine jurisdiction;
  - C. Establishing theft of services crimes for the unauthorized or fraudulent use of e-mail header information in connection with the transmission of unsolicited bulk e-mail or obtaining an Internet service provider account for the purpose of gathering e-mail addresses for the purpose of spamming; and
  - D. Establishing civil and criminal penalties for persons who assist spamming by facilitating the transmission of falsified e-mail or the distribution of specially designed software that aids spamming;
5. The regulation of hate mail and pornography by:
  - A. Directing an appropriate agency to establish a web site through which information and recommendations are provided to parents, guardians, local officials and others on specific problems involving the protection of children from inappropriate material over the Internet;
  - B. Requiring all public and publicly funded institutions to establish a management system and policy for Internet access within their institutions;
  - C. Making it at least a Class C crime for the on-line dissemination of obscene or harmful material for the purpose of inducing children to engage in or perform sexual acts; and
  - D. Making it at least a Class C crime to post on a pornographic Internet site information about a child's identity; and
6. The regulation of other crimes by:
  - A. Clarifying that a crime in the nondigital domain is a crime in the electronic environment;
  - B. Empowering law enforcement agencies to establish procedures for the investigation and prosecution of crimes committed using the Internet;
  - C. Amending the rules of evidence to include Internet-related activities; and
  - D. Requiring law enforcement agencies to establish Internet sites to receive reports of suspected illegal activities over the Internet.

**LD 1931**

**An Act to Amend the Franchise Law**

**CARRIED OVER**

Sponsor(s)  
LAFOUNTAIN

Committee Report

Amendments Adopted

LD 1931 is being carried over to the Second Regular Session of the 119th Legislature. The bill proposes to amend certain provisions of the law pertaining to manufacturers, franchisees and other dealers to ensure fair treatment of all dealers by all franchisers. In addition, the bill proposes to amend a provision of law that was recently addressed by the court on questions certified to it by the Federal District Court in the case of Darling's d/b/a Darling's Bangor Ford v. Ford Motor Company, in its decision of October 27, 1998.