

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2012

CHAPTER 469
H.P. 473 - L.D. 643

**An Act To Protect Public
Safety in the Operation of
Casinos**

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

Whereas, the operation of a casino has been approved by the voters of Maine; and

Whereas, it is in the best interest of the people of the State to have appropriate oversight of the operation of table games at a casino; and

Whereas, rules should be in place as soon as possible so as not to delay the operation of table games at a casino; 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. 8 MRSA §1003, sub-§1, ¶J, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

J. Negotiate consent agreements to resolve administrative violations or investigations; and

Sec. 2. 8 MRSA §1003, sub-§1, ¶K is enacted to read:

K. Ensure that public safety inspectors employed by the board assigned to enforce the provisions of this chapter at the site of a casino may, in the absence of a sworn law enforcement officer, detain any person who is suspected of violating any provision of this chapter. Such detention must comply with federal and state laws including the provisions of Title 17-A, section 107.

Sec. 3. 8 MRSA §1003, sub-§3, ¶G-1 is enacted to read:

G-1. The handling of money, chips, tokens or other items of value used to place bets on table games. The rules must prohibit the use of cash to place bets and ensure that the exchange of cash for chips, tokens or other items of value used to place bets on table games is conducted in a manner that permits thorough auditing;

Sec. 4. 8 MRSA §1003, sub-§4 is enacted to read:

4. Rules governing the regulation of table games. Rules adopted by the board governing the regulation and oversight and monitoring of the operation of table games and the exchange of cash for chips, tokens or other items of value for the purpose of placing bets on table games are major substantive rules in accordance with Title 5, chapter 375, subchapter 2-A. This subsection does not apply to rules governing the method of play of games.

This subsection is repealed December 31, 2014.

Sec. 5. 8 MRSA §1018, sub-§1, as amended by IB 2009, c. 2, §34, is further amended to read:

1. Fees. The application fee for a license and the annual fee for a registered slot machine or table game under this chapter are as set out in this subsection.

A. The initial registration fee for a registered slot machine is \$100. The annual renewal fee is \$100 for each registered slot machine.

A-1. The initial registration fee for a registered table game is \$100. The annual renewal fee is \$100 for each registered table game.

B. The initial application fee for a slot machine distributor license is \$200,000. The annual renewal fee is \$75,000.

B-1. The initial application fee for a table game distributor license is \$5,000. The annual renewal fee is \$1,000.

C. The initial application fee for a slot machine operator license is \$200,000. The annual renewal fee is \$75,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing slot machine operators and determined by dividing the costs of administering the slot machine operator licenses by the total number of slot machine operators licensed by the board.

C-1. The initial application fee for a casino operator license is \$225,000. The annual renewal fee is \$80,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing casino operators and determined by dividing the costs of administering the casino operator licenses by the total number of casino operators licensed by the board.

D. The annual application fee for a license for a gambling services vendor is \$2,000.

E. The initial application fee for an employee license under section 1015 is \$250. The annual renewal fee is \$25.

In addition to the application fee for a license or annual fee for a registered slot machine or table game, the board may charge a one-time application fee for a license or registration listed in paragraphs A to E in an amount equal to the projected cost of processing the

application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant. All fees collected pursuant to this section must be deposited directly to the General Fund Administrative Expenses Other Special Revenue Funds account, which is a dedicated nonlapsing account within the Gambling Control Board, except that \$25,000 of the annual renewal fee for a slot machine operator or casino operator must be deposited to the Gross Slot Income Other Special Revenue ~~Fund~~ Funds account within the Gambling Control Board to be transferred to the municipality in which the slot machine facility or casino is operated, in accordance with subsection 2. All application and registration fees are nonrefundable and are due upon submission of the application.

Sec. 6. Exemption of deposit of fees in account of Gambling Control Board. Notwithstanding the provision of the Maine Revised Statutes, Title 8, section 1018, subsection 1 that requires fees collected pursuant to Title 8, section 1018 to be deposited directly to the Administrative Expenses Other Special Revenue Funds account within the Department of Public Safety, Gambling Control Board, all fees imposed pursuant to Title 8, section 1018, subsection 1, paragraphs A to E that are associated with a casino located in Oxford County licensed pursuant to Title 8, section 1011, subsection 2-A or a slot machine facility licensed as of January 1, 2011 pursuant to Title 8, section 1011, subsection 2 and collected during fiscal years 2011-12 and 2012-13 must be deposited in the General Fund.

Sec. 7. Gambling Control Board to adopt emergency major substantive rules. The rules required by this Act are emergency major substantive rules of the Department of Public Safety, Gambling Control Board and must be adopted no later than August 15, 2011. Those same rules must be provisionally adopted and submitted to the Legislature for approval no later than January 13, 2012.

Sec. 8. Report. By February 15, 2012, the Department of Public Safety, Gambling Control Board shall report to the joint standing committee of the Legislature having jurisdiction over matters relating to the operation of casinos the process used to develop and adopt rules that prescribe the specific method and rules of play for table games authorized to be conducted at a casino, including comments received from the casino operator and any source used as a model for game play rules.

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

Effective January 9, 2012.

**CHAPTER 470
H.P. 767 - L.D. 1033**

An Act To Support Resource Sharing among Maine Libraries

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: Provides ongoing funding beginning in fiscal year 2012-13 to support weekly van delivery service to help defray the cost of sending and returning items through interlibrary loan to public libraries across the State that participated in the van delivery service in fiscal years 2009-10 and 2010-11.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$100,000
GENERAL FUND TOTAL	\$0	\$100,000

See title page for effective date.

**CHAPTER 471
S.P. 350 - L.D. 1150**

An Act To Improve the Administration of the Legislative Ethics Laws

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

Sec. 1. 1 MRSA §1013, sub-§1, ¶B, as amended by PL 2007, c. 642, §6, is further amended to read:

B. To investigate complaints alleging a violation of legislative ethics against any Legislator, to investigate a possible violation of legislative ethics upon the commission's own motion, to hold hearings on ~~these complaints~~ an alleged or possible violation if the commission determines it is appropriate and to issue findings of fact together with its opinion; and

Sec. 2. 1 MRSA §1013, sub-§2, ¶B-1, as enacted by PL 2007, c. 642, §6, is amended to read:

B-1. Any person may file a complaint against a Legislator alleging a violation of legislative ethics