

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

July 2013

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STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES.....House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Labor, Commerce, Research and Economic Development

Committee Amendment "A" (H-392)

This amendment changes the title and replaces the bill. It requires a dealer in secondhand precious metals to maintain records of each transaction involving precious metals conducted by the dealer and prohibits a dealer from selling or altering any precious metals until the precious metals have remained in the dealer's possession for 15 days after the date of the transaction, except that a dealer who determines that the precious metals are not included in an electronic database designed to catalog stolen property may sell or alter the precious metals 10 days after the date of purchase or acquisition through exchange. It also prohibits a dealer from engaging in the purchase and sale of secondhand precious metals without a municipal permit. It also provides that a court may award restitution to any victim suffering economic loss from a violation of these provisions, including a dealer in secondhand precious metals, pursuant to the criteria currently provided for in law for restitution. It establishes that a violation of the inspection and holding period requirements is a Class E crime.

House Amendment "A" To Committee Amendment "A" (H-551)

This amendment makes the following changes to Committee Amendment "A."

1. It removes the requirement that records kept by dealers in secondhand precious metals be contained either in a bound volume or ledger or in a binder in which pages can be affixed.
2. It reduces from 10 days to 5 business days the period of time a dealer in secondhand precious metals must wait before selling or altering precious metals that are not listed in an electronic database designed to catalog stolen property.
3. It exempts auctioneers from the provisions governing dealers in secondhand precious metals.

Enacted Law Summary

Public Law 2013, chapter 398 requires a dealer in secondhand precious metals to maintain records of each transaction involving precious metals conducted by the dealer and prohibits a dealer from selling or altering any precious metals until the precious metals have remained in the dealer's possession for 15 days after the date of the transaction, except that a dealer who determines that the precious metals are not included in an electronic database designed to catalog stolen property may sell or alter the precious metals 5 days after the date of purchase or acquisition through exchange. It also prohibits a dealer from engaging in the purchase and sale of secondhand precious metals without a municipal permit. It also provides that a court may award restitution to any victim suffering economic loss from a violation of these provisions, including a dealer in secondhand precious metals, pursuant to the criteria currently provided for in law for restitution. It establishes that a violation of the inspection and holding period requirements is a Class E crime. It exempts auctioneers from the provisions governing dealers in secondhand precious metals.

LD 103

An Act To Correct an Inconsistency in Maine's Apprenticeship Laws

PUBLIC 5

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILBERT PATRICK	OTP	

This bill repeals a provision of law that is in conflict with changes enacted in Public Law 2011, chapter 491 establishing minimum wages under the Maine Apprenticeship Program.

Enacted Law Summary

Public Law 2013, chapter 5 repeals a provision of law that is in conflict with changes enacted in Public Law 2011, chapter 491 establishing minimum wages under the Maine Apprenticeship Program.