

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

Whereas, the Maine Veterans' Homes are constructing a new facility in Augusta and will not require the use of the existing veterans' home or require a lease for the existing veterans' home and operation of the existing veterans' home will cease and the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry would then be authorized to sell the land to the Maine Veterans' Homes, upon legislative authorization, to allow the Maine Veterans' Homes to sell the structure and the land it is on to a future buyer; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell, lease or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1814, 1837 and 1851; now, therefore, be it

Sec. 1. Director of the Bureau of Parks and Lands is authorized, but not directed, to convey certain land occupied by the Maine Veterans' Home located at the corner of Cony Road and Piggery Road in Augusta, Maine. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may, subject to the requirements of subsection 2, convey, by quitclaim deed without covenant for an appraised fair market value that is the higher of 2 appraisals or the highest of more than 2 appraisals, one appraisal paid for the Bureau of Parks and Lands and the second paid for by the Maine Veterans' Homes, and on such other terms and conditions as the director may direct, a certain parcel of land with a total of approximately 8.9 acres, being the property that the veterans' home was constructed on, referred to in this resolve as "the property," situated at the corner of Cony Road and Piggery Road in Augusta, County of Kennebec, together with all appurtenant rights and easements located on that property, to the Maine Veterans' Homes. In addition, the Director of the Bureau of Parks and Lands may grant approval, as required by Resolve 1989, chapter 29 and the deed conveying the property to the Maine Veterans' Homes, dated October 3, 1989 and recorded in the Kennebec County Registry of Deeds in Book 3626, page 281, to the Maine Veterans' Homes to sell its structure with the land it is located on at the corner of Cony Road and Piggery Road in Augusta, County of Kennebec.

Sec. 2. Conditions precedent. The authorization provided in section 1 may be exercised only if the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry first gives notice of the proposed conveyance under section 1 and, if a public hearing is requested by any party, the director holds a public hearing on the proposed conveyance as required in the Maine Revised Statutes, Title 12, section 1837, subsection 2.

See title page for effective date.

CHAPTER 7 H.P. 95 - L.D. 139

Resolve, Regarding Legislative Review of Chapters 33 to 43, Concerning the Regulation of Fantasy Contests, Major Substantive Rules of the Department of Public Safety, Gambling Control Unit

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, major substantive rules have been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rules; 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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 33: Introduction; Chapter 34: Definitions; Chapter 35: License Application; Chapter 36: License Fee and Renewal; Chapter 37: Fantasy Contest Monitoring; Chapter 38: Fantasy Contest Account Activity; Chapter 39: Registration of Fantasy Contestants; Chapter 40: Fantasy Contestant Funds and Required Reserves; Chapter 41: Licensee Records, Annual Reporting and Audits; Chapter 42: Collection of Payments; and Chapter 43: Complaints and Disciplinary Actions, provisionally adopted major substantive rules of the Department of Public Safety, Gambling Control Unit that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rules must be amended in Chapter 37, Section 3(3) and Section 3(4) to clarify that fantasy contest operators must include in all advertising and promotions a statement explaining that individuals under 18 years of age may not participate in fantasy contests and that fantasy contest operators may not state or imply an endorsement by a minor in any advertising or promotions;

2. The rules must be amended in Chapter 37, Section 3(3) and Section 3(5) to clarify that fantasy contest operators must include a link to a local, state or federal hotline for assistance with problem gambling in all advertising and promotions and that fantasy contest operators may not target fantasy contestants who have a gambling addiction, including fantasy contestants who have requested to be restricted from play on a fantasy contest operator's platform, in any advertising or promotions;

3. The rules must be amended to substitute the phrase "fantasy contestant account" for the phrase "fantasy contest account" in the title of Chapter 38, in Chapter 38, Section 1 and in any other relevant sections;

4. The rules must be amended in Chapter 38, Section 1(14) and any other relevant sections to clarify that fantasy contest operators must implement methods to prevent cheating and improper manipulation of fantasy contests to the greatest extent possible;

5. The rules must be amended to relocate the provisions of Chapter 38, Sections 1(10) to 1(18) to Chapter 37 or another appropriate location;

6. The rules must be amended in Chapter 42, in the 2nd occurrence of Section 1, to clarify whether the director of the Gambling Control Unit will calculate a licensed fantasy contest operator's gross fantasy contest revenues over the calendar year, over the 12-month term of the license or over another specified 12-month period for purposes of Title 8, section 1105, subsection 2;

7. All necessary grammatical, formatting, punctuation and other technical nonsubstantive editing changes must be made to the rules, including, but not limited to, the amendment of incorrect cross-references, the correction of nonsequential section, subsection, paragraph and subparagraph numbering or lettering in the rules and the replacement of gender-specific terms with gender-neutral terms; and

8. All other necessary changes must be made to the rules to ensure conformity throughout the rules and consistency with the provisions of this section.

The Department of Public Safety, Gambling Control Unit is not required to hold hearings or undertake further proceedings prior to final adoption of the rules in accordance with this section.

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

Effective April 7, 2021.

**CHAPTER 8
H.P. 102 - L.D. 146**

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2022.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2018 Unorganized Territory valuation book. Parcel descriptions are as follows:

2018 MATURED TAX LIENS

TA R5 WELS, Aroostook County

Map AR022, Plan 01, Lot 4.2	038060067-2
McGovern, Edith	0.80 acre