

# 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.**

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**Augusta, Maine**  
**2024**

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:

**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. An agricultural society shall determine the number of registrants permitted to operate a game of chance 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 member 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 no more than 4 times in a calendar year for a period not to exceed ~~4 consecutive days~~ the duration of the annual fair of an agricultural society or the duration of a special event. 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.

**Sec. 7. 17 MRSA §1842, sub-§3, ¶D,** as amended by PL 2017, c. 284, Pt. KKKKK, §29, is further amended to read:

D. Issue a subpoena in the name of the State Police 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; ~~and~~

**Sec. 8. 17 MRSA §1842, sub-§3, ¶E,** as amended by PL 2017, c. 284, Pt. KKKKK, §29, is further amended to read:

E. Require such evidence as the unit determines necessary to satisfy the unit that an applicant or organization licensed or registered to conduct games under this chapter conforms to the restrictions and other provisions of this chapter. Charters, organizational papers, bylaws or other such written orders of founding that outline or otherwise explain the purpose for which an organization was founded must, upon request, be forwarded to the Gambling Control Unit. The Gambling Control Unit may require of any licensee, registrant or person registering or of any person operating, conducting or assisting in the operation of a game licensed or registered under this chapter; evidence as the unit may determine necessary to satisfy the unit that the person is a duly authorized member of the licensee, registrant or person registering or a person employed by the licensee, registrant or person registering as a bartender as required by section 1835, subsection 2 and section 1835-A, subsection 2. Upon request, this evidence must be forwarded to the Gambling Control Unit. The Gambling Control Unit may require such evidence as the unit may determine necessary regarding the conduct of games authorized under this chapter to determine compliance with this chapter; ~~;~~

**Sec. 9. 17 MRSA §1842, sub-§3, ¶F** is enacted to read:

F. In addition to a fine imposed pursuant to section 1844, impose a fine of not more than \$100 per violation, after notice of the opportunity for a hearing under subsection 5-A, 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. 10. 17 MRSA §1842, sub-§3, ¶G** is enacted to read:

G. Execute a consent agreement that resolves the issue of a fine imposed pursuant to paragraph F 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. 11. 17 MRSA §1842, sub-§5-A is enacted to read:

**5-A. 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 3, paragraph F 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.

See title page for effective date.

**CHAPTER 579  
H.P. 1310 - L.D. 2048**

**An Act to Amend the Content  
of Notices Provided with  
Respect to Tax Liens on  
Certain Property**

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

Sec. 1. 36 MRSA §942, 3rd ¶, as enacted by PL 2017, c. 478, §2, is amended to read:

For property that constitutes a homestead for which a property tax exemption is claimed under subchapter 4-B, the tax collector shall include with the written notice authorized under this section written notice to the person named on the tax lien mortgage that that person may be eligible to file an application for tax abatement under section 841, subsection 2, indicating that the municipality, upon request, will assist the person in requesting an abatement and provide information regarding the procedures for making such a request. The notice must also indicate that the person may seek assistance from the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection regarding options for finding an advisor who can help the person work with the municipality to avoid tax lien foreclosure and provide information regarding ways to contact the bureau sources of assistance including legal

services providers described in Title 4, section 18-A, subsection 1, paragraph B. The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, by July 15th annually, shall provide to a statewide organization representing municipalities post on a publicly accessible website information regarding assistance in avoiding tax lien foreclosure to assist municipalities in providing the information required in the notice on accessing sources of assistance, and that information may be used by municipalities in providing the information required in the notice. Before posting this information, the bureau shall consider input, if any, received from legal services providers, counselors and state and federal agencies involved in foreclosure prevention matters.

Sec. 2. 36 MRSA §1281, as amended by PL 2019, c. 401, Pt. A, §12, is further amended to read:

**§1281. Payment of taxes; delinquent taxes; publication; certificate filed in registry**

Annually, after January 15th but no later than January 31st, the State Tax Assessor shall send by mail to the last known address of each owner of real estate subject to assessment under section 1602, including supplementary taxes assessed under section 1331, upon which taxes remain unpaid a notice in writing, containing a description of the real estate assessed and the amount of unpaid taxes and interest, and alleging that a lien is claimed on that real estate for payment of those taxes, interests and costs, with a demand that payment be made by the next February 21st. For property that constitutes a homestead for which a property tax exemption is claimed under chapter 105, subchapter 4-B, the State Tax Assessor shall include in the written notice written notice to the owner named on the tax lien mortgage that that owner may be eligible to file an application for tax abatement under section 841, subsection 2, indicating that the State Tax Assessor, upon request, will assist the owner in requesting an abatement and provide information regarding the procedures for making such a request. The notice must also indicate that the owner may seek assistance from the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection regarding options for finding an advisor who can help the owner work with the State Tax Assessor to avoid tax lien foreclosure and provide information regarding ways to contact the bureau sources of assistance including legal services providers described in Title 4, section 18-A, subsection 1, paragraph B. The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, by July 15th annually, shall provide to a statewide organization representing municipalities and to the State Tax Assessor post on a publicly accessible website information regarding assistance in avoiding tax lien foreclosure to assist municipalities and the State Tax Assessor in providing the information required in the notice on accessing sources of assistance, and that information may be used by the