

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 811

H.P. 518

House of Representatives, March 4, 2025

An Act to Require a Municipal Public Hearing and Vote Before a Sports Wagering Facility May Be Established

Received by the Clerk of the House on February 27, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Representatives: BRIDGEO of Augusta, MOONEN of Portland,
SALISBURY of Westbrook, SUPICA of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 8 MRSA §1206, sub-§2-A** is enacted to read:

3 **2-A. Municipal approval required; public hearing; appeal.** In addition to the
4 eligibility requirements in subsection 2, an applicant shall request and must receive
5 approval from the municipal officers of the municipality in which a sports wagering facility
6 is to be physically located.

7 A. The municipal officers of the municipality must hold a public hearing regarding the
8 operation of a sports wagering facility at a physical location within that municipality
9 before approving or denying the request.

10 B. In approving or denying the request, the municipal officers shall indicate the reasons
11 for the municipal officers' decision and provide a written copy of the decision to the
12 applicant and to the director.

13 C. An applicant aggrieved by the decision of the municipal officers under this
14 subsection may appeal to the director within 15 days of the receipt of the written
15 decision of the municipal officers under paragraph B. The director shall hold a public
16 hearing in the municipality where the sports wagering facility is to be physically
17 located. In acting on such an appeal, the director may consider all licensure
18 requirements, including the requirements of the applicant's underlying license, and
19 findings referred to in the municipal officers' written decision. The director may issue
20 a license only if the director finds by clear and convincing evidence that the denial
21 decision was without justifiable cause.

22 If a sports wagering facility is to be physically located in an unincorporated place, the
23 applicant shall request and must receive approval under this subsection from the county
24 commissioners of the county in which the sports wagering facility is to be physically
25 located.

26 **Sec. 2. 8 MRSA §1206, sub-§5,** as amended by PL 2023, c. 577, §2, is further
27 amended to read:

28 **5. Term of license.** Except as provided in subsection 6, a license granted or renewed
29 under this section prior to September 1, 2024 is valid for 4 years and a license granted or
30 renewed under this section on or after September 1, 2024 is valid for one year unless sooner
31 revoked by the director or the commissioner under section 1205. The failure of a facility
32 sports wagering licensee to maintain its underlying off-track betting license voids the
33 facility sports wagering license. A facility sports wagering license is valid only at the
34 facility sports wagering licensee's municipally approved physical location.

35 **SUMMARY**

36 This bill requires an applicant for a facility sports wagering license to request and
37 receive approval from the municipal officers of the municipality in which the sports
38 wagering facility is to be physically located before the director of the Gambling Control
39 Unit within the Department of Public Safety may issue the license. The municipal officers
40 are required to hold a public hearing for the consideration of the request to conduct sports
41 wagering at a physical location within that municipality before issuing a decision, which
42 must be provided to the applicant and the director in writing. An aggrieved applicant may

1 appeal the decision of the municipal officers to the director. If the sports wagering facility
2 is to be physically located in an unincorporated place, the applicant must request and
3 receive approval from the county commissioners of the county in which the sports wagering
4 facility is to be physically located. A facility sports wagering license is valid only at the
5 facility sports wagering licensee's municipally approved physical location.