

MAINE STATE LEGISLATURE

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L.D. 584

Date: 3/16/26

(Filing No. S-054)

MINORITY

VETERANS AND LEGAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 267, L.D. 584, "An Act to Make the Director of the Office of Cannabis Policy an Appointed Position Subject to Confirmation by the Legislature"

Amend the bill by striking out the title and substituting the following:

'An Act to Make the Director of the Office of Cannabis Policy, the Director of the Bureau of Alcoholic Beverages and Lottery Operations and the Director of the Gambling Control Unit Appointed Positions Subject to Confirmation by the Legislature'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §948, sub-§1, ¶L, as amended by PL 2011, c. 633, §1, is further amended to read:

L. Director, Maine Emergency Medical Services; and

Sec. 2. 5 MRSA §948, sub-§1, ¶M, as amended by PL 2011, c. 633, §2, is further amended to read:

M. Director, Bureau of Consolidated Emergency Communications; and

Sec. 3. 5 MRSA §948, sub-§1, ¶O is enacted to read:

O. Director, Gambling Control Unit.

Sec. 4. 8 MRSA §1001, sub-§9, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

9. Director. "Director" means the Director of the Gambling Control Unit within the department, who also serves as the executive director ~~Executive Director~~ of the ~~board~~ Gambling Control Board.

Sec. 5. 8 MRSA §1003, sub-§2, as amended by PL 2023, c. 549, §§2 to 7 and affected by §15 and amended by c. 635, §§3 to 5, is further amended to read:

COMMITTEE AMENDMENT

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~~2. Duties. The Commissioner of Public Safety, with the advice and the consent of the board, and on a timetable directed by the board, shall hire an executive director. The executive director shall hire staff in accordance with the Civil Service Law and retain professional services that the board considers necessary to carry out its responsibilities. In addition, the board or the director or staff, as delegated by the board, shall:~~

- A. Enforce the provisions of this chapter and any rules adopted under this chapter;
- B. Hear and decide all license and registration applications under this chapter and issues affecting the granting, suspension, revocation or renewal of licenses and registrations;
- C. Review the department's reports of its investigation of the qualifications of an applicant before a license or registration is issued and investigate the circumstances surrounding any act or transaction for which board approval is required;
- D. Cause the department to investigate any alleged violations of this chapter or rules adopted under this chapter and the direct or indirect ownership or control of any licensee;
- E. Refer violations of this chapter to the Attorney General to bring action in the courts and administrative tribunals of this State or the United States, in the name of the State of Maine. This paragraph does not limit the authority of district attorneys to prosecute criminal violations of the law;
- F. Collect all licensing and registration fees and taxes imposed by this chapter and rules adopted pursuant to this chapter;
- G. Develop a standard uniform location agreement;
- H. Pursuant to subchapter 5, cause the department to investigate all complaints made to the board regarding ownership, distribution or operation of slot machines or table games and all violations of this chapter or rules adopted under this chapter;
- I. Adopt rules to prevent undesirable conduct relating to the ownership, distribution and operation of slot machines and table games and slot machine facilities and casinos, including, but not limited to, the following:
 - (1) The practice of any fraud or deception upon a player of a slot machine or table game or a licensee;
 - (2) The presence or location of a slot machine or table game in or at premises that may be unsafe due to fire hazard or other public safety conditions;
 - (3) The infiltration of organized crime into the ownership, distribution or operation of slot machines or table games and slot machine facilities or casinos; and
 - (4) The presence of disorderly persons in a location where slot machines or table games are in use;
- J-1. Ensure the board or the director or staff has the ability to regulate, manage and audit the operation, financial data and program information relating to slot machines that enables the department to audit the operation, financial data and program information of a casino or slot machine facility licensee, as required by the board, and provide the department with the ability to monitor at any time on a real-time basis

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- 1 wagering patterns, payouts, tax collection and compliance with rules adopted by the
- 2 board for the regulation and control of slot machines operated under this chapter;
- 3 K. Ensure the board or the director or staff, in collaboration with the casino operator
- 4 or slot machine operator, has the ability to activate and deactivate the operation of
- 5 individual slot machines;
- 6 L. Ensure that the slot machine operator or casino operator does not have access to any
- 7 system that is capable of programming slot machines;
- 8 M. Inform commercial track operators applying for a license to operate slot machines
- 9 that any slot machines licensed by the board must be compatible with a facility-based
- 10 monitoring system;
- 11 N. Cause, in collaboration with the casino operator or slot machine operator, a slot
- 12 machine to be disabled that does not meet registration requirements provided by this
- 13 chapter or rules adopted under this chapter;
- 14 O. Cause, in collaboration with the casino operator or slot machine operator, a slot
- 15 machine to be disabled and cause the department to seize the proceeds of that slot
- 16 machine if the funds from that slot machine have not been distributed, deposited or
- 17 allocated in accordance with section 1036;
- 18 P. Collect all funds and taxes due to the State under sections 1018 and 1036;
- 19 Q. Certify monthly to the department a full and complete statement of all slot machine
- 20 and table game revenue, credits disbursed by licensees, administrative expenses and
- 21 the allocation of slot machine and table game income for the preceding month;
- 22 R. Submit by March 15th an annual report to the Governor and the joint standing
- 23 committee of the Legislature having jurisdiction over gambling affairs on slot machine
- 24 and table game revenue, credits disbursed by slot machine operators and table game
- 25 operators, administrative expenses and the allocation of slot machine and table game
- 26 income for the preceding year;
- 27 S. Prepare and submit to the department a budget for the administration of this chapter;
- 28 T. Keep accurate and complete records of its proceedings and certify the records as
- 29 may be appropriate; and
- 30 U. Adopt rules relating to the conduct of advance deposit wagering, including but not
- 31 limited to the following:
- 32 (1) Requirements for licensure to conduct advance deposit wagering;
- 33 (2) The prevention of any fraud or deception upon an advance deposit wagering
- 34 account holder;
- 35 (3) Distributions of account statements to advance deposit wagering account
- 36 holders from the advance deposit wagering licensee;
- 37 (4) Establishing a definition of an abandoned advance deposit wagering account
- 38 and provisions for disposition of funds in an abandoned account;
- 39 (5) Prescribing methods for verifying residency and age of an applicant for an
- 40 advance deposit wagering account;

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- 1 (6) Prescribing methods for verifying that an applicant for an advance deposit
2 wagering account is a natural person and not a custodian, beneficiary, joint trust
3 corporation or other organization;
- 4 (7) Prescribing methods by which deposits are made to advance deposit wagering
5 accounts. The methods prescribed must prohibit the use of the electronic benefits
6 transfer system administered by the Department of Health and Human Services
7 under Title 22, chapter 1, subchapter 1-A;
- 8 (8) Prohibiting the assignment or transfer of an advance deposit wagering account
9 from an authorized account holder to another person; and
- 10 (9) Provisions allowing persons to restrict themselves from advance deposit
11 wagering upon request by placing themselves on the universal list pursuant to
12 subsection 3, paragraph I. The rules adopted under this subparagraph must define
13 the standards for involuntary placement on the universal list and for removal from
14 the list.

15 Rules initially adopted as required by this paragraph are major substantive rules as
16 described in Title 5, chapter 375, subchapter 2-A. Rules adopted after the first year of
17 operation of advance deposit wagering conducted by an advance deposit wagering
18 licensee are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

19 **Sec. 6. 8 MRSA §1003, sub-§5**, as amended by PL 2021, c. 681, Pt. J, §4, is
20 repealed.

21 **Sec. 7. 8 MRSA §1003, sub-§6** is enacted to read:

22 **6. Director of Gambling Control Unit.** The Commissioner of Public Safety, with
23 the advice and consent of the Governor and subject to review by the joint standing
24 committee of the Legislature having jurisdiction over gambling matters and to confirmation
25 by the Legislature, shall appoint the Director of the Gambling Control Unit, established as
26 a bureau within the Department of Public Safety under Title 25, section 2902, subsection
27 12, and referred to in this chapter as "the director." The director shall administer and enforce
28 the laws governing fantasy contests under chapter 33, sports wagering under chapter 35,
29 Internet gaming under chapter 39 and beano and games of chance under Title 17, chapters
30 13-A and 62, respectively. The director also serves as the executive director of the board.

31 **Sec. 8. 17 MRSA §311, sub-§2-A**, as enacted by PL 2017, c. 284, Pt. JJJJJ, §1, is
32 amended to read:

33 **2-A. Director.** "Director" means the ~~Executive Director of the Gambling Control~~
34 ~~Board and the~~ Gambling Control Unit.

35 **Sec. 9. 17 MRSA §1831, sub-§2-A**, as enacted by PL 2017, c. 284, Pt. KKKKK,
36 §6, is amended to read:

37 **2-A. Director.** "Director" means the ~~Executive Director of the Gambling Control~~
38 ~~Unit.~~

39 **Sec. 10. 28-A MRSA §84, first ¶**, as amended by PL 2013, c. 368, Pt. V, §20, is
40 further amended to read:

41 The commissioner, with the advice and consent of the Governor and subject to review
42 by the joint standing committee of the Legislature having jurisdiction over alcoholic

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1 beverages and lottery matters and to confirmation by the Legislature, shall appoint the
2 Director of the Bureau of Alcoholic Beverages and Lottery Operations, referred to in this
3 chapter as "the director of the bureau." The director of the bureau or the director's designee
4 shall:

5 **Sec. 11. 28-B MRSA §104-B, first ¶**, as enacted by PL 2023, c. 679, Pt. B, §6, is
6 amended to read:

7 The commissioner, with the advice and consent of the Governor and subject to review
8 by the joint standing committee of the Legislature having jurisdiction over cannabis matters
9 and to confirmation by the Legislature, shall appoint the Director of the Office of Cannabis
10 Policy, referred to in this chapter as "the director." The director may employ personnel as
11 necessary to implement, administer and enforce this chapter and the rules adopted pursuant
12 to this chapter and the Maine Medical Use of Cannabis Act and the rules adopted pursuant
13 to that Act.

14 **Sec. 12. Appointment.** The Commissioner of Administrative and Financial
15 Services shall appoint the Director of the Office of Cannabis Policy pursuant to the Maine
16 Revised Statutes, Title 28-B, section 104-B and the Director of the Bureau of Alcoholic
17 Beverages and Lottery Operations pursuant to Title 28-A, section 84 no later than 60 days
18 after the effective date of this Act. The Commissioner of Public Safety shall appoint the
19 Director of the Gambling Control Unit pursuant to Title 8, section 1003, subsection 6 no
20 later than 60 days after the effective date of this Act.

21 **Sec. 13. Effective date.** This Act takes effect January 6, 2027.'

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

24 **SUMMARY**

25 This amendment provides that the appointing authority for the Director of the Office
26 of Cannabis Policy within the Department of Administrative and Financial Services, the
27 Director of the Bureau of Alcoholic Beverages and Lottery Operations within the
28 Department of Administrative and Financial Services and the Director of the Gambling
29 Control Unit within the Department of Public Safety is the appropriate commissioner with
30 the advice and consent of the Governor. It further provides that these positions are subject
31 to confirmation by the Legislature.

32 The amendment directs the commissioners to appoint their respective positions no later
33 than 60 days after the effective date of this legislation and adds an effective date of January
34 6, 2027.