

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

D. What resources or adjustments to the committee process will be needed to facilitate the inclusion of racial impact statements;

E. The cost required to implement such a pilot project;

F. Information or other resources needed to compile racial impact statements; and

G. Any other information relevant to the Legislative Council.

3. Report by pilot project committees. The chairs of each joint standing committee that was a part of the pilot project established pursuant to subsection 2 shall provide a report to the Legislative Council no later than 30 days following adjournment of the Second Regular Session of the 130th Legislature. The report must include:

A. The number of pieces of legislation and the types of legislation for which racial impact statements were requested and used;

B. The manner in which the racial impact statements were obtained or developed;

C. The amount of time, both as an average and individually, needed to develop each racial impact statement; and

D. The cost, if any, to the joint standing committee from obtaining or developing racial impact statements.

Based on the report of the joint standing committees, the Legislative Council shall determine whether to expand or eliminate the use of racial impact statements and make that recommendation to the Legislative Council of the 131st Legislature no later than December 15, 2022.

See title page for effective date.

**CHAPTER 22
S.P. 23 - L.D. 16**

An Act To Change the Renewal Application Deadline from 6 Months to 60 Days before the Expiration of a License Issued by the Gambling Control Board

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

Sec. 1. 8 MRSA §1012, first ¶, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

~~An application for renewal of a~~ At least 60 days before a slot machine operator applies for renewal of a

~~slot machine operator license under section 1017, subsection 4, the slot machine operator license must first be approved seek approval for the renewal under this section by from the municipal officers of the municipality in which the commercial track with slot machines is located or, if the commercial track is in an unincorporated place, the application must be approved by slot machine operator must seek approval for the renewal under this section from the county commissioners of the county in which the commercial track with slot machines is located.~~

Sec. 2. 8 MRSA §1012, sub-§1, ¶C, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

C. If municipal officers or county commissioners, as the case may be, fail to take final action on an application for a renewal of a slot machine operator license within 60 days of the filing of an application, the application is considered approved and ~~ready for action by the board~~ the slot machine operator may submit a renewal application to the board pursuant to section 1017, subsection 4. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners.

Sec. 3. 8 MRSA §1012-A, first ¶, as enacted by IB 2009, c. 2, §30, is amended to read:

~~An application for renewal of a~~ At least 60 days before a casino operator applies for renewal of a casino operator license under section 1017, subsection 4, the casino operator license must first be approved seek approval for the renewal under this section by from the municipal officers of the municipality in which the casino is located or, if the casino is in an unincorporated place, the application must be approved by casino operator must seek approval for the renewal under this section from the county commissioners of the county in which the casino is located.

Sec. 4. 8 MRSA §1012-A, sub-§1, ¶C, as enacted by IB 2009, c. 2, §30, is amended to read:

C. If municipal officers or county commissioners, as the case may be, fail to take final action on an application for a renewal of a casino operator license within 60 days of the filing of an application, the application is considered approved and ~~ready for action by the board~~ the casino operator may submit a renewal application to the board pursuant to section 1017, subsection 4. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners.

Sec. 5. 8 MRSA §1017, sub-§4, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

4. **Application for renewal.** Application for renewal of a license issued under this chapter must be made no less than ~~6 months~~ 60 days prior to the expiration of the current license. Before submitting an application for renewal of a slot machine operator license under this subsection, the slot machine operator must comply with section 1012. Before submitting an application for renewal of a casino operator license under this subsection, the casino operator must comply with section 1012 A.

Sec. 6. 8 MRSA §1018, sub-§2, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

2. **Term of license; renewal, renewal fees.** ~~All~~ Except as provided in section 1071, subsection 6 for licenses to conduct advance deposit wagering, licenses issued by the board under this chapter are effective for one year, unless revoked or surrendered pursuant to subchapter 5. Upon proper application and payment of the required fees and taxes and in accordance with rules adopted by the board, the board may renew a license for an additional year if municipal approval has been obtained as provided in section 1012 or 1012-A. The board shall transfer \$25,000 of the renewal fee required by subsection 1, paragraph C to the municipality in which the slot machines are operated.

See title page for effective date.

CHAPTER 23
S.P. 35 - L.D. 27

An Act To Provide an Immediate Opportunity To Appeal for a Juvenile Bound Over into Criminal Court

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

Sec. 1. 15 MRSA §3402, sub-§1, ¶B, as amended by PL 1997, c. 645, §11, is further amended to read:

B. An order of disposition, or of any subsequent order modifying disposition, for an abuse of discretion; ~~and~~

Sec. 2. 15 MRSA §3402, sub-§1, ¶D, as amended by PL 2005, c. 488, §2, is further amended to read:

D. A detention order entered pursuant to section 3203-A, subsection 5 or any refusal to alter a detention order upon petition of the juvenile pursuant to section 3203-A, subsection 11, for abuse of discretion, provided that the appeal must be handled expeditiously; and

Sec. 3. 15 MRSA §3402, sub-§1, ¶H is enacted to read:

H. An order binding a juvenile over for prosecution as an adult, which may be taken following issuance of the bind-over order, or, at the election of the appellant, following a judgment of conviction as an adult, but not both.

Sec. 4. 15 MRSA §3402, sub-§2-A, as enacted by PL 2015, c. 100, §3, is repealed.

See title page for effective date.

CHAPTER 24
H.P. 17 - L.D. 51

An Act To Enact the Maine Insurance Data Security Act

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

Sec. 1. 24-A MRSA c. 24-B is enacted to read:

CHAPTER 24-B

MAINE INSURANCE DATA SECURITY ACT

§2261. Short title

This chapter may be known and cited as "the Maine Insurance Data Security Act."

§2262. Construction

This chapter establishes standards for data security and exclusive standards for the investigation of and notification to the superintendent regarding a cybersecurity event applicable to licensees. This chapter may not be construed to create or imply a private cause of action for violation of its provisions or to curtail a private cause of action that would otherwise exist in the absence of this chapter.

§2263. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Authorized individual. "Authorized individual" means an individual whose access to the nonpublic information held by a licensee and its information systems is authorized and determined by the licensee to be necessary and appropriate.

2. Consumer. "Consumer" means an individual, including but not limited to an applicant for insurance, policyholder, insured, beneficiary, claimant or certificate holder, who is a resident of this State and whose nonpublic information is in a licensee's possession, custody or control.