

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INNOVATION,  
DEVELOPMENT, ECONOMIC ADVANCEMENT  
AND BUSINESS**

August 2019

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# STATE OF MAINE

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## 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 129<sup>th</sup> 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. An appendix provides a summary of relevant session statistics.

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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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 Innovation, Development, Economic Advancement and Business***

**Enacted Law Summary**

Public law 2019, chapter 507 directs the Maine Coworking Development Fund, the Department of Economic and Community Development to use a competitive bid process to provide funds from the Maine Coworking Development Fund for the development of collaborative workspaces. It directs the department to, beginning February 1, 2020, annually provide a report to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters regarding the program.

**LD 183      An Act To Increase the Number of Teachers in Maine      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| PIERCE T<br>BREEN C | ONTP                    |                           |

This bill increases the loan amount an undergraduate may receive under the Educators for Maine Program from \$3,000 to \$9,000 per academic year and from \$12,000 to \$36,000 total. It also increases from \$20,000 to \$44,000 the total amount a student may receive in undergraduate and postbaccalaureate loans.

**LD 191      An Act To Protect Heating Fuel Customers Who Close Their Accounts      ONTP**

| <u>Sponsor(s)</u>        | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| HYMANSON P<br>LAWRENCE M | ONTP                    |                           |

This bill requires dealers of heating fuel to reimburse customers within 30 days for any fuel recovered following the closing of their accounts and makes failure to do so a violation of the Maine Unfair Trade Practices Act.

**LD 277      An Act To Ban Telephone Solicitations Using an Artificial or      PUBLIC 185**  
**Prerecorded Voice and Enhance Caller Identification**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| CHENETTE J<br>NADEAU C | OTP-AM                  | S-88                      |

This bill adds artificial and prerecorded voice calls to the prohibited types of solicitation calls and adds all residential telephone numbers within the State to the list of recipients to whom calls using automated calling devices and artificial and prerecorded voice calls may not be made.

This bill also makes it an unfair trade practice for a seller or telemarketer to fail to transmit or cause to be transmitted the telephone number and, when made available by the telemarketer's carrier, the name of the telemarketer to any caller identification service in use by a recipient of a telemarketing call. This bill also makes it an unfair trade practice for a seller or telemarketer to cause misleading information to be transmitted to users of caller identification services or to otherwise misrepresent or disguise the origin of a solicitation call.

This bill also provides that the current exceptions to the prohibition against using an automated telephone calling device also apply to the use of an artificial or prerecorded voice and provides additional exceptions for

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public and private schools, emergency messages by governmental entities and calls made to deliver information with the prior express written consent of the recipient of the call.

### **Committee Amendment "A" (S-88)**

This amendment:

1. Adds a definition of misleading or inaccurate caller identification information to include, to the extent consistent with federal law, blocked caller identification information;
2. Amends the definition of telemarketing to include interconnected voice over Internet protocol and text messaging, and removes the requirement for at least one intrastate call;
3. Adds an exception to the prohibition on use of automatic calls in order to communicate with a business about reservations, purchases and other information for customers such as hours of operation, directions and merchandise availability;
4. Removes the original bill language prohibiting blocked telemarketer caller identification information;
5. Adds language stating that violations of the prohibition on misleading or inaccurate telemarketer caller identification information that are violations of the Maine Unfair Trade Practices Act are enforceable by the Office of the Attorney General;
6. Changes the bill language describing transmission of misleading or inaccurate caller identification information to add a requirement for intent to defraud, cause harm or obtain anything of value;
7. Adds language stating that it is not a violation of the prohibition against use of automated telephone calling devices or an artificial or prerecorded voice for a seller or telemarketer to substitute, for the name and telephone number used in or billed in making the call, the name of the seller or charitable organization on whose behalf the call is placed or the seller or charitable organization's customer or donor service telephone number that is answered during regular business hours; and
8. Adds language stating that a telecommunications carrier providing telecommunications service as allowed by federal law is exempt from the prohibition on causing any caller identification services to transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm or obtain anything of value.

### **Enacted Law Summary**

Public Law 2019, chapter 185 does the following.

1. It adds a definition of misleading or inaccurate caller identification information to include, to the extent consistent with federal law, blocked caller identification information.
2. It adds artificial and prerecorded voice calls to the prohibited types of solicitation calls and adds all residential telephone numbers within the state to the list of recipients to whom calls using automated calling devices and artificial and prerecorded voice calls cannot be made.
3. It provides that the current exceptions to the prohibition against using an automated telephone calling device also apply to the use of an artificial or prerecorded voice and provides additional exceptions for public and private schools, emergency messages by governmental entities, calls made to deliver information with the prior express written consent of the recipient of the call and to communicate with a business about reservations, purchases and other information for customers such as hours of operation, directions and merchandise

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availability.

4. It amends the definition of telemarketing to include interconnected voice over Internet protocol and text messaging, and removes the requirement for at least one intrastate call.
5. It adds language stating that it is an unfair trade practice, enforceable by the Office of the Attorney General, for a seller or telemarketer to cause any caller identification services to transmit misleading or inaccurate caller identification information with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value.
6. It adds language stating that it is not a violation of the prohibition against use of automated telephone calling devices or artificial or prerecorded voice for a seller or telemarketer to substitute, for the name and telephone number used in or billed in making the call, the name of the seller or charitable organization on whose behalf the call is placed or the seller or charitable organization's customer or donor service telephone number that is answered during regular business hours.
7. It adds language stating that a telecommunications carrier providing telecommunications service as allowed by federal law is exempt from the prohibition on causing any caller identification services to transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm or obtain anything of value.

**LD 288      Resolve, Establishing the Commission To Create a Statewide Economic  
Development Plan**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

Sponsor(s)

TEPLER D  
BREEN C

Committee Report

Amendments Adopted

This resolve establishes the Commission to Create a Statewide Economic Development Plan to study economic development issues and create a strategic, regionally focused economic development plan.

The Commission consists of 20 members, including:

1. Two members of the Senate from each of the two parties holding the largest number of seats in the Legislature of the Senate and appointed by the President of the Senate;
2. Two members of the House of Representatives from each of the two parties holding the largest number of seats in the Legislature of the Senate and appointed by the Speaker of the House;
3. The Chancellor of the University of Maine System or designee;
4. The President of the Maine Community College System or designee;
5. An individual representing a private organization focused on promoting economic growth in the state and appointed by the President of the Senate;
6. An individual representing a private research institution and appointed by the Speaker of the House;
7. The Commissioner of the Department of Economic and Community Development or designee;