

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

of hospice services, shall include in the report information on federal initiatives that include Medicaid hospice providers and shall make recommendations regarding the application of electronic visit verification to hospice services under the MaineCare program.

See title page for effective date.

**CHAPTER 577
S.P. 913 - L.D. 2117**

**An Act to Amend the Laws
Regarding Sports Wagering
Licensing**

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

Sec. 1. 8 MRSA §1206, sub-§4, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

4. Fees. The fee for an initial or renewed facility sports wagering license issued prior to September 1, 2024 is \$4,000 and for an initial or renewed facility sports wagering license issued on or after September 1, 2024 is \$1,000. The fee must be retained by the director for the costs of administering this chapter. In addition to the license fee, the director may charge a processing fee for an initial or renewed license in an amount equal to the projected cost of processing the application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant or licensee.

Sec. 2. 8 MRSA §1206, sub-§5, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

5. Term of license. Except as provided in subsection 6, a license granted or renewed under this section prior to September 1, 2024 is valid for 4 years and a license granted or renewed under this section on or after September 1, 2024 is valid for one year unless sooner revoked by the director or the commissioner under section 1205. The failure of a facility sports wagering licensee to maintain its underlying off-track betting license voids the facility sports wagering license.

Sec. 3. 8 MRSA §1206, sub-§6, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

6. Temporary license. An applicant for a facility sports wagering license may submit with the application a request for a temporary license. A request for a temporary license must include the initial license fee ~~of \$4,000~~ under subsection 4. If the director determines that the applicant is qualified under subsection 2, meets the requirements established by rule for a temporary license and has paid the initial license fee and the director is not aware of any reason the applicant is ineligible for a license under this section, the director may issue a

temporary facility sports wagering license. A temporary license issued under this subsection is valid for ~~one year~~ the length of the term of the license under subsection 5 or until a final determination on the facility sports wagering license application is made, whichever is sooner. If after investigation the director determines that the applicant is eligible for a facility sports wagering license under this chapter, the director shall issue the initial facility sports wagering license, at which time the temporary license terminates. The initial facility sports wagering license is valid for 4 years from the date that the temporary license was issued by the director for an applicant that applied for an initial license prior to September 1, 2024 and for one year from the date that the temporary license was issued by the director for an applicant that applied for an initial license on or after September 1, 2024. Sports wagering conducted under authority of a temporary license must comply with the facility operator's house rules adopted under section 1211.

Sec. 4. 8 MRSA §1207, sub-§4, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

4. Fees. The fee for an initial or renewed mobile sports wagering license issued prior to September 1, 2024 is \$200,000 and for an initial or renewed mobile sports wagering license issued on or after September 1, 2024 is \$50,000. The fee must be retained by the director for the costs of administering this chapter. In addition to the license fee, the director may charge a processing fee for an initial or renewed license in an amount equal to the projected cost of processing the application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant or licensee.

Sec. 5. 8 MRSA §1207, sub-§5, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

5. Term of license. Except as provided in subsection 6, a license granted or renewed under this section prior to September 1, 2024 is valid for 4 years and a license granted or renewed under this section on or after September 1, 2024 is valid for one year unless sooner revoked by the director or the commissioner under section 1205.

Sec. 6. 8 MRSA §1207, sub-§6, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

6. Temporary license. An applicant for a mobile sports wagering license may submit with the application a request for a temporary license. A request for a temporary license must include the initial license fee ~~of \$200,000~~ under subsection 4. If the director determines that the applicant is qualified under subsection 2, meets the requirements established by rule for a temporary license and has paid the initial license fee and the director is not aware of any reason the applicant is ineligible for

a license under this section, the director may issue a temporary mobile sports wagering license. A temporary license issued under this subsection is valid for ~~one year~~ the length of the term of the license under subsection 5 or until a final determination on the mobile sports wagering license application is made, whichever is sooner. If after investigation the director determines that the applicant is eligible for a mobile sports wagering license under this chapter, the director shall issue the initial mobile sports wagering license, at which time the temporary license terminates. The initial mobile sports wagering license is valid for 4 years from the date that the temporary license was issued by the director for an applicant that applied for an initial license prior to September 1, 2024 and for one year from the date that the temporary license was issued by the director for an applicant that applied for an initial license on or after September 1, 2024. Sports wagering conducted under authority of a temporary license must comply with the mobile operator's house rules adopted under section 1211.

Sec. 7. 8 MRS §1208, sub-§4, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

4. Fees. The fee for an initial or renewed supplier license issued prior to September 1, 2024 is \$40,000 and for an initial or renewed supplier license issued on or after September 1, 2024 is \$10,000. The fee must be retained by the director for the costs of administering this chapter. In addition to the license fee, the director may charge a processing fee for an initial or renewed license in an amount equal to the projected cost of processing the application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant or licensee.

Sec. 8. 8 MRS §1208, sub-§5, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

5. Term of license. Except as provided in subsection 6, a license granted or renewed under this section prior to September 1, 2024 is valid for 4 years and a license granted or renewed under this section on or after September 1, 2024 is valid for one year unless sooner revoked by the director or the commissioner under section 1205.

Sec. 9. 8 MRS §1208, sub-§6, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

6. Temporary license. An applicant for a supplier license may submit with the application a request for a temporary license. A request for a temporary license must include the initial license fee ~~of \$40,000~~ under subsection 4. If the director determines that the applicant is qualified under subsection ~~2~~ 1, meets the requirements established by rule for a temporary license and has paid the initial license fee and the director is not

aware of any reason the applicant is ineligible for a license under this section, the director may issue a temporary supplier license. A temporary license issued under this subsection is valid for ~~one year~~ the length of the term of the license under subsection 5 or until a final determination on the supplier license application is made, whichever is sooner. If after investigation the director determines that the applicant is eligible for a supplier license under this chapter, the director shall issue the initial supplier license, at which time the temporary license terminates. The initial supplier license is valid for 4 years from the date that the temporary license was issued by the director for an applicant that applied for an initial license prior to September 1, 2024 and for one year from the date that the temporary license was issued by the director for an applicant that applied for an initial license on or after September 1, 2024.

Sec. 10. 8 MRS §1209, sub-§4, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

4. Fees. The fee for an initial or renewed management services license issued prior to September 1, 2024 is \$40,000 and for an initial or renewed management services license issued on or after September 1, 2024 is \$10,000. The fee must be retained by the director for the costs of administering this chapter. In addition to the license fee, the director may charge a processing fee for an initial or renewed license in an amount equal to the projected cost of processing the application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant or licensee.

Sec. 11. 8 MRS §1209, sub-§5, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

5. Term of license. Except as provided in subsection 6, a license granted or renewed under this section prior to September 1, 2024 is valid for 4 years and a license granted or renewed under this section on or after September 1, 2024 is valid for one year unless sooner revoked by the director or the commissioner under section 1205.

Sec. 12. 8 MRS §1209, sub-§6, as enacted by PL 2021, c. 681, Pt. J, §6, is amended to read:

6. Temporary license. An applicant for a management services license may submit with the application a request for a temporary license. A request for a temporary license must include the initial license fee ~~of \$40,000~~ under subsection 4. If the director determines that the applicant is qualified under subsection 1, meets the requirements established by rule for a temporary license and has paid the initial license fee and the director is not aware of any reason the applicant is ineligible for a license under this section, the director may issue a temporary management services license. A temporary license issued under this subsection is valid for ~~one year~~

the length of the term of the license under subsection 5 or until a final determination on the management services license application is made, whichever is sooner. If after investigation the director determines that the applicant is eligible for a management services license under this chapter, the director shall issue the initial management services license, at which time the temporary license terminates. The initial management services license is valid for 4 years from the date that the temporary license was issued by the director for an applicant that applied for an initial license prior to September 1, 2024 and for one year from the date that the temporary license was issued by the director for an applicant that applied for an initial license on or after September 1, 2024.

See title page for effective date.

**CHAPTER 578
S.P. 901 - L.D. 2108**

**An Act to Amend Maine's
Charitable Organization
Gaming Laws**

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

Sec. 1. 17 MRSA §317-A, sub-§1, ¶E, as amended by PL 2001, c. 342, §2, is further amended to read:

E. Immediately suspend or revoke a commercial beano hall permit if there is probable cause to believe that the permittee or the permittee's employee committed murder or a Class A, B or C crime or violated a provision of Title 17-A, chapter 15, 29, 37 or 39; ~~and~~

Sec. 2. 17 MRSA §317-A, sub-§1, ¶F, as amended by PL 2017, c. 284, Pt. JJJJ, §20, is further amended to read:

F. Issue a subpoena in the name of the Gambling Control Unit in accordance with Title 5, section 9060, except that this authority applies to any stage of an investigation under this chapter and is not limited to an adjudicatory hearing. This authority may not be used in the absence of reasonable cause to believe a violation has occurred. If a witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry by the unit, the Attorney General may petition the Superior Court in the county where the refusal occurred to find the witness in contempt. The Attorney General shall cause to be served on that witness an order requiring the witness to appear before the Superior Court to show cause why the witness should not be adjudged in contempt. The court shall, in a summary manner, hear the evidence and, if it is such as to warrant the court in doing so, punish that witness

in the same manner and to the same extent as for contempt committed before the Superior Court or with reference to the process of the Superior Court;

Sec. 3. 17 MRSA §317-A, sub-§1, ¶G is enacted to read:

G. In addition to a fine imposed pursuant to section 325, impose a fine of not more than \$100 per violation, after notice of the opportunity for a hearing under subsection 4, on a licensee or registrant or a licensee's or registrant's agent or employee that has violated a provision of this chapter or a rule of the Gambling Control Unit prescribed by authority of this chapter; and

Sec. 4. 17 MRSA §317-A, sub-§1, ¶H is enacted to read:

H. Execute a consent agreement that resolves the issue of a fine imposed pursuant to paragraph G on a licensee or registrant or a licensee's or registrant's agent or employee without further proceedings. A consent agreement may be entered into only with the consent of the licensee or registrant or the licensee's or registrant's agent or employee, the Gambling Control Unit and the Department of the Attorney General. A consent agreement does not absolve a person from potential liability for criminal violations.

Sec. 5. 17 MRSA §317-A, sub-§4 is enacted to read:

4. Imposition of fine and opportunity for hearing. The Gambling Control Unit shall notify the licensee or registrant in writing that a fine is imposed pursuant to subsection 1, paragraph G and of the right to a hearing pursuant to this subsection. The licensee or registrant has the right to request a hearing before the Commissioner of Public Safety or the commissioner's designee. Upon the licensee's or registrant's request for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing must comply with the Maine Administrative Procedure Act. The purpose of the hearing is to determine whether a preponderance of the evidence establishes that the licensee or registrant or the licensee's or registrant's agent or employee violated a provision of this chapter or a rule of the Gambling Control Unit prescribed by authority of this chapter. A request for a hearing must be made no later than 10 days after the licensee or registrant is notified of the fine. The imposition of the fine must be stayed pending the hearing; the hearing must be held no later than 30 days after the date the Commissioner of Public Safety receives the request unless otherwise agreed to by the parties or continued upon request of a party for cause shown.

Sec. 6. 17 MRSA §1835-A, sub-§5, as amended by PL 2019, c. 117, §6, is further amended to read: