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

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

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

Whereas, this legislation would provide immediate relief to the tribes in Maine; 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. 17 MRSA §314-A, sub-§1-A, as amended by PL 2009, c. 505, §1, is further amended to read:

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

Sec. 2. 17 MRSA §314-A, sub-§3, as repealed and replaced by PL 1991, c. 426, §4, is amended to read:

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

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 X, §2, is repealed.

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

4. Term of license; fees. A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is \$50,000, ~~except that the annual license fee due in 2008, 2009, 2010 and 2011 is \$25,000~~\$15,000. License fees may be paid in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

Sec. 5. 17 MRSA §314-A, sub-§5, ¶A, as enacted by PL 2003, c. 452, Pt. I, §6 and affected by Pt. X, §2, is amended to read:

A. Transfer or assign a license issued under this section; or

Sec. 6. 17 MRSA §314-A, sub-§5, ¶B, as enacted by PL 2003, c. 452, Pt. I, §6 and affected by Pt. X, §2, is amended to read:

B. Operate or conduct a beano game or high-stakes beano game on the same premises on the same date as another licensee; ~~or.~~

Sec. 7. 17 MRSA §314-A, sub-§5, ¶C, as amended by PL 2009, c. 347, §1, is repealed.

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

SUMMARY

This bill allows federally recognized Indian tribes in Maine licensed to sell sealed tickets to sell the tickets at any time. It also allows the operation of high-stakes beano games at any time and anywhere in the county that the Indian tribe has its primary seat of government and it reduces the annual license fee for operating high-stakes beano games to \$15,000.