

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. 4. 17 MRSA §1835-A, sub-§1, ¶¶A and B, as enacted by PL 2017, c. 284, Pt. KKKKK, §18, are amended to read:

A. The maximum bet for a licensed game of chance is ~~\$1~~ \$5.

B. ~~If Notwithstanding paragraph A~~, if the registrant operates games of chance for less than 3 total days in a calendar year and contributes 100% of the gross revenue from those games of chance to charity, the amount wagered must be limited to:

- (1) A \$1 daily entry fee; or
- (2) Fifty cents per game.

Sec. 5. 17 MRSA §1835-A, sub-§3, as enacted by PL 2017, c. 284, Pt. KKKKK, §18, is amended to read:

3. Games conducted at agricultural fair by members of the agricultural society or a bona fide nonprofit. Games of chance operated and conducted solely by members of an agricultural society or games of chance operated and conducted by members of bona fide nonprofit organizations on the grounds of the agricultural society and during the annual fair of the agricultural society may use cash, tickets, tokens or other devices approved by the Gambling Control Unit by rule.

Notwithstanding any other provision of this section, the tickets, tokens or other devices approved by the Gambling Control Unit must be unique to the agricultural society and may be in denominations of 25¢, 50¢ ~~or~~, \$1 or \$5. The tickets, tokens or devices approved by the Gambling Control Unit may be sold and redeemed only by a person who has been a member or active volunteer of the agricultural society for at least 2 fair seasons. The agricultural society has the burden of proof for demonstrating the qualification of members or active volunteers.

An agricultural society that uses tokens shall provide records and reports as required by section 1839.

Sec. 6. 17 MRSA §1835-A, sub-§5, as enacted by PL 2017, c. 284, Pt. KKKKK, §18, is amended to read:

5. Location. A registration for a game of chance must specify the location where the organization may operate the game. A registrant may not operate games of chance in more than one location at the same time.

A. An agricultural society or a bona fide nonprofit organization may operate a game of chance on the grounds of an agricultural society and during the annual fair of the agricultural society.

B. No more than one registrant may operate a game of chance at a time on the same premises. In any room where a registered game of chance is being conducted, there must be at least one mem-

ber of the organization registered to conduct games of chance present in that room for every 2 nonmembers who are present. That member must have been a member of the registered organization for at least one year. A member of the organization registered to conduct games of chance, either directly or through another member or guest, may not stake or risk something of value in the registrant's game of chance unless the member has been a member of the organization registered to conduct games of chance for at least 14 days not including the day of admission into membership.

A bona fide nonprofit organization may operate a registered game of chance to which the general public has access ~~once every 3 months~~ no more than 4 times in a calendar year for a period not to exceed ~~3~~ 4 consecutive days. The game of chance may be operated at any location described in the organization's registration and may be conducted only by members of the registrant. This subsection does not apply to raffles conducted in accordance with section 1837-A.

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

Effective May 16, 2019.

CHAPTER 118

H.P. 164 - L.D. 201

An Act To Protect Jobs in the State by Strengthening the Advance Notice Requirement for the Relocation or Closure of a Large Business

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

Sec. 1. 26 MRSA §625-B, sub-§§6 and 6-A, as amended by PL 2015, c. 417, §1, are further amended to read:

6. Notice of director. Any person proposing to relocate or close a covered establishment shall notify the director in writing not less than ~~60~~ 90 days prior to the relocation or closing. A person initiating a mass layoff at a covered establishment shall notify the director as far in advance as practicable, and no later than within 7 days of the layoff, and shall report to the director the expected duration of the layoff and whether it is of indefinite or definite duration. The director shall, from time to time, but no less frequently than every 30 days, require the employer to report such facts as the director considers relevant to determine whether the mass layoff constitutes a closing under this section or whether there is a substantial reason to believe the affected employees will be recalled. A

notification or report provided to the director pursuant to this subsection must contain all relevant information in the possession of the employer regarding a potential recall, if applicable.

6-A. Notice to employees and municipality. A person proposing to close a covered establishment shall notify employees and the municipal officers of the municipality where the covered establishment is located in writing not less than ~~60~~ 90 days prior to the closing, unless this notice requirement is waived by the director. ~~A person that violates this provision commits a civil violation for which a fine of not more than \$500 may be adjudged, except that a fine may not be adjudged if the closing is necessitated by a physical calamity or the final order of a federal, state or local government agency, or if the failure to give notice is due to unforeseen circumstances. A fine imposed pursuant to this subsection may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.~~

Sec. 2. 26 MRSA §625-B, sub-§9, as enacted by PL 2007, c. 333, §2, is amended to read:

9. Penalties. A person that violates subsection 2 commits a civil violation for which a fine of not more than \$1,000 per violation may be adjudged. Each employee affected constitutes a separate violation. Any such fine may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.

A person that violates subsection 6 or subsection 6-A commits a civil violation for which a fine of \$500 per day may be adjudged, except that a fine may not be adjudged if the closing is necessitated by a physical calamity or the final order of a federal, state or local government agency, or if the failure to give notice is due to unforeseen circumstances. A fine imposed on a person that violates subsection 6-A may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.

See title page for effective date.

**CHAPTER 119
S.P. 65 - L.D. 253**

**An Act To Clarify the
Requirements for High-hand
Competitions in Games of
Chance Tournament Games**

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

Sec. 1. 17 MRSA §1831, sub-§7-A is enacted to read:

7-A. High-hand competition. "High-hand competition" means a game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game.

Sec. 2. 17 MRSA §1836, sub-§4, as amended by PL 2013, c. 306, §2, is further amended to read:

4. Tournament. The organization licensed to conduct a tournament game under this section shall display the rules of the tournament game and the license issued. The maximum number of players allowed is 100 unless the tournament game is held on premises owned by the licensee, in which case the maximum number of players allowed is 300. Winners are determined by a process of elimination. The use of currency is prohibited as part of tournament game play. The maximum entry fee to play in the tournament game is \$100, except the organization may add to the player entry fee to defray the cost of the license fee, as long as the total additional amount collected from all players does not exceed \$125. Only one entry fee is permitted per person. A tournament game must be completed within 48 hours. Other games of chance on the premises are prohibited during a tournament game, except for high-hand competitions under subsection 7, lucky seven or similar sealed tickets and no more than one 50/50 raffle per tournament with a prize value up to \$1,000. ~~This subsection does not prohibit a licensee from conducting one winner take all hand per tournament game with a bet limit of \$5. The total number of bets received in a winner take all round must be awarded to the winner or in the case of multiple winners divided among them as evenly as possible. All prizes awarded in accordance with this subsection must be paid in cash or by check.~~

Sec. 3. 17 MRSA §1836, sub-§7 is enacted to read:

7. High-hand competition. A licensee under this section may conduct one high-hand competition per tournament game. Participation in the high-hand competition is not mandatory and must be determined prior to the start of the tournament. Notwithstanding any other provision of this chapter to the contrary, the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible. All prizes awarded in accordance with this subsection must be paid in cash or by check.

See title page for effective date.