

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

Sec. 1. 17 MRSA §311, sub-§5-A is enacted to read:

5-A. Member. "Member" means a bona fide member of a firm, corporation, association, organization, department or class or a combination thereof who has been duly admitted as a member according to the laws, rules, regulations, ordinances or bylaws governing membership in the firm, corporation, association, organization, department, class or combination thereof.

Sec. 2. 17 MRSA §313-C, sub-§1, as enacted by PL 2017, c. 284, Pt. JJJJJ, §7, is amended to read:

1. Registration eligibility. The Gambling Control Unit may accept registrations from the following organizations to conduct beano ~~to be conducted by duly authorized members~~ for the exclusive benefit of the organization:

- A. A volunteer fire department;
- B. An agricultural fair association;
- C. A bona fide nonprofit, charitable, educational, political, civic, recreational, fraternal, patriotic, religious or ~~veterans~~ veterans' organization that has been in existence and founded, chartered or organized in the State for at least 2 years prior to its registration; and
- D. An auxiliary organization associated with an organization, department or association described in this subsection that has been in existence for at least 2 years prior to submitting a registration to conduct beano to the Gambling Control Unit.

The Gambling Control Unit may accept a registration submitted by an organization described in paragraph C that has been in existence for less than 2 years in the State if the organization has a charter from a national organization.

Sec. 3. 17 MRSA §313-C, sub-§3 is enacted to read:

3. Member must exercise exclusive control of game. An organization registered under this section may not conduct beano games unless a person at least 18 years of age, who has been a member of good standing of the registrant for at least 2 years, exercises exclusive control of each game played. Other individuals, who are not required to be members of the registrant, may assist the member in operating the game. For purposes of this subsection, a member exercises exclusive control if the member has the final decision-making authority to determine the winner of the game and to address any challenges to the operation of the game.

Sec. 4. 17 MRSA §319, 2nd ¶, as enacted by PL 2017, c. 284, Pt. JJJJJ, §21, is repealed.

See title page for effective date.

CHAPTER 57

S.P. 29 - L.D. 76

An Act To Strengthen the Integrity of the Legislature

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

Sec. 1. 1 MRSA §1024, sub-§1, as enacted by PL 2013, c. 129, §2, is amended to read:

1. Actions precluded. Beginning with the convening of the 127th Legislature, a person who has served as a Legislator may not engage in activities that would require registration as a lobbyist or lobbyist associate as defined by Title 3, section 312-A, subsections 10 and 10-A, respectively, until one year after that person's term as a Legislator ends. This subsection may not be construed to prohibit uncompensated lobbying by a former Legislator during the one-year period following the end of that Legislator's most recent term in office.

This subsection is repealed December 1, 2020.

Sec. 2. 1 MRSA §1024, sub-§1-A is enacted to read:

1-A. Actions precluded beginning with the 130th Legislature. Beginning with the convening of the 130th Legislature, a person who has served as a Legislator may not engage in compensated lobbying until one year after that person's term as a Legislator ends.

Sec. 3. 1 MRSA §1024, sub-§4 is enacted to read:

4. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Compensated lobbying" means lobbying conducted by an individual who is specifically employed by another person other than the State or an agency of the State for that purpose or lobbying conducted by an individual as a regular employee of another person other than the State or an agency of the State. "Compensated lobbying" does not include activities for which the individual receives no compensation other than reimbursement for lobbying-related travel within the State and reimbursement for other out-of-pocket expenditures made by the individual for printing, postage and food and lodging connected with lobbying activities paid for by the individual. For the purposes of this paragraph, "reimbursement for other out-of-pocket expenditures" does not include reimbursement for the individual's time

spent lobbying that would have been otherwise compensated by an employer or in the course of the individual's employment.

B. "Lobbying" has the same meaning as in Title 3, section 312-A, subsection 9.

See title page for effective date.

**CHAPTER 58
S.P. 17 - L.D. 53**

**An Act To Clarify Local
Referendum Ballots**

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

Sec. 1. 30-A MRSA §2501, sub-§4 is enacted to read:

4. **Ballot questions.** Notwithstanding the provision of Title 21-A, section 906, subsection 7 requiring sequential numbering of ballot questions, municipal officers may elect to list municipal initiative and referendum questions on the ballot using sequential capital letters of the alphabet instead of sequential numbers. All other provisions of Title 21-A, section 906, subsection 7 apply.

Sec. 2. 30-A MRSA §2528, sub-§6, ¶C, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

C. Any question or questions required by law to be submitted to a vote ~~shall~~ **must** be printed either below the list of candidates or on a separate ballot from the ballot listing candidates. Notwithstanding the provision of Title 21-A, section 906, subsection 7 requiring sequential numbering of ballot questions, the questions may be listed on the ballot using sequential capital letters of the alphabet instead of sequential numbers in accordance with section 2501, subsection 4. All other provisions of Title 21-A, section 906, subsection 7 apply. If a separate ballot is used, this ballot must be a different color than the ballot listing candidates.

See title page for effective date.

**CHAPTER 59
H.P. 142 - L.D. 179**

**An Act To Change the Name of
Columbus Day to Indigenous
Peoples Day**

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

Sec. 1. 4 MRSA §1051, first ¶, as repealed and replaced by PL 1985, c. 819, Pt. A, §1, is amended to read:

No court may be held on Sunday or any day designated for the annual Thanksgiving; New Year's Day, January 1st; Martin Luther King, Jr., Day, the 3rd Monday in January; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the Federal Government designates May 30th as the date for observance of Memorial Day, the 30th of May; the 4th of July; Labor Day, the first Monday of September; ~~Columbus Day~~ Indigenous Peoples Day, the 2nd Monday in October; ~~Veterans'~~ Veterans Day, November 11th; or on Christmas Day. The Chief Justice of the Supreme Judicial Court may order that court be held on a legal holiday when ~~he finds that~~ the interests of justice and judicial economy in any particular case will be served. The public offices in county buildings may be closed to business on the holidays named in this section. When any one of the holidays named in this section falls on Sunday, the Monday following ~~shall~~ **must** be observed as a holiday, with all the privileges applying to any of the days named in this section.

Sec. 2. 9-B MRSA §145, sub-§1, ¶I, as enacted by PL 1997, c. 398, Pt. B, §2, is amended to read:

I. The 2nd Monday in October, ~~Columbus Day~~ Indigenous Peoples Day;

Sec. 3. 20-A MRSA §4802, sub-§1, ¶E, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

E. ~~Columbus Day~~ Indigenous Peoples Day, the 2nd Monday in October;

Sec. 4. 32 MRSA §4691, sub-§2, as enacted by PL 1979, c. 571, is amended to read:

2. Business day. "Business day" means any day other than Saturday, Sunday or the following ~~national~~ holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; ~~Columbus Day~~ Indigenous Peoples Day; ~~Veteran's~~ Veterans Day; Thanksgiving and Christmas.

See title page for effective date.

**CHAPTER 60
H.P. 35 - L.D. 34**

**An Act To Clarify Game of
Chance Licensing
Requirements**

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