

MAINE STATE LEGISLATURE

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DMC
R. of S.

L.D. 1513

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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE HOUSE OF REPRESENTATIVES 125TH LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1116, L.D. 1513, Bill, "An Act To Clarify the Maine State Lottery Agent Licensing Process"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 8 MRSA §372, sub-§2, ¶¶A, B and D, as enacted by PL 1987, c. 505, §2, are amended to read:

A. Supervise the operation of lotteries in accordance with this chapter and chapter 16 and with the rules ~~promulgated~~ adopted under this chapter and chapter 16;

B. Act as the chief administrative officer, having general charge of the office and records and to employ such personnel as may be necessary to fulfill the purposes of this chapter and chapter 16. The personnel ~~shall~~ must be employed with the approval of the commissioner and are subject to the Civil Service Law, except for the deputy director who ~~shall be~~ is appointed by and ~~serve~~ serves at the pleasure of the director;

D. In accordance with this chapter and chapter 16 and the rules ~~promulgated~~ adopted under this chapter and chapter 16, license as agents to sell lottery tickets such persons who, in ~~his~~ the director's opinion, will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent in such amount as provided by rule. Every licensed agent shall prominently display ~~his~~ the agent's license, or a copy of ~~his~~ the license, as provided by rule;'

Amend the bill in section 9 in subsection 1 by striking out all of the first paragraph (page 2, lines 20 to 27 in L.D.) and inserting the following:

'1. **Reasons for suspension or revocation.** The ~~commission~~ director or the director's designee may suspend or revoke, after notice and hearing in a manner consistent with the Maine Administrative Procedure Act, ~~Title 5, chapter 375~~, any license issued pursuant to this chapter. The license may be temporarily suspended by the ~~commission without prior notice~~ director or the director's designee, pending any prosecution, investigation or hearing. A license may be suspended or revoked by the ~~commission~~ director or the director's designee for just cause, including actions

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1 inconsistent with those considered appropriate for an agent operating a business on behalf
2 of the State, or one or more of the following reasons:'

3 Amend the bill by striking out all of section 11 (page 3, lines 5 to 14 in L.D.)

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment makes technical clarifications regarding the authority of the State
8 Liquor and Lottery Commission and the Director of Alcoholic Beverages and Lottery
9 Operations within the Department of Administrative and Financial Services to administer
10 all of the forms of lottery games under the commission's jurisdiction. The amendment
11 also strikes a provision of the bill that removes the requirement that lottery license
12 suspension or revocation appeals be conducted in accordance with the Maine
13 Administrative Procedure Act.