

# MAINE STATE LEGISLATURE

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**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

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# 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.

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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

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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.

**LD 832      An Act To Require Lobbyists To Wear Name Tags**

**PUBLIC 137**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM   MAJ ONTP   MIN	H-189

This bill amends the law governing lobbyist disclosure by:

1. Requiring the Commission on Governmental Ethics and Election Practices to publish an online photographic guide to lobbyists and lobbyist associates organized by legislative committee and requiring that lobbyists submit photographs unless the lobbyists or lobbyist associates have waivers from the commission; and
2. Restoring language that was removed in Public Law 2007, chapter 630 that requires every registered lobbyist to file in a monthly report the amount of compensation received for and the amount of expenditures made or incurred with regard to the preparation of documents and research for the primary purpose of influencing legislative action.

**Committee Amendment "A" (H-189)**

This amendment replaces the bill and is the majority report of the committee. The amendment requires that a lobbyist wear a name tag when engaged in the act of lobbying.

**Enacted Law Summary**

Public Law 2009, chapter 137 requires that a lobbyist wear a name tag when engaged in the act of lobbying.

**LD 833      An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse**

**Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY SULLIVAN		

This bill redirects 3% of revenues from slot machines that currently go to the Gambling Control Board to the Department of Health and Human Services, Office of Substance Abuse for use in the treatment of addiction. This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P 1053.

**LD 834      An Act To Provide for 2 Veteran Service Officer Positions**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM	