

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2015

under this section and who is not otherwise prohibited from holding the moose permit. A transferor and a transferee are subject to the elimination of any accumulated points under subsection 8 and the 3-year ineligibility period under subsection 5. For purposes of this subsection, "family member" means the transferor's spouse, child, stepchild, grandchild, parent, grandparent, stepparent, brother, sister, half-sister, half-brother or adopted child.

The commissioner shall adopt rules to implement this subsection and may establish a transfer fee to recover administrative costs associated with transferring moose permits. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 96

H.P. 355 - L.D. 516

An Act Regarding Gaming

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 recommenda-

tions and set policy for state lotteries and to transact other business that may be properly brought before the commission. A lottery under this section may include, but is not limited to, a draw game in which the prize paid to a winning player is calculated as a share of the prize pool. A lottery may not include a draw game that has more than 5 daily drawings and that pays a player 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.

Effective May 20, 2015.

CHAPTER 97

H.P. 53 - L.D. 59

An Act To Protect Students' Rights and Privacy Regarding Their School Records

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

Sec. 1. 20-A MRSA §6001, sub-§1, as amended by PL 2003, c. 181, §3, is further amended to read:

1. Federal and state law. The provisions of this section, the United States Family Educational Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568, and the ~~United States Education of All Handicapped Children Act, Public Law 94-142~~ federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended, govern the dissemination of education records and personally identifiable information about students in public schools, private schools approved by the department pursuant to chapter 117 and private schools recognized by the department as providing equivalent instruction pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (1), division (b), as well as written notices of intent to provide equivalent instruction through home instruction and all education records of students receiving equivalent instruction through home instruction.

Sec. 2. Penalty. Not later than January 15, 2016, the Commissioner of Education shall report back to the Joint Standing Committee on Education and Cultural Affairs with recommendations for an appropriate penalty for a violation of the Maine Revised Statutes, Title 20-A, section 6001, subsection 1, including any necessary implementing legislation.