

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**October 23, 2017 to November 6, 2017**

**SECOND REGULAR SESSION**  
**January 3, 2018 to May 2, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 5, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2018**

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

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**Augusta, Maine**  
**2018**

**CHAPTER 371**  
**H.P. 1220 - L.D. 1766**

**An Act To Improve Marketing  
Efficiency in the Harness  
Racing Industry by Requiring  
Its Promotion by the State  
Harness Racing Commission  
and by Repealing the Harness  
Racing Promotional Board**

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

**Sec. 1. 8 MRSA §263-A, sub-§§6 and 7** are enacted to read:

**6. Promotion of harness racing.** The commission shall promote harness racing in the State through the formation of advisory subcommittees, the facilitation of marketing plans and the expenditure or granting of funds.

**7. Input on the promotion of harness racing.** The commission shall invite input from a statewide association of harness horsemen, a statewide association of Standardbred breeders, a statewide association of agricultural fairs and persons who are members of organizations representing the interests of commercial harness racing tracks and off-track betting facilities on the marketing and promotion of harness racing in this State.

**Sec. 2. 8 MRSA §267, sub-§2,** as amended by PL 2017, c. 231, §5, is further amended to read:

**2. Report.** Beginning April 1, 2018 February 15, 2019, and annually thereafter, the commission shall submit a report to the commissioner and the joint standing committees of the Legislature having jurisdiction over slot machines, harness racing, agricultural fairs and appropriations and financial affairs. This report must include an account of the commission's operations and actions, a report of its financial position, including receipts and disbursements, an account of the practical effects of application of this chapter and any recommended legislation. The operations report must include the number and types of violations of racing laws and rules, the disposition of those violations and the amount of time required for their disposition, including a history of any appeals. The report must include the date and amount of each administrative assessment withdrawn in accordance with section 267-A from each of the assessed funds under section 267-A, subsection 4. The report must include an account of the commission's operations and actions regarding the promotion of harness racing, a summary of income and expenses of the Harness Racing Promotional Fund, including any receipts and disbursements, and an assessment of the economic condition of the harness racing industry in this State.

**Sec. 3. 8 MRSA §285,** as amended by PL 2003, c. 401, §17, is repealed.

**Sec. 4. 8 MRSA §291,** as enacted by PL 1997, c. 528, §46, is amended to read:

**§291. Harness Racing Promotional Fund share**

Amounts calculated as Harness Racing Promotional Fund share under section 286 must be paid to the Treasurer of State for deposit in the Harness Racing Promotional Fund for use as provided in section ~~285~~ 299-A.

**Sec. 5. 8 MRSA §299-A** is enacted to read:

**§299-A. Harness Racing Promotional Fund**

**1. Fund created.** The Harness Racing Promotional Fund, referred to in this section as "the fund," is established to be used solely for the marketing and promotion of harness racing in the State. The fund consists of any money received through the commission on wagers pursuant to section 286 and any contributions, grants or appropriations from private and public sources. The fund, to be accounted for within the commission, must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of a fiscal year does not lapse but must be carried forward to the next fiscal year.

**2. Expenditures.** The commission shall administer the fund consistent with the purposes of this section.

**Sec. 6. 8 MRSA §1037, first ¶,** as amended by PL 2017, c. 231, §26, is further amended to read:

Beginning April 1, 2018 February 15, 2019 and annually thereafter, the executive director of the State Harness Racing Commission, in consultation with the Commissioner of Agriculture, Conservation and Forestry, shall submit a report to the joint standing committees of the Legislature having jurisdiction over slot machines, harness racing, agricultural fairs and appropriations and financial affairs regarding the use of slot machine revenue deposited in funds under section 1036, subsection 2, paragraphs B, C, D, H and I. The executive director and the commissioner shall obtain the information as described in this section. The report required by this section must be completed using budgeted resources. The executive director may not distribute funds listed under section 1036, subsection 2, as applicable, to harness racing tracks, off-track betting facilities, agricultural fairs or the Sire Stakes Fund under section 281 until the information required to submit the report required by this section is provided. The report required by this section may be combined with the report required under section 267.

**Sec. 7. Transfer.** The State Controller shall transfer all unexpended balances of the Harness Racing Promotional Board to the Harness Racing Promo-

tional Fund established in the Maine Revised Statutes, Title 8, section 299-A no later than 30 days following the effective date of this Act.

**Sec. 8. Appropriations and allocations.** The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Harness Racing Commission 0320**

Initiative: Provides an ongoing allocation to the Harness Racing Promotional Fund, which is being moved from the Harness Racing Promotional Board to the State Harness Racing Commission.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$50,000

See title page for effective date.

**CHAPTER 372**

**S.P. 708 - L.D. 1863**

**An Act Regarding the Limit on the Number of Children Who May Be Placed in a Single Foster Home**

**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 emergency enactment of this legislation is necessary to allow the Department of Health and Human Services to place in appropriate foster homes children who are currently awaiting such placement; 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. 22 MRSA §8107, sub-§1,** as enacted by PL 1983, c. 629, §2, is amended to read:

**1. Number; placement in children's homes.** The limitations on the number of children in children's

homes ~~shall~~ do not prohibit the placement of more than the allowed number; if the purpose of the placement is to keep siblings together.

**Sec. 2. 22 MRSA §8107, sub-§1-A** is enacted to read:

**1-A. Number; placement in family foster home.** The limitation on the number of children in a family foster home does not prohibit the placement of more than the allowed number in an individual case involving unusual circumstances if the department determines that placement to be appropriate.

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

Effective April 9, 2018.

**CHAPTER 373**

**S.P. 634 - L.D. 1735**

**An Act To Authorize Regional Medical Control Committees To Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement**

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

**Whereas,** critical and lifesaving emergency medical services are provided to patients on a daily basis in both rural and urban areas; and

**Whereas,** circumstances arise in which the provision of emergency medical services requires review for the purposes of quality improvement so that services may be delivered in a safe and efficient manner that produces maximum benefit to the health of the patient; and

**Whereas,** delay in reviews increases the risk of service delivery that may be less safe or less efficient or does not produce maximum benefit to the health of the patient; 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:**