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An Act To Remove the Sunset on the Exemption of Internet Services from Auctioneer Licensure Requirements

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, current law provides an exemption from auctioneering licensing requirements for a person who receives goods pursuant to a contract to sell those goods over the Internet; and

Whereas, the exemption is scheduled to terminate May 15, 2007; and

Whereas, that date will pass prior to the statutory adjournment date of the First Regular Session of the 123rd Legislature, which will create uncertainty as to the application of the auctioneering laws; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §286, sub-§8, as enacted by PL 2005, c. 349, §1, is amended to read:

8. Contracted Internet services. This chapter does not apply to an individual who takes possession of goods pursuant to a contract for the exclusive purpose of selling those goods over the Internet, unless otherwise licensed under this chapter.

~~This subsection is repealed May 15, 2007.~~

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 30, 2007.