

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
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ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

| | |
|----------------|---------------|
| 64 feet | 568 |
| 65 feet | 586 |
| and over | plus \$18 |
| | for each foot |
| | over 65 feet |

Sec. 7. 36 MRSa §1504, sub-§1, ¶B, as repealed and replaced by PL 1983, c. 632, Pt. A, §7, is amended to read:

B. In addition to the length tax, the owner of any watercraft, other than a canoe, with an overall length greater than 13 feet and less than 23 feet shall pay a tax on the total motor horsepower as shown on the watercraft's registration in accordance with the following schedule:

- (1) Horsepower of 20 or less \$2
- (2) Horsepower over 20 but not over 70 \$5
- (3) Horsepower over 70 \$10\$12.

Sec. 8. 36 MRSa §1504, sub-§5-A is enacted to read:

5-A. Credit for transfer. Any owner who has paid the excise tax for a watercraft which is transferred in the same tax year is entitled to a credit to the maximum amount of the tax previously paid in that year for any number of watercraft, regardless of the number of transfers which may be required of him in the same tax year. The credit shall be allowed in any place in which the excise tax is payable.

Sec. 9. 36 MRSa §1504, sub-§9, ¶¶D and E are enacted to read:

D. Each marina or boat yard leasing storage space or leasing mooring or docking spaces for 10 or more consecutive days during the period from April 15th of any year and April 15th of the next year to watercraft not registered in the State shall maintain a list of all such watercraft. The list shall contain, with respect to each watercraft:

- (1) The name of the vessel;
- (2) The name and address of the owner of the watercraft;
- (3) The state of registration or port of hail;
- (4) The approximate length of the vessel; and
- (5) The type of vessel.

These lists shall be made available by marinas and boat yards for inspection during normal business hours by law enforcement officers and by municipal officials. Marina and boat yard owners must retain these lists for 3 years.

E. Upon receipt from the United States Coast Guard of a list of watercraft that have valid marine documents as a watercraft of the United States, and that are moored in this State or owned by State residents, the State Tax Assessor shall send a copy of this list to the tax collector of each municipality.

Sec. 10. 36 MRSa §1506, as amended by PL 1985, c. 726, §9, is further amended to read:

§1506. Rulemaking

The Commissioner of Inland Fisheries and Wildlife Bureau of Taxation, after consultation with the Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and the Director of the Division of Licensing and Registration, may adopt rules and establish such forms and procedures as are necessary for the efficient administration and enforcement of the excise tax established by this chapter.

Effective September 29, 1987.

CHAPTER 197

H.P. 1204 — L.D. 1642

AN ACT Concerning "Beano" or "Bingo" on Indian Reservations.

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

Sec. 1. 17 MRSa §311, sub-§8 is enacted to read:

8. Winner-take-all round. "Winner-take-all round" means a beano game or series of beano games in which all the proceeds from the sale of the cards for that round are paid to participants as prizes during that round.

Sec. 2. 17 MRSa §314, 2nd ¶, as amended by PL 1983, c. 610, is further amended to read:

The fee for such a license to any nonprofit organization is ~~\$3~~ \$5 for each calendar week, or portion thereof, that the amusement is to be operated, or the license may be issued for a calendar month for a fee of ~~\$12.50~~ \$15. All license fees shall be paid to the Treasurer of State to be credited to the General Fund. No licenses may be assignable or transferable. Nothing contained in this section is to be construed to prohibit any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization from obtaining licenses for a period not to exceed 6 months on one application. No more than one license may be issued to any organization for any one period. No more than one licensee may operate or conduct a game of "beano" or "bingo" on the same premises on the same date.

Sec. 3. 17 MRSA §314-A is enacted to read:

§314-A. High-stakes beano

1. Eligible organizations. The Chief of the State Police may issue licenses to operate high-stakes beano or high-stakes bingo to any federally recognized Indian tribe.

2. Limit on prizes. Notwithstanding section 317, there is no limit on the value of a single prize or total prizes awarded on any one occasion for high-stakes beano games operated under this section.

3. Eighteen weekends per year. An organization licensed under this section may operate high-stakes beano games on only 18 nonconsecutive weekends per year. High-stakes beano games may not be held on more than 9 weekends during the 6-month license period. For the purposes of this section, a weekend consists of Saturday and the immediately following Sunday. The license shall specify which weekends the high-stakes beano games will be operated.

4. Term of license; fees. A license issued under this section is valid for a period of 6 months. The annual license fee for a high-stakes beano license is 5% of gross revenues. The fee is payable in monthly installments based on 5% of the gross revenues of the previous month. All license fees shall be paid to the Treasurer of State to be credited to the General Fund.

5. Restrictions. No license may be transferred or assigned. No more than one license may be issued under this section to any federally recognized Indian tribe for any one period. No more than one licensee may operate or conduct a beano game or high-stakes beano game on the same premises on the same date. All games shall be conducted on the reservation of the licensed organization.

6. Applicability of chapter. Except when in direct conflict with this section or as specifically provided, all other provisions of this chapter and rules adopted under this chapter apply to licenses for high-stakes beano issued under this section.

7. Payment for services. Except as provided in paragraph A, an organization licensed under this section may pay the persons operating the high-stakes beano games for the organization no more than the minimum wage as established by Title 26, chapter 7, subchapter III.

A. An organization licensed under this section may contract for provision of professional legal, advertising, accounting and auditing services. The persons employed under a contract entered into under this paragraph may receive reasonable professional fees at a rate higher than minimum wage.

Sec. 4. 17 MRSA §314-B is enacted to read:

§314-B. Winner-take-all beano rounds

1. Eligible organizations. An organization licensed under section 314 may operate one winner-take-all round per occasion.

2. Prizes. Notwithstanding the prize limits in section 317, an organization operating a winner-take-all round under this section shall pay all proceeds from each winner-take-all round as prizes, provided no winner receives more than \$500.

Sec. 5. 17 MRSA §320, as enacted by PL 1975, c. 307, §2, is amended to read:

§320. Conduct of beano

~~Licensed "Beano" or "Bingo" shall not be conducted at any location where alcoholic beverages are sold, dispensed or consumed~~ No licensee may conduct "beano" or "bingo" in the same room where liquor is sold, served or consumed during the period of one hour before the conduct of said the games. The licensee shall not permit any disorderly persons to enter or remain within the room or area where "Beano" "beano" or "Bingo" "bingo" games are being conducted.

Sec. 6. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

| | <u>1987-88</u> | <u>1988-89</u> |
|----------------------------------|-----------------|-----------------|
| <u>PUBLIC SAFETY, DEPARTMENT</u> | | |
| <u>OF</u> | | |
| Positions | (1) | (1) |
| Personal Services | \$23,116 | \$24,161 |
| All Other | 5,000 | 5,000 |
| Capital Expenditures | 10,768 | |
| Total | <u>\$38,884</u> | <u>\$29,161</u> |

This allocation provides funds for one Field Examiner II, general operating expenses and a vehicle to monitor games.

Sec. 7. Sunset. Section 3 of this Act is repealed on September 30, 1992, before which time any organization licensed under the Maine Revised Statutes, Title 17, section 314-A, and the Bureau of State Police shall each submit written reports to the joint standing committee of the Legislature having jurisdiction over legal affairs concerning the effect of section 3.

Effective September 29, 1987.

CHAPTER 198

H.P. 105 — L.D. 115

AN ACT to Promote the Coordination of State Crime Prevention Programs for Juveniles.