

# MAINE STATE LEGISLATURE

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



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

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

April 2010

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND 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 Second 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:

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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 56      An Act To Join the Interstate Compact on the National Popular Vote**

**DIED IN  
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L	OTP MAJ ONTP MIN	

This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.

This bill proposes to adopt the interstate compact that is the agreement among the states to elect the President of the United States by national popular vote. Under the compact and the bill, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia will win the presidency. Under this bill, all of the state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill would take effect only when enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538.

**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**

**PUBLIC 622**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY SULLIVAN	OTP-AM MAJ OTP-AM MIN	H-785 TRINWARD H-791 TRINWARD

This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P 1053.

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.

**House Amendment "A" (H-785)**

This amendment replaces the bill. It establishes the Gambling Addiction Prevention and Treatment Fund to be administered by the Department of Health and Human Services, Office of Substance Abuse. The amendment directs that through fiscal year 2012-13 net income from the Bangor racino equal to \$50,000 be distributed to the General Fund for the administrative expenses of the Gambling Control Board be transferred to the Gambling Addiction Prevention and Treatment Fund. In fiscal year 2013-14 and for each fiscal year thereafter the transfer is increased to \$100,000. The Office of Substance Abuse is required to report annually to the joint standing committee of the Legislature having jurisdiction over gambling matters regarding the use of the fund. It also adds an emergency preamble and emergency clause to the bill.

**House Amendment "A" To House Amendment "A" (H-791)**

This amendment removes the emergency preamble and the emergency clause.

**Enacted Law Summary**

Public Law 2009, chapter 622 establishes the Gambling Addiction Prevention and Treatment Fund to be administered by the Department of Health and Human Services, Office of Substance Abuse. It specifies that through

*Joint Standing Committee on Legal and Veterans Affairs*

fiscal year 2012-13 net income from the Bangor racino equal to \$50,000 be distributed to the General Fund for the administrative expenses of the Gambling Control Board be transferred to the Gambling Addiction Prevention and Treatment Fund. In fiscal year 2013-14 and for each fiscal year thereafter the transfer is increased to \$100,000. The Office of Substance Abuse is required to report annually to the joint standing committee of the Legislature having jurisdiction over gambling matters regarding the use of the fund.

**LD 1330 An Act Regarding Gaming by Charitable Organizations**

**PUBLIC 487**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M BRYANT B	OTP-AM	H-611

This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.

This bill repeals the existing chapter of the Maine Revised Statutes, Title 17 on games of chance and replaces it with a new chapter. The provisions governing games of chance are the same but structured differently with the intent of clarifying the provisions within the chapter. This bill makes changes to cross-references in order to comply with the new section numbers assigned to the games of chance provisions. The only substantive change made by the bill is to the definition of "slot machine," which is amended by the bill to be consistent with other references to slot machines in the law and to recognize the electronic nature of modern slot machines.

**Committee Amendment "A" (H-611)**

This amendment makes several technical changes and nonsubstantive clarifications to the bill. In the definitions it distinguishes between the machines that are eligible to be licensed and the machines that are not. It strikes the new proposed definition of "slot machine" and replaces it with a definition closer to the one in current law. The amendment incorporates sections of law that were enacted last year that permit nonmember volunteers of an organization to sell raffle tickets and an exception for certain organizations from the licensing requirement to conduct games of chance. It corrects an error in the bill with regard to the tournament game provision and replaces an inadvertently omitted section regarding evidence for investigation of violations. The amendment clarifies language and corrects duplicative provisions governing raffles. The amendment also specifies that a license for games of chance may be issued only to a person who is 18 years of age or older. This amendment also corrects cross-references.

**Enacted Law Summary**

Public Law 2009, chapter 487 repeals Chapter 14 of Title 17 which governs the licensing and conduct of games of chance by non-profit charitable organizations. This law enacts a new chapter to replace chapter 14 and makes non-substantive changes to clarify and organize the provisions of law governing games of chance.

**LD 1345 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Required Number of Signatures for a Direct Initiative or a People's Veto and To Limit a Direct Initiative to One Subject**

**ACCEPTED ONTP REPORT**

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