

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 electronic originals
(may include minor formatting differences from printed original)



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 516

H.P. 355

House of Representatives, February 24, 2015

An Act Regarding Gaming

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LUCHINI of Ellsworth.
Cosponsored by Senator CYRWAY of Kennebec and
Representatives: MONAGHAN of Cape Elizabeth, SAUCIER of Presque Isle, TURNER of
Burlington, Senator: PATRICK of Oxford.

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

Whereas, the laws governing the Maine State Lottery are vague with regard to the authority of the State Liquor and Lottery Commission to conduct certain games of chance; and

Whereas, the Legislature should have the opportunity to provide input if the commission intends to offer games of chance to the public in a manner substantially different from the way lottery tickets and shares are currently sold to the public; and

Whereas, information has been presented that indicates the commission intends, within the next 6 months, to offer games of chance in a manner substantially different from the way lottery tickets and shares are currently sold; and

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

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

Sec. 1. 8 MRSA §374, first ¶, as enacted by PL 1987, c. 505, §2, is amended to read:

The commission shall meet with the director, not less than once each month, to ~~promulgate~~ adopt and amend rules, subject to the approval of the commissioner, relating to the lotteries; to make recommendations and set policy for state lotteries and to transact other business that may be properly brought before the commission. Lotteries under this section may include, but are not limited to, draw games in which the prize paid to a winning player is calculated as a share of the prize pool but may not include draw games in which a player wins a set prize amount based on the wager made by the player and in which the operator keeps all losing wagers, as with the draw game commonly known as keno. Rules adopted by the commission ~~shall~~ must be adopted in a manner consistent with ~~the Maine Administrative Procedure Act, Title 5, chapter 375.~~

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill clarifies the authority of the State Liquor and Lottery Commission with regard to the conduct of lotteries. It provides that lotteries may include draw games in which the prize paid is calculated as a share of the prize pool but may not include draw games, such as keno, in which the player wins a set prize amount based on the wager made by the player.