

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



STATE LAW LIBRARY
AUGUSTA, MAINE

124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1248

H.P. 867

House of Representatives, March 30, 2009

**An Act Authorizing a Scratch Ticket with Proceeds To Benefit
Native American Boys and Girls Clubs**

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Senator SULLIVAN of York and
Representatives: BLANCHARD of Old Town, CORNELL du HOUX of Brunswick,
DUCHESNE of Hudson, HUNT of Buxton, PENDLETON of Scarborough, PERRY of Calais,
SCHATZ of Blue Hill, STRANG BURGESS of Cumberland.

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

2 **Sec. 1. 8 MRSA §374, sub-§6** is enacted to read:

3 **6. -Native American lottery game.** No later than January 30, 2010, the commission,
4 in consultation with the Native American Boys and Girls Club Fund Board, established in
5 Title 30, section 6215, subsection 3, shall develop and initiate a Native American lottery
6 game designed to raise funds for the Native American Boys and Girls Club Fund
7 established pursuant to Title 30, section 6215, subsection 1. The commission shall
8 provide the net proceeds of this Native American lottery game to the Native American
9 Boys and Girls Club Fund annually. The commission shall change the Native American
10 lottery game ticket periodically throughout the year.

11 **Sec. 2. 8 MRSA §387, sub-§1, ¶C**, as amended by PL 1995, c. 494, §5, is further
12 amended to read:

13 C. For payment to the General Fund; and

14 **Sec. 3. 8 MRSA §387, sub-§1, ¶D**, as amended by PL 2003, c. 414, Pt. B, §18
15 and affected by c. 614, §9, is further amended to read:

16 D. For payment to the Maine Outdoor Heritage Fund pursuant to Title 12, section
17 10302; and

18 **Sec. 4. 8 MRSA §387, sub-§1, ¶E** is enacted to read:

19 E. For payment to the Native American Boys and Girls Club Fund pursuant to Title
20 30, section 6215, subsection 2.

21 **Sec. 5. 30 MRSA §6215** is enacted to read:

22 **§6215. Native American Boys and Girls Club Fund**

23 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
24 following terms have the following meanings.

25 A. "Board" means the Native American Boys and Girls Club Fund Board.

26 B. "Fund" means the Native American Boys and Girls Club Fund.

27 **2. Fund established.** There is established the Native American Boys and Girls Club
28 Fund. The fund consists of revenues received pursuant to Title 8, section 387 and any
29 funds received as contributions from private and public sources. The fund must be held
30 separate and apart from all other money, funds and accounts. Eligible investment
31 earnings credited to the assets of the fund become part of the assets of the fund. Any
32 balance remaining in the fund at the end of any fiscal year must be carried forward to the
33 next fiscal year.

34 The fund is established for the purpose of maintaining and improving nonprofit Native
35 American Boys and Girls Clubs. Members of the Native American Boys and Girls Clubs
36 must be from federally recognized Indian tribes in this State. A Native American Boys

1 and Girls Club may contract with organizations and individuals for the purpose of
2 carrying out projects funded by the fund.

3 **3. Fund administration.** The board shall administer the fund. Half of the revenue
4 received from Title 8, section 387, subsection 1, paragraph E must be deposited in
5 endowment fund accounts, one endowment fund account for each Native American Boys
6 and Girls Club, for long-term development purposes or remain in liquid savings accounts
7 if market conditions necessitate. The other half of the revenue may be deposited in
8 checking accounts for annual program sustainability, one checking account for each
9 Native American Boys and Girls Club. A Native American Boys and Girls Club may
10 transfer funds from the checking account to the endowment fund account or the liquid
11 savings account.

12 **4. Native American Boys and Girls Club Fund Board.** There is established the
13 Native American Boys and Girls Club Fund Board, which consists of 9 members:

14 A. Two members from the Houlton Band of Maliseet Indians;

15 B. Two members from the Passamaquoddy Tribe;

16 C. Two members from the Penobscot Nation; and

17 D. Two members from the Aroostook Band of Micmacs.

18 The members of the board serve for a term of 3 years and may be reappointed. In the
19 event of the death, resignation or disability of a member, the tribe from which the
20 vacancy occurred shall fill the vacancy for the remainder of the unexpired term. The
21 board, by a majority vote of its 8 members, shall select an individual who is a resident of
22 the State and not an appointed member of the board to act as chair. The chair is a voting
23 member of the board and serves for 4 years. A quorum of the board for the transaction of
24 business is 4 members.

25 SUMMARY

26 This bill directs the State Liquor and Lottery Commission to develop a Native
27 American lottery game. The bill also establishes a Native American Boys and Girls Club
28 Fund and a Native American Boys and Girls Club Fund Board.