

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND  
VETERANS' AFFAIRS**

July 2009

**MEMBERS:**

SEN. NANCY B. SULLIVAN, CHAIR  
SEN. SETH A. GOODALL  
SEN. DEBRA D. PLOWMAN

REP. PAMELA JABAR TRINWARD, CHAIR  
REP. JOHN L. TUTTLE, JR.  
REP. LINDA M. VALENTINO  
REP. MICHAEL E. CAREY  
REP. ALEXANDER CORNELL DU HOUX  
REP. DIANE RUSSELL  
REP. STACEY ALLEN FITTS  
REP. WRIGHT H. PINKHAM, SR.  
REP. JOAN M. NASS  
REP. MICHAEL G. BEAULIEU

**STAFF:**

DANIELLE D. FOX, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

***Joint Standing Committee on Legal and Veterans Affairs***

**LD 780      An Act To Increase the Amount and Number of Qualifying Contributions under the Maine Clean Election Act      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLAHERTY HOBBINS	ONTP	

This bill increases the amount of a qualifying contribution required to participate in the Maine Clean Election Act from \$5 to \$10, increases the number of qualifying contributions a gubernatorial candidate must collect from 3,250 to 5,000 and increases the number of qualifying contributions a candidate for the State House of Representatives must collect from 50 to 75. Under this bill, the number of qualifying contributions a candidate for State Senate must collect remains at 150.

**LD 781      An Act To Designate a Specialty State Lottery Ticket To Benefit Cancer Education and Awareness      ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS SULLIVAN	ONTP MAJ OTP-AM MIN	

This bill creates a cancer education and awareness lottery ticket to support the Maine comprehensive cancer prevention and control program administered by the Department of Health and Human Services.

**Committee Amendment "A" (H-309)**

This amendment adds an appropriations and allocations section.

**LD 805      An Act To Change Current Limits on Commercial Harness Racing Tracks      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP	

This bill amends the laws governing commercial tracks and licensing for slot machines.

1. Current law requires that an applicant for a license to operate slot machines by a person licensed to operate a commercial track be located "at or within a 5-mile radius of the center of a commercial track" that conducted harness racing with pari-mutuel wagering on more than 25 days during calendar year 2002. This bill removes the 5-mile radius requirement but retains the specification that the commercial track operated by the applicant has conducted harness racing with pari-mutuel wagering during that period of time.

2. This bill removes language limiting the operation of slot machines to commercial tracks licensed by a referendum election held prior to December 31, 2003.

## *Joint Standing Committee on Legal and Veterans Affairs*

3. The bill provides that, for slot machines located at commercial tracks initially licensed for slot machines after January 1, 2009, the revenue designated for distribution to the Fund for a Healthy Maine, the University of Maine Scholarship Fund, the Maine Community College System and the Fund to Encourage Racing at Maine's Commercial Tracks would instead be deposited in the General Fund.
4. The bill increases from 1,500 to 3,000 the total number of slot machines allowed in the State.

**LD 831      An Act To Enhance Fund-raising Opportunities by Certain Nonprofit Organizations**

**PUBLIC 386**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS SHERMAN	OTP-AM MAJ ONTP MIN	H-389 H-450 FITTS

This bill provides that organizations may conduct games of chance without a license if they collect no more than \$15,000 in entry fees, chances or wagers in a calendar year. An unlicensed game of chance event is limited to \$10,000 in entry fees, chances or wagers. An organization conducting a game of chance without a license must still register its name and tax identification number and the time, date and location of the event with the Chief of the State Police. The registration fee is \$30.

**Committee Amendment "A" (H-389)**

This amendment replaces the bill. It creates an exception to the requirement that organizations be licensed in order to conduct games of chance. An organization that is otherwise eligible for a license and will not raise more than \$15,000 in a calendar year from the conduct of games of chance and not more than \$10,000 at any one event may conduct games by registering with the Chief of the State Police and is not required to get a license. If an organization exceeds the yearly or per-event revenue limit, that organization is required to apply for a license retroactively. Any organization that raised more than \$15,000 from licensed games of chance in the previous year is not eligible to register. Some requirements that apply to licensees would apply to registrants, including wager limits, age restrictions on those who conduct or play the games, prohibitions against schemes and the requirement to use licensed gaming printers and distributors. Other requirements regarding revenue and expenditure reporting and disposition of funds reports are also applicable to registrants. A registrant who violates the registration requirements is required to forfeit the revenue from those games conducted in violation and would be prohibited from using the registration privilege for 10 years.

**House Amendment "A" To Committee Amendment "A" (H-450)**

This amendment clarifies that a registration to conduct games of chance without a license is valid per event and not for one year as indicated in Committee Amendment "A."

**Enacted Law Summary**

Public Law 2009, chapter 386 creates an exception to the requirement that organizations be licensed in order to conduct games of chance. An organization that is otherwise eligible for a license and will not raise more than \$15,000 in a calendar year from the conduct of games of chance and not more than \$10,000 at any one event may conduct games by registering with the Chief of the State Police and is not required to get a license. If an organization exceeds the yearly or per-event revenue limit, that organization is required to apply for a license retroactively. Any organization that raised more than \$15,000 from licensed games of chance in the previous year is not eligible to register. A registration is required per event for a fee of \$30. Some requirements that apply to licensees would apply to registrants, including wager limits, age restrictions on those who conduct or play the games, prohibitions against schemes and the requirement to use licensed gaming printers and distributors. Other