

# 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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## 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.

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notwithstanding Joint Rule 353, the Legislative Council shall provide staffing to the Commission. This resolve requires the Commission to submit a report with findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

**LD 769      Resolve, To Direct the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Credentialing Skilled Individuals with Foreign Credentials      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TEPLER D SANBORN H	ONTP	

This resolve directs the Commissioner of Professional and Financial Regulation to create a working group to study credentialing skilled individuals with foreign credentials in the State. The working group consists of eight to ten members representing licensing boards and professional organizations served by the licensing boards in professions for which there is a need for and an opportunity to credential skilled individuals with foreign credentials. The working group is required to submit its report along with any recommendations and suggested legislation to the Governor and the Commissioner of Professional and Financial Regulation. The commissioner is required to submit the report with any recommendations and suggested legislation to the Joint Standing Committee on Labor and Housing. The committee is permitted to report out a bill relating to the subject matter of the report to the First Regular Session of the 130th Legislature.

The content of this resolve was incorporated in LD 1841, which was reported out of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and enacted as Resolve 2019, chapter 79.

**LD 771      An Act Regarding the Cancellation of Subscription Services      PUBLIC 175**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-143 S-99    HERBIG E

This bill requires a business that makes an automatic renewal subscription offer of an online magazine, journal or periodical, online media player, mobile app, social networking service or Internet game service to present a consumer in this State with an easily accessible disclosure of the methods that consumer may use to cancel the subscription, which must include online cancellation.

This bill applies only to agreements entered into or renewed after January 1, 2020 and does not apply to an entity that provides the host platform on the website of an Internet game service.

**Committee Amendment "A" (H-143)**

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment does the following.

1. It strikes and replaces the bill to reallocate the provisions of the bill to a different chapter of the Maine Revised Statutes, Title 10.
2. It adds online software to the list of services falling under the bill's provisions.
3. It adds definitions for "online software," "extended automatic subscription renewal" and "seller."

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4. It adds a requirement that if a phone number is provided for the purposes of cancellation of the subscription, the phone number must be toll-free and must be prominently displayed in the disclosure.
5. It adds a requirement for prior notice of renewal for extended automatic subscription renewals.
6. It adds language exempting sellers from actions brought under the Unfair Trade Practices Act if the seller's failure to comply was the result of an error and the seller compensates the consumer.

**Senate Amendment "A" To Committee Amendment "A" (S-99)**

This amendment replaces the requirement that a seller of an extended automatic subscription renewal provide for cancellation in the same manner used to purchase the subscription with a requirement that the seller provide for online cancellation of the subscription by any means of communicating information over a computer network.

**Enacted Law Summary**

Public Law 2019, chapter 175 does the following.

1. It requires a business that makes an automatic renewal subscription renewal offer of an online magazine, journal or periodical, online media player, mobile app, social networking service, Internet game service, or online software to present the customer with an easily accessible disclosure of the methods that the consumer may use to cancel the subscription. It requires the seller to provide for online cancellation of the subscription by any means of communicating information over a computer network. If a phone number is provided for the purposes of cancellation, the number must be toll-free and prominently displayed in the disclosure.
2. It requires a business that makes an extended automatic subscription renewal, which is defined as an automatic subscription renewal with a specified subscription term of 12 months or more, in which the subscription automatically renews for a specified term of more than one month unless the consumer cancels the subscription, to notify the consumer in advance of the renewal. It requires that notice be provided to the consumer no less than 30 days and no more than 60 days before the cancellation deadline pursuant to the automatic subscription renewal. It requires that the seller provide for online cancellation of the subscription by any means of communicating information over a computer network and requires clear and conspicuous notice of the terms and procedures for cancellation.
3. It provides that noncompliance is a violation of the Maine Unfair Trade Practices Act.
4. It provides that an action may not be brought under the Maine Unfair Trade Practices Act if a violation is the result of an error and the seller provides a full refund or credit for all amounts billed to or paid by the consumer from the date of the subscription renewal until the date of the termination of the subscription or the date of the subsequent notice of renewal, whichever occurs first.
5. It applies only to agreements entered into or renewed after January 1, 2020 and does not apply to an entity that provides the host platform on the website of an Internet game service.

**LD 772      An Act To Encourage Continued Learning**

**CARRIED OVER**

Sponsor(s)  
DAUGHTRY M

Committee Report

Amendments Adopted