

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

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

April 2010

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STATE OF MAINE

124TH 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 124th 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 124th 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 1808

An Act To Allow a Casino in Oxford County

INDEF PP

Sponsor(s)

Committee Report

Amendments Adopted

ONTP MAJ
OTP-AM MIN

This initiated bill authorizes a casino at a single site in Oxford County. The municipal officers or the voters of any municipality in which the site is located must approve the casino for the operation of the gaming facility. The location of the casino must satisfy certain criteria regarding the distance of the casino from health and safety infrastructure. To be eligible for a casino license an applicant must own a facility that is within 10 miles of the proposed casino at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year. The casino is authorized to contain slot machines and table games, including card games, dice games and other games of chance, including, but not limited to, blackjack, poker, dice, craps, roulette, baccarat, money wheels, wheel of fortune or any electronic facsimile of such a game. The initiated bill increases the total number of slot machines that may be registered in the State from 1,500 to 3,000 and provides that a casino operator may not operate more than 1,500 slot machines at a casino. The initiated bill provides for regulation of the casino by the Department of Public Safety, Gambling Control Board. The initiated bill requires the casino operator to collect and distribute to the State 46% of the net slot machine income and 16% of the net table game income. The money paid to the State from the net slot machine income must be used for the following purposes:

1. Twenty-five percent of the net slot machine income must be directed to the Department of Education to be used for funding kindergarten to grade 12 essential programs and services;
2. Four percent of the net slot machine income must be directed to the University of Maine System Scholarship Fund;
3. Three percent of the net slot machine income must be directed to the Maine Community College System for its scholarships program;
4. Four percent of the net slot machine income must be directed to the tribal governments of the Penobscot Nation and Passamaquoddy Tribe;
5. Three percent of the net slot machine income must be directed to the Gambling Control Board for administrative expenses, including gambling addiction counseling services;
6. Two percent of the net slot machine income must be directed to the municipality in which the casino is located;
7. One percent of the net slot machine income must be directed to the Agricultural Fair Support Fund;
8. One percent of the net slot machine income must be directed to supplement harness racing purses;
9. One percent of the net slot machine income must be directed to the Sire Stakes Fund;
10. One percent of the net slot machine income must be directed to the county in which the casino is located to pay for mitigation of costs resulting from gaming operations; and
11. One percent of the net slot machine income must be directed to the Department of Agriculture, Food and Rural Resources to fund dairy farm stabilization.

Joint Standing Committee on Legal and Veterans Affairs

The money paid to the State from the net table game income must be used for the following purposes:

1. Ten percent of the net table game income must be directed to the Department of Education to be used for funding kindergarten to grade 12 essential programs and services;
2. Three percent of the net table game income must be directed to the Gambling Control Board for administrative expenses of the board, including gambling addiction counseling services;
3. Two percent of the net table game income must be directed to the municipality in which the table games are located; and
4. One percent of the net table game income must be directed to the county in which the table games are located to pay for mitigation of costs resulting from gaming operations.

Committee Amendment "A" (H-804)

This amendment, which was not adopted, proposes a competing measure to the initiated bill that would authorize a single casino in Oxford County. The amendment establishes a tribal commercial track license. The tribal commercial track must be located in Washington County. The amendment increases eligibility for a casino operator license to include an operator in Oxford County, a tribal commercial track and a commercial track that was licensed to operate slot machines as of January 1, 2010. A casino operator that is a commercial track that was licensed to operate slot machines on January 1, 2010 would be subject to distributions from table games and slot machines in the same manner as existing distributions from slot machine income, except that there would be no distribution of gross slot machine or gross table game income. Each casino would be required to submit 16% of net table game income to the Gambling Control Board for distribution. Under this amendment, a casino in Oxford County would be required to submit 46% of net slot machine income to the Gambling Control Board. A casino at a commercial track or tribal commercial track would be required to submit 49% of net slot machine income to the Gambling Control Board until an Oxford County casino commences operation, at which time the percentage is reduced to 46%. Under this amendment the casino at a tribal commercial track would be authorized to operate up to 500 slot machines. Other casinos are authorized to operate up to 1,500 slot machines. The total number of slot machines authorized to be operated in the State is 3,500 under this amendment. There are no limits on the number of table games. The amendment establishes an initial fee for a casino at a tribal commercial track at \$75,000 with an annual renewal fee of \$24,000. An initial application fee of \$225,000 is required for a casino in Oxford County. A casino that is a commercial track that was authorized to operate slot machines as of January 1, 2010 would not be subject to an initial application fee for a casino but would be required to pay the same \$80,000 annual renewal fee as proposed in the initiated bill for the Oxford casino.

LD 1831 An Act To Amend the Laws Pertaining to High-stakes Beano

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL W MITCHELL E		

This bill provides that a dispenser of lucky seven or other similar tickets may be connected to a remotely located computer programmed to determine the tickets' element of chance.