

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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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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 125<sup>th</sup> 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 125<sup>th</sup> 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.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 1427    An Act To Amend Seasonal Licenses for the Operation of Beano or Bingo Games**

**PUBLIC 339**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM   MAJ ONTP    MIN	S-252

This bill amends the law regarding seasonal licenses to operate beano or bingo games without profit, which currently may be issued to resort hotels for their registered guests on the premises of the resort. Current law prohibits minors under 16 years of age from playing beano or bingo games or being in a place where the games are being operated without an adult. The bill allows minors under 16 years of age, without being accompanied by an adult, to participate in bingo or beano games operated at the resort hotel as long as the prize is a nonmonetary prize, which may include a credit for food served on the premises of the resort, valued at no more than \$10.

**Committee Amendment "A" (S-252)**

This amendment replaces the bill. It clarifies the description of a resort hotel. The amendment strikes the provision of the bill that permits a fee for participation in a beano or bingo game operated by a seasonal licensee. It requires that all prizes awarded be nonmonetary, unlike the bill, which only places that restriction on players 16 years of age or younger. It also adds a requirement that beano or bingo games played where people under 16 years of age are permitted must be conducted where no alcoholic beverages are sold and that no other gaming activities take place. Finally, this amendment limits the number of seasonal beano or bingo licenses that may be issued to resort hotels by the Chief of the State Police to 10 per year.

**Enacted Law Summary**

Public Law 2011, chapter 339 amends the law that governs seasonal licenses for the operation of beano or bingo by resort hotels. This law clarifies the definition of a resort hotel and permits play by persons under the age of 16 even if they are not accompanied by a parent or guardian. It also adds a requirement that beano or bingo games played where people under 16 years of age are permitted must be conducted where no alcoholic beverages are sold and that no other gaming activities take place. It requires that all prizes awarded be nonmonetary. Finally, chapter 339 limits the number of seasonal beano or bingo licenses that may be issued to resort hotels by the Chief of the State Police to 10 per year.

**LD 1469    An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations**

**Carried Over**

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

This bill allows operation of video gaming terminals by nonprofit organizations that are eligible for games of chance licenses and that are exempt from federal tax under the United States Internal Revenue Code, Section 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10) or 501(c)(19). These sections of the federal tax code refer to charitable organizations, civic leagues, fraternal benefit societies, domestic fraternal societies and associations and veterans' organizations. Organizations that currently have licenses for electronic video machines but do not qualify under one of those code sections may apply for an initial license while they seek the required federal tax status. The organization applying for the license must own or lease the premises on which the terminals will be placed and must use the premises for its charitable or nonprofit purpose. Video gaming terminal manufacturers, wholesalers and

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

operators must be licensed by the Chief of the State Police, following background investigations of the applicants and their major business partners. Local approval is required for a license to operate video gaming terminals. The license specifies the number of terminals allowed on the premises; the maximum number of terminals allowed is five per premises of a licensee. Terminals must be licensed by the Chief of the State Police and must be connected to a computer system operated by the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services. By the end of a five-year phase-in period, this computer system must provide continuous online monitoring of video gaming terminal activity. Persons under 21 years of age are not allowed to use the machines. Only members of the organization and their guests are allowed to play. The maximum dollar amount for each play is \$5 and the maximum payout is \$1,250. Each game on each machine must return at least 80% of wagers to players, calculated on an annual basis. Net terminal income, which is income after payback to players, is divided as follows: 8% to the State for payment into the Video Gaming Fund, which is established in the bill, for administrative expenses, gambling rehabilitation, municipal revenue sharing and public education; 2% to the Compulsive Gambler Rehabilitation Fund, which is established in the bill; 15% to the General Fund; 10% to the host municipality; and 65% to the licensee. Licenses are issued for one year. Applicants for an initial license must pay the actual costs of processing the application and performing the background investigation.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 1474      An Act To Amend the Beano Laws**

**PUBLIC 301**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL SAVIELLO	OTP-AM MAJ ONTP MIN	H-509

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing "Beano" and "Bingo" games to allow nonprofit organizations to conduct "Beano" and "Bingo" games once a year and award prize baskets with a value of no more than \$5,000 to the winners; nonwinners would be allowed to choose from a number of consolation prizes.

**Committee Amendment "A" (H-509)**

This amendment replaces the bill, which is a concept draft. The amendment allows a person licensed to conduct beano and bingo games to offer a prize with a total value of up to \$2,000 once per calendar year on one occasion. The prize limit in current law is \$1,400.

**Enacted Law Summary**

Public Law 2011, chapter 301 allows a person licensed to conduct beano and bingo games to offer a prize with a total value of up to \$2,000 once per calendar year on one occasion. The prize limit in current law is \$1,400.

**LD 1478      An Act To Fully Enfranchise Voters**

**PUBLIC 409**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER THOMAS	OTP-AM	H-508 H-654 TURNER