

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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before election day, except when the voter signs an application designating one of the allowable reasons for voting by absentee ballot on that day.

Enacted Law Summary

Public Law 2011, chapter 399 eliminates registration of new voters on election day and during the two business days before election day, but does allow an already registered voter who has had a change of name or a change of address within the municipality to update voter registration records up to and including on election day. It changes the minimum hours required by the registrar to be open to accept new in-person registrations on the deadline for registration before election day. Chapter 399 also changes the requirements for the municipality to publish the registrar's hours for the deadline day in a newspaper having general circulation in the municipality at least 10 to 15 business days before election day, and provides that municipalities with a population of 2,500 or fewer may give notice by other means the registrar considers sufficient to provide notice to the voters. This law establishes a provisional voting procedure, as required by the federal Help America Vote Act of 2002, 42 United States Code, Section 15482, to allow a person who has registered to vote but whose name was omitted from the voting list in error to vote using a provisional ballot. It requires that the municipal clerk or registrar resolve and either count or reject the provisional ballots within three business days after the election and report the status of the provisional ballots to the Secretary of State. The Secretary of State must publish the provisional ballot information on the Secretary of State's publicly accessible website at least 20 days after the election, so that provisional voters know whether or not their ballots were cast and counted. This law also prohibits the issuance of absentee ballots after the third business day before election day, except when the voter signs an application designating one of the allowable reasons for voting by absentee ballot on that day.

LD 1403 An Act To Allow Eligible Nonprofit Organizations To Hold Two Card Games Per Month ONTP

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

Under current law the Chief of the State Police may issue one license a month to conduct a tournament game, including a Texas Hold 'em game, to an eligible nonprofit organization. This bill allows the Chief of the State Police to issue two licenses a month.

LD 1418 An Act To Allow Table Games at a Facility Licensed To Operate Slot Machines on January 1, 2011 PUBLIC 417

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON FARNHAM	OTP-AM MAJ ONTP MIN	H-522 H-659 DAMON H-675 DAMON

This bill provides that a slot machine facility that was operating slot machines as of January 1, 2011 may receive a license to operate a casino that includes table games. Distribution of revenue from slot machines operated at a casino that was a slot machine facility is changed to make it similar to that of the slot machine facility except the 1% distribution of gross revenue is replaced by an increase of the net distribution to the General Fund. In total, the amount of distribution is increased to 46% of net revenue. A casino that was not a slot machine facility on January

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1, 2011 is also subject to a 46% distribution of net revenue but the distribution is divided among different accounts.

Committee Amendment "A" (H-522)

This amendment replaces the bill. The amendment provides that the Department of Public Safety, Gambling Control Board may issue a casino operator license to a commercial track that was licensed to operate slot machines on January 1, 2011. It provides that the initial application fee for this type of casino is \$25,000. The amendment establishes a privilege fee for the operation of table games. The distribution of slot machine revenue at a commercial track licensed to operate a casino under this amendment would be the same as when the commercial track was licensed simply as a slot machine facility. The fee for each table is \$100,000 for a 20-year privilege with a \$1,000 annual renewal fee. A casino operated in Oxford County would be permitted to operate table games for one calendar year before being subject to the table game fee. The amendment establishes a separate structure for the distribution of revenue for table games operated at a casino that is a commercial track that distributes 16% of net table game revenue, 9% to the General Fund, 3% to a dedicated administrative expenses account for the Gambling Control Board, 2% to the host municipality and 2% to a fund to benefit charitable nonprofit organizations whose gaming revenue has been negatively affected by slot machine and table game operation. Table game fees and the 3% of net table game revenue at the Oxford County Casino, which under current law goes to the General Fund, goes to the dedicated Gambling Control Board account under this amendment. This amendment also adds an emergency preamble and clause to the bill.

House Amendment "B" To Committee Amendment "A" (H-659)

This amendment strikes the emergency preamble and emergency clause.

House Amendment "D" To Committee Amendment "A" (H-675)

This amendment requires a commercial track licensed to operate slot machines on January 1, 2011 that wants to be licensed as a casino to receive approval of the voters of the county in which the commercial track is located. The amendment also specifies that the question must be sent out to referendum in Penobscot County in November 2011.

Enacted Law Summary

Public Law 2011, chapter 417 provides that the Department of Public Safety, Gambling Control Board may issue a casino operator license to a commercial track that was licensed to operate slot machines on January 1, 2011. It provides that the initial application fee for this type of casino is \$25,000. The distribution of slot machine revenue at a commercial track licensed to operate a casino under this law is the same as when the commercial track was licensed simply as a slot machine facility. This law establishes a privilege fee for the operation of table games in addition to the existing registration fees. The fee for each table is \$100,000 for a 20-year privilege with a \$1,000 annual renewal fee. A casino operated in Oxford County would be permitted to operate table games for one calendar year before being subject to the table game fee. This law establishes a separate structure for the distribution of revenue for table games operated at a casino that is a commercial track that distributes 16% of net table game revenue, 9% to the General Fund, 3% to a dedicated administrative expenses account for the Gambling Control Board, 2% to the host municipality and 2% to a fund to benefit charitable nonprofit organizations whose gaming revenue has been negatively affected by slot machine and table game operation. Table game fees and the 3% of net table game revenue at the Oxford County Casino, which under current law goes to the General Fund, goes to the dedicated Gambling Control Board account under this law.

Chapter 417 requires a commercial track licensed to operate slot machines on January 1, 2011 that wants to be licensed as a casino to receive approval of the voters of the county in which the commercial track is located. The question must be sent out to referendum in Penobscot County in November 2011.