

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 535

H.P. 418

House of Representatives, February 15, 2011

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

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative MITCHELL of the Penobscot Nation.
Cosponsored by Senator SCHNEIDER of Penobscot and
Representatives: CLARK of Millinocket, JOHNSON of Greenville, MAKER of Calais,
PICCHIOTTI of Fairfield, SOCTOMAH of the Passamaquoddy Tribe, WOOD of Sabattus.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** all of Maine is facing difficult economic and employment problems, and
4 this is especially true of the federally recognized Indian tribes in Maine; and

5 **Whereas,** this legislation would provide immediate relief to the tribes in Maine; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1. 17 MRSA §314-A, sub-§1-A,** as amended by PL 2009, c. 505, §1, is
12 further amended to read:

13 **1-A. Sealed tickets.** The Chief of the State Police may also issue to any federally
14 recognized Indian tribe licenses to sell lucky seven or other similar sealed tickets in
15 accordance with section 324-A. The licensee may operate a dispenser to sell the lucky
16 seven or other similar tickets. As used in this subsection, "dispenser" means a
17 mechanical or electrical device or machine that, upon the insertion of money, credit or
18 something of value, dispenses printed lucky seven or other similar tickets. The element
19 of chance must be provided by the ticket itself, not by the dispenser. The licensee may
20 sell sealed tickets at any time. The Chief of the State Police may adopt rules to facilitate
21 the use of dispensers. Rules adopted pursuant to this subsection are routine technical
22 rules as defined in Title 5, chapter 375, subchapter 2-A.

23 **Sec. 2. 17 MRSA §314-A, sub-§3,** as repealed and replaced by PL 1991, c. 426,
24 §4, is amended to read:

25 **3. Operation of games.** ~~An~~ Except as restricted in section 312, subsection 3, an
26 organization licensed under this section may operate high-stakes beano games on 27
27 weekends per year, whether or not consecutive. For purposes of this section, a weekend
28 consists of Saturday and the immediately following Sunday at any time. A high-stakes
29 beano game licensed under this section and canceled for any reason may be rescheduled
30 at any time, as long as 5 days prior notice of the new date is given to the Chief of the
31 State Police. Any federally recognized Indian tribe licensed to operate high-stakes beano
32 games under this section may operate high-stakes beano games anywhere in the county of
33 that tribe's primary seat of government.

34 **Sec. 3. 17 MRSA §314-A, sub-§3-A,** as enacted by PL 2003, c. 452, Pt. I, §5 and
35 affected by Pt. X, §2, is repealed.

36 **Sec. 4. 17 MRSA §314-A, sub-§4,** as amended by PL 2009, c. 534, §1, is further
37 amended to read:

