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**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 175, L.D. 553, Bill, “An Act To Ensure Proper Oversight of Sports Betting in the State”

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

**Sec. 1. 8 MRSA §1003, sub-§5**, as repealed and replaced by PL 2017, c. 475, Pt. A, §11, is amended to read:

**5. Additional duties of the director.** The director also serves as the director of the Gambling Control Unit, established as a bureau within the Department of Public Safety under Title 25, section 2902, subsection 12. As director of the unit, the director shall administer and enforce the laws governing fantasy contests under chapter 33, sports wagering under chapter 35 and beano and games of chance under Title 17, chapters 13-A and 62, respectively.

**Sec. 2. 8 MRSA §1104, sub-§2**, as enacted by PL 2017, c. 303, §2, is amended to read:

**2. Certain leagues and contests prohibited.** A fantasy contest operator may not offer a fantasy contest based on the performances of participants in ~~collegiate or~~ high school athletic events or other athletic events involving participants under 18 years of age.

**Sec. 3. 8 MRSA c. 35** is enacted to read:

**CHAPTER 35**

**REGULATION OF SPORTS WAGERING**

**§1201. Authorization of sports wagering; license required**

Notwithstanding any provision of law to the contrary, the operation of sports wagering and ancillary activities are lawful when conducted in accordance with the provisions of this chapter and the rules adopted under this chapter.

**COMMITTEE AMENDMENT**

1 A person or entity may not engage in any activities in this State that require a license  
2 under this chapter unless all necessary licenses have been obtained in accordance with  
3 this chapter and rules adopted under this chapter.

4 **§1202. Definitions**

5 As used in this chapter, unless the context otherwise indicates, the following terms  
6 have the following meanings.

7 **1. Adjusted gross sports wagering receipts.** "Adjusted gross sports wagering  
8 receipts" means an operator's gross receipts from sports wagering less the total of all  
9 winnings paid to patrons, which includes the cash equivalent of any merchandise or thing  
10 of value awarded as a prize, and less excise tax payments remitted to the Federal  
11 Government.

12 **2. Collegiate sports or athletic event.** "Collegiate sports or athletic event" means a  
13 sports or athletic event offered or sponsored by, or played in connection with, a public or  
14 private institution that offers postsecondary educational services.

15 **3. Commissioner.** "Commissioner" means the Commissioner of Public Safety.

16 **4. Department.** "Department" means the Department of Public Safety.

17 **5. Director.** "Director" means the director of the Gambling Control Unit within the  
18 department.

19 **6. Facility operator.** "Facility operator" means a facility sports wagering licensee  
20 under subsection 7, paragraph A.

21 **7. License.** "License" means any license applied for or issued by the director under  
22 this chapter, including, but not limited to:

23 A. A facility sports wagering license under section 1206 to conduct sports wagering  
24 in which wagers are placed within a physical location in this State;

25 B. A mobile sports wagering license under section 1207 to permit a mobile operator  
26 to operate sports wagering through an approved mobile application or other digital  
27 platform that involves, at least in part, the use of the Internet;

28 C. A supplier license under section 1208 to sell goods and services to be used in  
29 connection with sports wagering, but not to directly accept wagers;

30 D. A management services license under section 1209 to manage sports wagering on  
31 behalf of a facility sports wagering licensee or a mobile sports wagering licensee; and

32 E. An occupational license under section 1210 to be employed by a facility sports  
33 wagering licensee to operate sports wagering when the employee performs duties in  
34 furtherance of or associated with the operation of sports wagering.

35 **8. Mobile operator.** "Mobile operator" means a mobile sports wagering licensee  
36 under subsection 7, paragraph B.

37 **9. Operator.** "Operator" includes a facility operator and a mobile operator.

1           **10. Professional sports or athletic event.** "Professional sports or athletic event"  
2 means an event at which 2 or more persons participate in sports or athletic contests and  
3 receive compensation in excess of actual expenses for their participation in the event.

4           **11. Prohibited sports event.** "Prohibited sports event" means a high school sports  
5 or athletic event, any other event in which a majority of the participants are under 18  
6 years of age or a collegiate sports or athletic event in which any Maine collegiate sports  
7 team participates, regardless of where the event takes place.

8           **12. Qualified gaming entity.** "Qualified gaming entity" means a gaming entity that  
9 offers sports wagering through mobile applications or digital platforms in any jurisdiction  
10 in the United States pursuant to a state regulatory structure.

11           **13. Sports event.** "Sports event" means any professional sports or athletic event,  
12 collegiate sports or athletic event or amateur sports or athletic event, including but not  
13 limited to an Olympic or international sports or athletic event, a motor vehicle race or an  
14 electronic sports event, commonly referred to as "e-sports."

15           **14. Sports wagering.** "Sports wagering" means the business of accepting wagers on  
16 sports events or portions of sports events, the individual performance statistics of athletes  
17 in a sports event or a combination of any of the same by any system or method of  
18 wagering approved by the director, including, but not limited to, in person on the property  
19 of a facility licensee or via a mobile sports wagering licensee's mobile applications and  
20 digital platforms that use communications technology to accept wagers. "Sports  
21 wagering" does not include the sale of pari-mutuel pools authorized under chapter 11 or  
22 the operation of fantasy contests as defined in section 1101, subsection 4.

23           **15. Wager.** "Wager" means a sum of money or thing of value risked on an uncertain  
24 occurrence.

25 **§1203. Powers and duties of director**

26           **1. Powers and duties.** In administering and enforcing this chapter, the director:

27           A. Has the power to regulate the conduct of sports wagering;

28           B. Shall determine the eligibility of a person to hold or continue to hold a license,  
29 shall issue all licenses and shall maintain a record of all licenses issued under this  
30 chapter;

31           C. Shall levy and collect all fees, civil penalties and tax on adjusted gross sports  
32 wagering receipts imposed by this chapter, except as otherwise provided under this  
33 chapter;

34           D. May sue to enforce any provision of this chapter or any rule of the director by  
35 civil action or petition for injunctive relief;

36           E. May hold hearings, administer oaths and issue subpoenas or subpoenas duces  
37 tecum in the manner provided by applicable law; and

38           F. May exercise any other powers necessary to effectuate the provisions of this  
39 chapter and the rules of the director.

40           **2. Rules.** The director shall adopt rules governing the conduct of sports wagering in  
41 the State, which must, at a minimum, include the following:

1 A. Qualifications for obtaining a facility sports wagering license, supplier license,  
2 management services license, mobile sports wagering license or occupational license,  
3 including the procedure and qualifications for obtaining a waiver of the occupational  
4 license requirement;

5 B. Qualifications for obtaining a temporary facility sports wagering license,  
6 temporary supplier license, temporary management services license and temporary  
7 mobile sports wagering license;

8 C. The methods of operation of sports wagering, including but not limited to the  
9 permitted systems and methods of wagers; the use of credit and checks by persons  
10 making wagers; the types of wagering receipts that may be used; the method of  
11 issuing receipts; the prevention of sports wagering on prohibited sports events; the  
12 protection of patrons placing wagers; and the promotion of social responsibility and  
13 responsible gaming and display of information on resources for problem gambling at  
14 a facility operator's premises or on any mobile application or digital platform used to  
15 place wagers;

16 D. If the director determines that establishment of a maximum wager is necessary for  
17 the protection of public safety, the maximum wager that may be accepted from any  
18 one person on a single sports event;

19 E. Standards for the adoption of comprehensive house rules governing sports  
20 wagering by operators and the approval of house rules by the director as required  
21 under section 1211;

22 F. Minimum design and security requirements for the physical premises of facility  
23 operators in which sports wagering is conducted, including but not limited to  
24 minimum requirements for the acceptance of wagers at a self-serve kiosk located on  
25 the premises and minimum required methods for verifying the identity and age of a  
26 person who places a wager with a facility operator, for verifying that the person  
27 making a wager is not prohibited from a making a wager under section 1213 and for  
28 requiring the refund of any wager determined to have been placed by a person  
29 prohibited from making a wager under section 1213;

30 G. Minimum design and security requirements for mobile applications and digital  
31 platforms for the acceptance of wagers by mobile operators, including required  
32 methods for verifying the age and identity of a person who places a wager with a  
33 mobile operator, for verifying that the person making the wager is physically located  
34 in the State and is not prohibited from making a wager under section 1213 and for  
35 requiring the refund of any wager determined to have been placed by a person  
36 prohibited from making a wager under section 1213;

37 H. The types of interested parties, including sports team or league employees or  
38 owners, from whom operators are prohibited from accepting wagers under section  
39 1213, subsection 4;

40 I. Minimum design, security, testing and approval requirements for sports wagering  
41 equipment, systems or services sold by suppliers licensed under section 1208;

42 J. Minimum requirements for a contract between a management services licensee  
43 under section 1209 and an operator on whose behalf the management services

1 licensee conducts sports wagering, including but not limited to requirements that the  
2 person providing management services is licensed prior to entering a contract and  
3 that the contract be approved by the director prior to the conduct of sports wagering;

4 K. Establishment of a list of persons who are not authorized to place a wager on a  
5 sports event, including but not limited to those persons who voluntarily request that  
6 their names be included on the list of unauthorized persons. The rules adopted under  
7 this paragraph must define the standards for involuntary placement on the list and for  
8 removal from the list; and

9 L. Minimum internal control standards for operators, including but not limited to  
10 procedures for safeguarding assets and revenues; the recording of cash and evidence  
11 of indebtedness; the maintenance of reliable records, accounts and reports of  
12 transactions, operations and events; required audits; and the content of and frequency  
13 with which reports of sports wagering activities and revenues must be made to the  
14 director.

15 **3. Rulemaking.** Rules adopted by the director pursuant to this chapter are routine  
16 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

17 **§1204. Application; criminal history background check**

18 **1. Application.** An application for a license or for renewal of a license required  
19 under this chapter must be submitted on the form provided by the director. An application  
20 submitted to the director must, at a minimum, include the following:

21 A. The full name, current address and contact information of the applicant;

22 B. Disclosure of each person that has control of the applicant as described in  
23 subsection 2;

24 C. Consent to permit the director to conduct a criminal history record check in  
25 accordance with subsection 3 of the applicant and each person disclosed under  
26 paragraph B in accordance with procedures established by the director;

27 D. For the applicant and each person disclosed under paragraph B, a record of  
28 previous issuances and denials of or any adverse action taken against a gambling-  
29 related license or application under this Title or in any other jurisdiction. For  
30 purposes of this paragraph, "adverse action" includes, but is not limited to, a  
31 condition resulting from an administrative, civil or criminal violation, a suspension or  
32 revocation of a license or a voluntary surrender of a license to avoid or resolve a civil,  
33 criminal or disciplinary action; and

34 E. Any additional information required by the director by rule.

35 **2. Persons that have control.** The following persons are considered to have control  
36 of an applicant or a licensee:

37 A. Each corporate holding company, parent company or subsidiary company of a  
38 corporate applicant or licensee and each person that owns 10% or more of the  
39 corporate applicant or licensee and that has the ability to control the activities of the  
40 corporate applicant or licensee or elect a majority of the board of directors of that  
41 corporate applicant or licensee, except for a bank or other licensed lending institution  
42 that holds a mortgage or other lien acquired in the ordinary course of business;

1           B. Each person associated with a noncorporate applicant or licensee that directly or  
2           indirectly holds a beneficial or proprietary interest in the noncorporate applicant's or  
3           licensee's business operation or that the director otherwise determines has the ability  
4           to control the noncorporate applicant or licensee; and

5           C. Key personnel of an applicant or licensee, including any executive, employee or  
6           agent, having the power to exercise significant influence over decisions concerning  
7           any part of the applicant's or licensee's relevant business operation.

8           **3. Criminal history record check.** The director shall request a criminal history  
9           record check in accordance with this subsection for each applicant for initial licensure  
10           and each person required to be disclosed by the applicant for initial licensure under  
11           subsection 1, paragraph B. The director may require a criminal history record check in  
12           accordance with this section from a licensee seeking to renew a license, from any person  
13           the licensee is required to disclose under subsection 1, paragraph B as part of the license  
14           renewal application and from any person identified by the licensee under subsection 4. A  
15           criminal history record check conducted pursuant to this section must include criminal  
16           history record information obtained from the Maine Criminal Justice Information System  
17           established in Title 16, section 631 and the Federal Bureau of Investigation.

18           A. Criminal history record information obtained from the Maine Criminal Justice  
19           Information System pursuant to this subsection must include a record of public  
20           criminal history record information as defined in Title 16, section 703, subsection 8.

21           B. Criminal history record information obtained from the Federal Bureau of  
22           Investigation pursuant to this subsection must include other state and national  
23           criminal history record information.

24           C. An individual required to submit to a criminal history record check under this  
25           subsection shall submit to having the individual's fingerprints taken. The State Police,  
26           upon payment by the individual of the fee required under paragraph D, shall take or  
27           cause to be taken the individual's fingerprints and shall forward the fingerprints to the  
28           Department of Public Safety, Bureau of State Police, State Bureau of Identification.  
29           The State Bureau of Identification shall conduct the state and national criminal  
30           history record checks required under this subsection. Except for the portion of a  
31           payment, if any, that constitutes the processing fee for a criminal history record check  
32           charged by the Federal Bureau of Investigation, all money received by the State  
33           Police under this subsection must be paid to the Treasurer of State, who shall apply  
34           the money to the expenses incurred by the Department of Public Safety in the  
35           administration of this subsection.

36           D. The director shall by rule set the amount of the fee to be paid for each criminal  
37           history record check required to be performed under this subsection.

38           E. The subject of a Federal Bureau of Investigation criminal history record check  
39           may obtain a copy of the criminal history record check by following the procedures  
40           outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of  
41           a state criminal history record check may inspect and review the criminal history  
42           record information pursuant to Title 16, section 709.

1           F. State and national criminal history record information obtained by the director  
2           under this subsection may be used only for the purpose of screening an applicant for a  
3           license or a license renewal under this chapter.

4           G. All criminal history record information obtained by the director pursuant to this  
5           subsection is confidential, is for the official use of the director only and may not be  
6           disseminated by the director or disclosed to any other person or entity except as  
7           provided in paragraph E.

8           H. The director, after consultation with the Department of Public Safety, Bureau of  
9           State Police, State Bureau of Identification, shall adopt rules to implement this  
10          subsection.

11          **4. Material change to application.** A person licensed under this chapter shall give  
12          the director written notice within 30 days of any material change to any information  
13          provided in the licensee's application for a license or renewal, including any change in the  
14          identity of persons considered to have control of the licensee as described in subsection 2.

15          **5. Gambling Control Unit employees prohibited.** An employee of the Gambling  
16          Control Unit within the department may not be an applicant for a license issued under this  
17          chapter.

18          **§1205. Denial of license; administrative sanctions**

19          **1. Grounds for denial of license or imposition of administrative sanctions.** The  
20          following are grounds for the director to deny a license or license renewal or for the  
21          imposition of administrative sanctions, in accordance with this section, on a person  
22          licensed under this chapter:

23                A. If the applicant or licensee has knowingly made a false statement of material fact  
24                to the director;

25                B. If the applicant or licensee has not disclosed the existence or identity of other  
26                persons that have control of the applicant or licensee as required by section 1204,  
27                subsections 1 and 4;

28                C. If the applicant or licensee has had a license revoked by any government authority  
29                responsible for regulation of gaming activities;

30                D. If the applicant, the licensee or a person having control of the applicant or  
31                licensee under section 1204, subsection 2 is not of good moral character. In  
32                determining whether the applicant, licensee or person is of good moral character, the  
33                director shall consider qualities that include but are not limited to honesty, candor,  
34                trustworthiness, diligence, reliability, observance of fiduciary and financial  
35                responsibility and respect for the rights of others;

36                E. If the applicant, the licensee or a person having control of the applicant or licensee  
37                under section 1204, subsection 2:

38                        (1) Has, in any jurisdiction, been convicted of or pled guilty or nolo contendere  
39                        to a crime punishable by one year or more of imprisonment;

1                   (2) Has, in any jurisdiction, been adjudicated of committing a civil violation or  
2                   been convicted of a criminal violation involving dishonesty, deception,  
3                   misappropriation or fraud;

4                   (3) Has engaged in conduct in this State or any other jurisdiction that would  
5                   constitute a violation of this chapter; chapter 11 involving gambling; chapter 31;  
6                   Title 17, chapter 13-A or 62; Title 17-A, chapter 39; or substantially similar  
7                   offenses in other jurisdictions;

8                   (4) Is a fugitive from justice, a drug user, a person with substance use disorder,  
9                   an illegal alien or a person who was dishonorably discharged from the Armed  
10                  Forces of the United States; or

11                  (5) Is not current in filing all applicable tax returns and in the payment of all  
12                  taxes, penalties and interest owed to this State, any other state or the United  
13                  States Internal Revenue Service, excluding items under formal appeal;

14                  F. If the applicant or licensee has not demonstrated to the satisfaction of the director  
15                  sufficient financial assets to meet the requirements of the licensed business or  
16                  proposed business and to meet any financial obligations imposed by this chapter;

17                  G. If the applicant, the licensee or a person having control of the applicant or  
18                  licensee under section 1204, subsection 2 has not demonstrated financial  
19                  responsibility. For the purposes of this paragraph, "financial responsibility" means a  
20                  demonstration of a current and expected future condition of financial solvency  
21                  sufficient to satisfy the director that the applicant, the licensee or the person can  
22                  successfully engage in business without jeopardy to the public health, safety and  
23                  welfare. "Financial responsibility" may be determined by an evaluation of the total  
24                  history concerning the applicant, the licensee or the person, including past, present  
25                  and expected condition and record of financial solvency, business record and  
26                  accounting and managerial practices;

27                  H. If the applicant or licensee has not met the requirements of this chapter; or

28                  I. If the applicant or licensee has violated any provision of this chapter or of the rules  
29                  adopted under this chapter.

30                  **2. Denial of initial license or renewed license; notice; hearing.** The director may  
31                  deny an application for a license or for renewal of a license for the reasons set forth in  
32                  subsection 1. The director shall notify the applicant or the licensee in writing of the  
33                  decision and of the opportunity to request a hearing conducted by the commissioner.

34                  If the applicant or licensee fails to request a hearing within 30 days of the date that the  
35                  notice was mailed under this subsection, the director may issue a final decision denying  
36                  the application for a license or for renewal of a license. If the applicant or licensee makes  
37                  a timely request for a hearing, the commissioner shall conduct an adjudicatory hearing in  
38                  accordance with Title 5, chapter 375, subchapter 4. The director's decision to deny the  
39                  license or license renewal stands until the commissioner issues a decision to uphold,  
40                  modify or overrule the director's decision.



1 After hearing, if the commissioner finds grounds for denying a license or license renewal  
2 under subsection 1, the commissioner may deny the application for a license or for  
3 renewal of a license.

4 **3. Investigation of complaints; notice; hearing.** The director or the director’s  
5 designee shall investigate a complaint on the director’s own motion or upon receipt of a  
6 written complaint regarding noncompliance with or violation of this chapter or of any  
7 rules adopted under this chapter. Following the investigation, the director may mail the  
8 licensee a notice of violation and proposed sanction and the opportunity to request a  
9 hearing.

10 If the licensee fails to request a hearing within 30 days of the date that a notice was  
11 mailed under this subsection, the director may issue a final decision imposing the  
12 sanction proposed in the notice. If the licensee makes a timely request for a hearing, the  
13 commissioner shall conduct an adjudicatory hearing in accordance with Title 5, chapter  
14 375, subchapter 4. If, after the hearing, the commissioner finds that the factual basis of  
15 the complaint is true and is of sufficient gravity to warrant further action, the  
16 commissioner may impose an administrative sanction under subsection 4.

17 **4. Administrative sanctions.** The director or the commissioner may, pursuant to  
18 subsection 3, impose the following administrative sanctions on a licensee:

19 A. A written reprimand;

20 B. Conditions of probation of a license;

21 C. A license suspension;

22 D. A license revocation; or

23 E. A civil penalty of up to \$25,000 per violation of any provision of this chapter or  
24 rule adopted pursuant to this chapter.

25 **5. Appeals.** A person aggrieved by the final decision of the commissioner under  
26 subsection 2 or 3 may appeal the commissioner's decision to the Superior Court in  
27 accordance with Title 5, chapter 375, subchapter 7.

28 **§1206. Facility sports wagering license**

29 **1. Issuance of license.** The director shall issue a facility sports wagering license  
30 upon finding that the applicant meets all requirements of this section, sections 1204 and  
31 1205 and rules adopted under this chapter.

32 **2. Eligibility.** To be eligible to receive a facility sports wagering license, an  
33 applicant must be:

34 A. A commercial track licensed under section 271;

35 B. An off-track betting facility licensed under section 275-D;

36 C. A slot machine facility or casino licensed under section 1011; or

37 D. A federally recognized Indian tribe in this State.

38 Each entity or tribe identified in paragraphs A to D may receive only one facility sports  
39 wagering license under this section.

1           **3. Authority to conduct sports wagering; management services permitted.** A  
2 facility sports wagering license granted by the director pursuant to this section grants a  
3 licensee lawful authority to conduct sports wagering within the terms and conditions of  
4 the license and any rules adopted under this chapter. A facility sports wagering licensee  
5 may contract with a management services licensee under section 1209.

6           **4. Fees.** The fee for an initial or renewed facility sports wagering license is \$2,000  
7 and must be retained by the director for the costs of administering this chapter. In  
8 addition to the license fee, the director may charge a processing fee for an initial or  
9 renewed license in an amount equal to the projected cost of processing the application  
10 and performing any background investigations. If the actual cost exceeds the projected  
11 cost, an additional fee may be charged to meet the actual cost. If the projected cost  
12 exceeds the actual cost, the difference may be refunded to the applicant or licensee.

13           **5. Term of license.** Except as provided in subsection 6, a license granted or renewed  
14 under this section is valid for 2 years unless sooner revoked by the director under section  
15 1205. The failure of an entity identified in subsection 2, paragraph A, B or C to maintain  
16 the underlying license described in that paragraph voids the entity's facility sports  
17 wagering license.

18           **6. Temporary license.** An applicant for a facility sports wagering license that is  
19 qualified under subsection 2, paragraph A, B or C may submit with the application a  
20 request for a temporary license. An applicant for a facility sports wagering license that is  
21 qualified under subsection 2, paragraph D and that has a license to operate high-stakes  
22 beano under Title 17, section 314-A may submit with the application a request for a  
23 temporary license.

24 A request for a temporary license must include the initial license fee of \$2,000. If the  
25 director determines that the applicant is qualified under subsection 2, meets the  
26 requirements established by rule for a temporary license and has paid the initial license  
27 fee and the director is not aware of any reason the applicant is ineligible for a license  
28 under this section, the director may issue a temporary facility sports wagering license. A  
29 temporary license issued under this subsection is valid for one year or until a final  
30 determination on the facility sports wagering license application is made, whichever is  
31 sooner. If after investigation the director determines that the applicant is eligible for a  
32 facility sports wagering license under this chapter, the director shall issue the initial  
33 facility sports wagering license, at which time the temporary license terminates. The  
34 initial facility sports wagering license is valid for 2 years from the date that the temporary  
35 license was issued by the director. Sports wagering conducted under authority of a  
36 temporary license must comply with the facility operator's house rules adopted under  
37 section 1211.

38           **7. Occupational license required.** A facility sports wagering licensee, including a  
39 temporary licensee under subsection 6, shall conduct sports wagering through persons  
40 holding a valid occupational license under section 1210.

41           **8. Municipal control.** Nothing in this chapter may be construed to restrict the  
42 authority of municipalities under municipal home rule provisions of the Constitution of  
43 Maine, including zoning and public safety authority.

1 **§1207. Mobile sports wagering license**

2 **1. Issuance of license.** The director shall issue a mobile sports wagering license  
3 upon finding that the applicant meets all requirements of this section, sections 1204 and  
4 1205 and rules adopted under this chapter.

5 **2. Eligibility.** To be eligible to receive a mobile sports wagering license, an  
6 applicant must be:

7 A. A commercial track licensed under section 271;

8 B. An off-track betting facility licensed under section 275-D;

9 C. A slot machine facility or casino licensed under section 1011;

10 D. A federally recognized Indian tribe in this State; or

11 E. A qualified gaming entity.

12 **3. Authority to conduct sports wagering; management services permitted.** A  
13 mobile sports wagering license granted by the director pursuant to this section grants a  
14 licensee lawful authority to conduct sports wagering through any mobile applications or  
15 digital platforms approved by the director within the terms and conditions of the license  
16 and any rules adopted under this chapter. A mobile sports wagering licensee may  
17 contract with a management services licensee under section 1209.

18 **4. Fees.** The fee for an initial or renewed mobile sports wagering license is \$20,000  
19 and must be retained by the director for the costs of administering this chapter. In  
20 addition to the license fee, the director may charge a processing fee for an initial or  
21 renewed license in an amount equal to the projected cost of processing the application  
22 and performing any background investigations. If the actual cost exceeds the projected  
23 cost, an additional fee may be charged to meet the actual cost. If the projected cost  
24 exceeds the actual cost, the difference may be refunded to the applicant or licensee.

25 **5. Term of license.** Except as provided in subsection 6, a license granted or renewed  
26 under this section is valid for 2 years unless sooner revoked by the director under section  
27 1205. The failure of an entity identified in subsection 2, paragraph A, B or C to maintain  
28 the underlying license described in that paragraph voids the entity's mobile sports  
29 wagering license.

30 **6. Temporary license.** An applicant for a mobile sports wagering license may  
31 submit with the application a request for a temporary license. A request for a temporary  
32 license must include the initial license fee of \$20,000. If the director determines that the  
33 applicant is qualified under subsection 2, meets the requirements established by rule for a  
34 temporary license and has paid the initial license fee and the director is not aware of any  
35 reason the applicant is ineligible for a license under this section, the director may issue a  
36 temporary mobile sports wagering license. A temporary license issued under this  
37 subsection is valid for one year or until a final determination on the mobile sports  
38 wagering license application is made, whichever is sooner. If after investigation the  
39 director determines that the applicant is eligible for a mobile sports wagering license  
40 under this chapter, the director shall issue the initial mobile sports wagering license, at  
41 which time the temporary license terminates. The initial mobile sports wagering license  
42 is valid for 2 years from the date that the temporary license was issued by the director.

1 Sports wagering conducted under authority of a temporary license must comply with the  
2 mobile operator’s house rules adopted under section 1211.

3 **§1208. Supplier license**

4 **1. Issuance of license; eligibility.** The director shall issue a supplier license upon  
5 finding that the applicant meets all requirements of this section, sections 1204 and 1205  
6 and rules adopted under this chapter.

7 **2. Equipment.** An applicant for a supplier license shall demonstrate that the  
8 equipment, systems or services that the applicant plans to offer to an operator conform to  
9 standards established by rule by the director. The director may accept approval by another  
10 jurisdiction that is specifically determined by the director to have similar equipment  
11 standards as evidence the applicant meets the standards established by the director by  
12 rule.

13 **3. Authority to supply operators.** A supplier license granted by the director  
14 pursuant to this section grants a licensee lawful authority to sell or to lease sports  
15 wagering equipment, systems or services to operators in the State within the terms and  
16 conditions of the license and any rules adopted under this chapter.

17 **4. Fees.** The fee for an initial or renewed supplier license is \$20,000 and must be  
18 retained by the director for the costs of administering this chapter. In addition to the  
19 license fee, the director may charge a processing fee for an initial or renewed license in  
20 an amount equal to the projected cost of processing the application and performing any  
21 background investigations. If the actual cost exceeds the projected cost, an additional fee  
22 may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the  
23 difference may be refunded to the applicant or licensee.

24 **5. Term of license.** Except as provided in subsection 6, a license granted or renewed  
25 under this section is valid for 2 years unless sooner revoked by the director under section  
26 1205.

27 **6. Temporary license.** An applicant for a supplier license may submit with the  
28 application a request for a temporary license. A request for a temporary license must  
29 include the initial license fee of \$20,000. If the director determines that the applicant is  
30 qualified under subsection 2, meets the requirements established by rule for a temporary  
31 license and has paid the initial license fee and the director is not aware of any reason the  
32 applicant is ineligible for a license under this section, the director may issue a temporary  
33 supplier license. A temporary license issued under this subsection is valid for one year or  
34 until a final determination on the supplier license application is made, whichever is  
35 sooner. If after investigation the director determines that the applicant is eligible for a  
36 supplier license under this chapter, the director shall issue the initial supplier license, at  
37 which time the temporary license terminates. The initial supplier license is valid for 2  
38 years from the date that the temporary license was issued by the director.

39 **7. Inventory.** A supplier licensee shall submit to the director a list of all sports  
40 wagering equipment, systems and services sold or leased to, delivered to or offered to an  
41 operator in this State as required by the director, all of which must be tested and approved  
42 by an independent testing laboratory approved by the director. An operator may continue

1 to use supplies acquired from a licensed supplier if the supplier's license subsequently  
2 expires or is otherwise revoked, unless the director finds a defect in the supplies.

3 **§1209. Management services license**

4 **1. Issuance of license; eligibility.** The director shall issue a management services  
5 license upon finding that the applicant meets all requirements of this section, sections  
6 1204 and 1205 and rules adopted under this chapter and that the applicant has sufficient  
7 knowledge and experience in the business of operating sports wagering to effectively  
8 conduct sports wagering in accordance with this chapter and the rules adopted under this  
9 chapter.

10 **2. Authority to enter contract with operator.** A management services licensee  
11 may contract with an operator to manage sports wagering operations on behalf of the  
12 operator in accordance with rules adopted under this chapter.

13 **3. Contract approval; material change in written contract.** A person may not  
14 contract with an operator to conduct sports wagering on behalf of the operator unless the  
15 person is licensed under this section and the director approves the written contract. A  
16 management services licensee must submit to the director any proposed material change  
17 to the written contract that has been approved by the director under this subsection. A  
18 management services licensee may not transfer, assign, delegate or subcontract any  
19 portion of the management services licensee's responsibilities under the contract or any  
20 portion of the management services licensee's right to compensation under the contract to  
21 any other person who does not hold a management services license.

22 **4. Fees.** The fee for an initial or renewed management services license is \$20,000  
23 and must be retained by the director for the costs of administering this chapter. In  
24 addition to the license fee, the director may charge a processing fee for an initial or  
25 renewed license in an amount equal to the projected cost of processing the application  
26 and performing any background investigations. If the actual cost exceeds the projected  
27 cost, an additional fee may be charged to meet the actual cost. If the projected cost  
28 exceeds the actual cost, the difference may be refunded to the applicant or licensee.

29 **5. Term of license.** Except as provided in subsection 6, a license granted or renewed  
30 under this section is valid for 2 years unless sooner revoked by the director under section  
31 1205.

32 **6. Temporary license.** An applicant for a management services license may submit  
33 with the application a request for a temporary license. A request for a temporary license  
34 must include the initial license fee of \$20,000. If the director determines that the  
35 applicant is qualified under subsection 1, meets the requirements established by rule for a  
36 temporary license and has paid the initial license fee and the director is not aware of any  
37 reason the applicant is ineligible for a license under this section, the director may issue a  
38 temporary management services license. A temporary license issued under this  
39 subsection is valid for one year or until a final determination on the management services  
40 license application is made, whichever is sooner. If after investigation the director  
41 determines that the applicant is eligible for a management services license under this  
42 chapter, the director shall issue the initial management services license, at which time the  
43 temporary license terminates. The initial management services license is valid for 2 years  
44 from the date that the temporary license was issued by the director.

1 **§1210. Occupational license**

2 **1. License required.** A person may not be employed by a facility operator to be  
3 engaged directly in sports wagering-related activities or otherwise to conduct or operate  
4 sports wagering without a valid occupational license issued by the director under this  
5 section. The director shall issue an occupational license to a person who meets the  
6 requirements of this section, section 1204 and section 1205. The director shall by rule  
7 establish a process for issuance of occupational licenses that is, as far as possible,  
8 identical to the process for licensing employees of a casino under section 1015.

9 **2. Authority to be employed in sports wagering.** An occupational license  
10 authorizes the licensee to be employed by a facility operator in the capacity designated by  
11 the director while the license is active. The director may establish, by rule, job  
12 classifications with different requirements to recognize the extent to which a particular  
13 job has the ability to affect the proper operation of sports wagering.

14 **3. Application and fee.** Except as provided in subsection 5, an applicant shall  
15 submit any required application forms established by the director and pay a  
16 nonrefundable application fee of \$250. The fee may be paid on behalf of an applicant by  
17 the facility operator employer. Fees paid under this subsection must be retained by the  
18 director for the costs of administering this chapter.

19 **4. Renewal fee and form.** An occupational licensee must pay to the director an  
20 annual renewal fee of \$50. The fee may be paid on behalf of the occupational licensee by  
21 the facility operator employer. In addition to a renewal fee, an occupational licensee must  
22 annually submit a renewal application on the form required by the director. Fees paid  
23 under this subsection must be retained by the director for the costs of administering this  
24 chapter.

25 **5. Exception.** An individual who is actively licensed under section 1015 as an  
26 employee of a casino that has a facility sports wagering license may obtain or renew a  
27 license under this section without paying an initial license fee or a renewal license fee  
28 under this section.

29 **§1211. Sports wagering house rules**

30 **1. Adoption of house rules.** An operator shall adopt comprehensive house rules for  
31 game play governing sports wagering transactions with its patrons. House rules must be  
32 approved by the director prior to implementation and meet the minimum standards  
33 established by the director by rule, including, but not limited to, requiring that the house  
34 rules specify the amounts to be paid on winning wagers and the effect of schedule  
35 changes, the circumstances under which the operator will void a bet and treatment of  
36 errors, late bets and related contingencies.

37 **2. Advertisement of house rules.** The house rules, together with any other  
38 information the director determines to be appropriate, must be advertised as required by  
39 the director by rule and must be made readily available to patrons.

40 **§1212. Access to premises and equipment**

41 A licensee under this chapter shall permit the director, the department or a designee  
42 of the director unrestricted access, during regular business hours, including access to

1 locked or secured areas, to inspect any facility and any equipment, prizes, records or  
2 other items to be used in the operation of sports wagering.

3 **§1213. Persons prohibited from making wagers on sports events**

4 An operator and a management services licensee conducting sports wagering on  
5 behalf of an operator may not accept a wager on a sports event from the following  
6 persons:

7 **1. Persons under 21 years of age.** A person who has not attained 21 years of age;

8 **2. Sports event participants.** An athlete or individual who participates or officiates  
9 in the sports event that is the subject of the wager;

10 **3. Operators and employees.** An operator or management services licensee;  
11 directors, officers and employees of an operator or management services licensee; or a  
12 relative living in the same household as any of these persons. This subsection does not  
13 prohibit a relative living in the same household as a director, officer or employee of an  
14 operator or management services licensee from making a sports wager with an  
15 unaffiliated operator or management services licensee;

16 **4. Interested parties.** A person with an interest in the outcome of the sports event  
17 identified by the director by rule. The interested parties identified by the director by rule  
18 under this paragraph may include, but are not limited to, legal or beneficial owners of or  
19 employees of a sports team participating in the event or another sports team in the same  
20 league as a sports team participating in the event as well as directors, owners or  
21 employees of the sports league conducting the event;

22 **5. Unauthorized persons.** A person on a list established by rule by the director  
23 under section 1203, subsection 2, paragraph K of persons who are not authorized to make  
24 wagers on sports events;

25 **6. Third parties.** A person making a wager on behalf of or as the agent or custodian  
26 of another person; and

27 **7. Regulatory staff.** An employee of the Gambling Control Unit within the  
28 department.

29 **§1214. Interception of sports wagering winnings to pay child support debt**

30 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
31 following terms have the following meanings.

32 **A. "Child support debt"** means child support debt that has been liquidated by judicial  
33 or administrative action.

34 **B. "Department"** means the Department of Health and Human Services.

35 **C. "Licensee"** means a facility operator, a mobile operator or a management services  
36 licensee under section 1209.

37 **D. "Registry operator"** means the department or an entity with which the department  
38 enters into a contract to maintain the registry pursuant to subsection 3.

1 E. "Winner" means a sports wagering customer to whom cash is returned as  
2 winnings.

3 **2. Interception.** A licensee shall intercept sports wagering winnings to pay child  
4 support debt in accordance with this section.

5 **3. Registry.** The department shall create and maintain, or shall contract with a  
6 private entity to create and maintain, a secure, electronically accessible registry  
7 containing information regarding individuals with outstanding child support debt. The  
8 department shall regularly enter into the registry information including:

9 A. The name and social security number of each individual with outstanding child  
10 support debt;

11 B. The account number or identifier assigned by the department to the outstanding  
12 child support debt;

13 C. The amount of the outstanding child support debt; and

14 D. Any other information necessary to effectuate the purposes of this section.

15 **4. Electronic access to information; procedures.** A licensee shall electronically  
16 access the registry in accordance with this subsection.

17 A. Before making a payout of winnings of an amount equal to or greater than the  
18 amount for which the licensee is required to file a Form W-2G or substantially  
19 equivalent form with the United States Internal Revenue Service, the licensee shall  
20 obtain the name, address, date of birth and social security number of the winner and  
21 shall electronically submit this information to the registry operator.

22 B. Upon receipt of information pursuant to paragraph A, the registry operator shall  
23 electronically inform the licensee whether the winner is listed in the registry. If the  
24 winner is listed in the registry, the registry operator shall inform the licensee of the  
25 amount of the winner's outstanding child support debt and the account number or  
26 identifier assigned to the outstanding child support debt and shall provide the licensee  
27 with a notice of withholding that informs the winner of the right to an administrative  
28 hearing.

29 C. If the registry operator informs the licensee that the winner is not listed in the  
30 registry or if the licensee is unable to obtain information from the registry operator on  
31 a real-time basis after attempting in good faith to do so, the licensee may make  
32 payment to the winner.

33 D. If the registry operator informs the licensee that the winner is listed in the  
34 registry, the licensee may not make payment to the winner unless the amount of the  
35 payout exceeds the amount of outstanding child support debt, in which case the  
36 licensee may make payment to the winner of the amount of winnings that is in excess  
37 of the amount of the winner's outstanding child support debt.

38 **5. Lien against winnings.** If the registry operator informs a licensee pursuant to this  
39 section that a winner is listed in the registry, the department has a valid lien upon and  
40 claim of lien against the winnings in the amount of the winner's outstanding child support  
41 debt.



1           **6. Withholding of winnings.** The licensee shall withhold from any winnings an  
2 amount equal to the amount of the lien created under subsection 5 and shall provide a  
3 notice of withholding to the winner. Within 7 days after withholding an amount pursuant  
4 to this subsection, the licensee shall transmit the amount withheld to the department  
5 together with a report of the name, address and social security number of the winner, the  
6 account number or identifier assigned to the debt, the amount withheld, the date of  
7 withholding and the name and location of the licensee.

8           **7. Licensee costs.** Notwithstanding subsection 6, the licensee may retain \$10 from  
9 an amount withheld pursuant to this section to cover the cost of the licensee's compliance  
10 with this section.

11           **8. Administrative hearing.** A winner from whom an amount was withheld pursuant  
12 to this section has the right, within 15 days of receipt of the notice of withholding, to  
13 request from the department an administrative hearing. The hearing is limited to  
14 questions of whether the debt is liquidated and whether any postliquidation events have  
15 affected the winner's liability. The administrative hearing decision constitutes final  
16 agency action.

17           **9. Authorization to provide information.** Notwithstanding any other provision of  
18 law to the contrary, the licensee may provide to the department or registry operator any  
19 information necessary to effectuate the intent of this section. The department or registry  
20 operator may provide to the licensee any information necessary to effectuate the intent of  
21 this section.

22           **10. Confidentiality of information.** The information obtained by the department or  
23 registry operator from a licensee pursuant to this section and the information obtained by  
24 the licensee from the department or registry operator pursuant to this section are  
25 confidential and may be used only for the purposes set forth in this section. An employee  
26 or prior employee of the department, the registry operator or a licensee who knowingly or  
27 intentionally discloses any such information commits a civil violation for which a fine not  
28 to exceed \$1,000 may be adjudged.

29           **11. Effect of compliance; noncompliance.** A licensee, the department and the  
30 registry operator are not liable for any action taken in good faith to comply with this  
31 section. A licensee who fails to make a good faith effort to obtain information from the  
32 registry operator or who fails to withhold and transmit the amount of the lien created  
33 under subsection 5 is liable to the department for the greater of \$500 and the amount the  
34 person was required to withhold and transmit to the department under this section,  
35 together with costs, interest and reasonable attorney's fees.

36           **12. Biennial review.** The department shall include in its report to the Legislature  
37 under section 1066 the following information:

38           **A.** The number of names of winners submitted by licensees to the registry operator  
39 pursuant to this section in each of the preceding 2 calendar years;

40           **B.** The number of winners who were found to be listed in the registry in each of the  
41 preceding 2 calendar years;

42           **C.** The amount of winnings withheld by licensees pursuant to this section in each of  
43 the preceding 2 calendar years; and

1           D. The amount of withheld winnings refunded to winners as the result of  
2           administrative hearings requested pursuant to this section in each of the preceding 2  
3           calendar years.

4           **§1215. Allocation of funds**

5           **1. Tax imposed on facility operator; allocation of funds.** A facility operator shall  
6           collect and distribute 10% of adjusted gross sports wagering receipts to the director to be  
7           forwarded by the director to the Treasurer of State for distribution as follows:

8           A. One percent of the adjusted gross sports wagering receipts must be deposited in  
9           the General Fund for the administrative expenses of the Gambling Control Unit  
10           within the department;

11           B. One percent of the adjusted gross sports wagering receipts must be deposited in  
12           the Gambling Addiction Prevention and Treatment Fund established by Title 5,  
13           section 20006-B; and

14           C. Eight percent of the adjusted gross sports wagering receipts must be deposited in  
15           the General Fund.

16           **2. Tax imposed on mobile operator; allocation of funds.** A mobile operator shall  
17           collect and distribute 16% of adjusted gross sports wagering receipts to the director to be  
18           forwarded by the director to the Treasurer of State for distribution as follows:

19           A. One percent of the adjusted gross sports wagering receipts must be deposited in  
20           the General Fund for the administrative expenses of the Gambling Control Unit  
21           within the department;

22           B. One percent of the adjusted gross sports wagering receipts must be deposited in  
23           the Gambling Addiction Prevention and Treatment Fund established by Title 5,  
24           section 20006-B; and

25           C. Fourteen percent of the adjusted gross sports wagering receipts must be deposited  
26           in the General Fund.

27           **3. Due dates; late payments.** The director may adopt rules establishing the dates on  
28           which payments required by this section are due. All payments not remitted when due  
29           must be paid together with interest on the unpaid balance at a rate of 1.5% per month.

30           **§1216. Unauthorized sports wagering**

31           Notwithstanding Title 17-A, chapter 39, a person who engages in an activity for  
32           which a license is required under this chapter and who does not possess the required  
33           license under this chapter to conduct that activity is subject to the penalties specified in  
34           this section and is not subject to Title 17-A, chapter 39 for that unlicensed activity.

35           **1. First violation.** A person, other than a licensee under this chapter, that operates  
36           or facilitates sports wagering commits a Class E crime and is subject to a fine of not more  
37           than \$10,000 and a term of imprisonment of not more than 90 days.

38           **2. Second violation.** A person convicted of a 2nd violation of subsection 1 commits  
39           a Class D crime and is subject to a fine of not more than \$50,000 and a term of  
40           imprisonment of not more than 6 months.

1           **3. Third or subsequent violation.** A person convicted of a 3rd or subsequent  
2 violation of subsection 1 commits a Class C crime and is subject to a fine of not less than  
3 \$25,000 and not more than \$100,000 and a term of imprisonment of not less than one  
4 year and not more than 5 years.

5           **§1217. Applicability of other laws**

6           The provisions of Title 17, chapter 62 and Title 17-A, chapter 39 do not apply to  
7 sports wagering conducted in accordance with this chapter and the rules adopted under  
8 this chapter.

9           **Sec. 4. 25 MRSA §1542-A, sub-§1, ¶P**, as enacted by PL 2017, c. 452, §25, is  
10 reallocated to 25 MRSA §1542-A, sub-§1, ¶S.

11           **Sec. 5. 25 MRSA §1542-A, sub-§1, ¶¶Q and R**, as enacted by PL 2017, c. 457,  
12 §13, are amended to read:

13           Q. Who is an applicant for licensure with the State Board of Nursing as required  
14 under Title 32, section 2111, subsection 1; ~~or~~

15           R. Who is required to have a criminal background check under Title 22, section  
16 8302-A or 8302-B; ~~or~~

17           **Sec. 6. 25 MRSA §1542-A, sub-§1, ¶T** is enacted to read:

18           T. Who is required to have a criminal background check under Title 8, section 1204.

19           **Sec. 7. 25 MRSA §1542-A, sub-§3, ¶O**, as enacted by PL 2017, c. 452, §26, is  
20 repealed.

21           **Sec. 8. 25 MRSA §1542-A, sub-§3, ¶R** is enacted to read:

22           R. The State Police shall take or cause to be taken the fingerprints of the person  
23 named in subsection 1, paragraph S at the request of that person or the Department of  
24 Administrative and Financial Services under Title 22, section 2425-A, subsection  
25 3-A.

26           **Sec. 9. 25 MRSA §1542-A, sub-§3, ¶S** is enacted to read:

27           S. The State Police shall take or cause to be taken the fingerprints of the person  
28 named in subsection 1, paragraph T at the request of that person or the director of the  
29 Gambling Control Unit within the Department of Public Safety and upon payment by  
30 the director of the Gambling Control Unit of the fee established pursuant to Title 8,  
31 section 1204, subsection 3.

32           **Sec. 10. 25 MRSA §1542-A, sub-§4**, as amended by PL 2017, c. 452, §27 and  
33 by c. 457, §16, is repealed and the following enacted in its place:

34           **4. Duty to submit to State Bureau of Identification.** It is the duty of the law  
35 enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B  
36 and G to transmit immediately to the State Bureau of Identification the criminal  
37 fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or  
38 pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless  
39 an express request is made by the commanding officer of the State Bureau of

1 Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be  
2 transmitted immediately to the State Bureau of Identification to enable the bureau to  
3 conduct state and national criminal history record checks for the Department of  
4 Education. The bureau may not use the fingerprints for any purpose other than that  
5 provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints,  
6 except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken  
7 pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted  
8 immediately to the State Bureau of Identification to enable the bureau to conduct state  
9 and national criminal history record checks for the court and the Department of Public  
10 Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection  
11 1, paragraph J, K, L or S must be transmitted immediately to the State Bureau of  
12 Identification to enable the bureau to conduct state and national criminal history record  
13 checks for the Department of Administrative and Financial Services. Fingerprints taken  
14 pursuant to subsection 1, paragraph P must be transmitted immediately to the State  
15 Bureau of Identification to enable the bureau to conduct state and national criminal  
16 history record checks for the Board of Osteopathic Licensure, established in Title 32,  
17 chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted  
18 immediately to the State Bureau of Identification to enable the bureau to conduct state  
19 and national criminal history record checks for the Board of Licensure in Medicine,  
20 established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph  
21 Q must be transmitted immediately to the State Bureau of Identification to enable the  
22 bureau to conduct state and national criminal history record checks for the State Board of  
23 Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1,  
24 paragraph O must be transmitted immediately to the State Bureau of Identification to  
25 enable the bureau to conduct state and national criminal history record checks under Title  
26 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R must be  
27 transmitted immediately to the State Bureau of Identification to enable the bureau to  
28 conduct state and national criminal history record checks for the Department of Health  
29 and Human Services. Fingerprints taken pursuant to subsection 1, paragraph T must be  
30 transmitted immediately to the State Bureau of Identification to enable the bureau to  
31 conduct state and national criminal history record checks under Title 8, section 1204.

32 **Sec. 11. Emergency rules.** The director of the Gambling Control Unit within the  
33 Department of Public Safety may adopt emergency rules under the Maine Revised  
34 Statutes, Title 5, section 8054 as necessary to implement this Act without the necessity of  
35 demonstrating that immediate adoption is necessary to avoid a threat to public health,  
36 safety or general welfare.

37 **Sec. 12. Appropriations and allocations.** The following appropriations and  
38 allocations are made.

39 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

40 **Office of Substance Abuse and Mental Health Services Z199**

41 Initiative: Provides allocations to allow expenditure of sports betting revenue.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2019-20</b>	<b>2020-21</b>
2	All Other	\$95,000	\$190,000
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$95,000</u>	<u>\$190,000</u>
5	<b>HEALTH AND HUMAN SERVICES,</b>		
6	<b>DEPARTMENT OF</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2019-20</b>	<b>2020-21</b>
8			
9	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$95,000</b>	<b>\$190,000</b>
10			
11	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$95,000</b></u>	<u><b>\$190,000</b></u>
12	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
13	<b>Gambling Control Board Z002</b>		
14	Initiative: Provides allocations for one Public Safety Manager II position and associated		
15	All Other costs.		
16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2019-20</b>	<b>2020-21</b>
17	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
18	Personal Services	\$116,850	\$122,168
19	All Other	\$5,408	\$5,408
20			
21	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$122,258</u>	<u>\$127,576</u>
22	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
23	<b>DEPARTMENT TOTALS</b>	<b>2019-20</b>	<b>2020-21</b>
24			
25	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$122,258</b>	<b>\$127,576</b>
26			
27	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$122,258</b></u>	<u><b>\$127,576</b></u>
28	<b>SECTION TOTALS</b>	<b>2019-20</b>	<b>2020-21</b>
29			
30	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$217,258</b>	<b>\$317,576</b>
31			
32	<b>SECTION TOTAL - ALL FUNDS</b>	<u><b>\$217,258</b></u>	<u><b>\$317,576</b></u>
33			
34	Amend the bill by relettering or renumbering any nonconsecutive Part letter or		
35	section number to read consecutively.		

**SUMMARY**

1  
2 This amendment, which is the majority report of the committee, strikes and replaces  
3 the bill, which is a concept draft. The amendment authorizes the Department of Public  
4 Safety, Gambling Control Unit to regulate sports wagering in the State.

5 Licensed commercial tracks, licensed off-track betting facilities, licensed casinos and  
6 federally recognized Indian tribes are eligible to apply for facility sports wagering  
7 licenses to conduct in-person sports wagering in the State. These entities are also eligible  
8 to apply for mobile sports wagering licenses to conduct sports wagering through mobile  
9 applications or digital platforms, as are qualified gaming entities that offer sports  
10 wagering through mobile applications or digital platforms in any jurisdiction in the  
11 United States pursuant to a state regulatory structure. Facility sports wagering licensees  
12 and mobile sports wagering licensees, referred to in the amendment as operators, may  
13 purchase or lease equipment, systems or services for sports wagering from entities with a  
14 supplier license, whose equipment, systems or services must meet standards established  
15 by rule. Operators may also enter into written contracts, approved by the director of the  
16 Gambling Control Unit within the Department of Public Safety, with management  
17 services licensees that have sufficient knowledge and experience in the business of  
18 operating sports wagering to effectively conduct sports wagering on behalf of operators.  
19 A person employed by a facility sports wagering licensee to be engaged directly in sports  
20 wagering-related activities must be licensed by the Gambling Control Unit.

21 Operators may accept wagers on professional, collegiate and amateur sports events,  
22 including international events, as well as on the individual performances of athletes, on  
23 motor vehicle races and on electronic sports. Sports wagers are prohibited on high school  
24 events, other events where a majority of participants are less than 18 years of age and  
25 events involving Maine-based colleges and universities. Operators may not accept sports  
26 wagers from individuals under 21 years of age; participants in the sports event, including  
27 athletes and officials; persons with an interest in the outcome of the sports event  
28 identified by the director by rule; the operator's own directors or employees or persons  
29 living in their households; persons voluntarily or involuntarily placed on a list maintained  
30 by the Gambling Control Unit within the Department of Public Safety of persons not  
31 authorized to make sports wagers; 3rd persons making wagers on behalf of another  
32 person; and Gambling Control Unit employees. Mobile sports wagering licensees are  
33 also prohibited from accepting sports wagers from persons who are not physically located  
34 within the State.

35 A facility sports wagering licensee must remit 10% of the licensee's adjusted gross  
36 sports wagering receipts to the State and a mobile sports wagering licensee must remit  
37 16% of the licensee's adjusted gross sports wagering receipts to the State. One percent of  
38 adjusted gross sports wagering receipts must be deposited in the General Fund for the  
39 administrative expenses of the Gambling Control Unit within the Department of Public  
40 Safety and 1% of the adjusted gross sports wagering receipts must be deposited in the  
41 Gambling Addiction Prevention and Treatment Fund established by the Maine Revised  
42 Statutes, Title 5, section 20006-B. The remaining adjusted gross sports wagering receipts  
43 remitted to the State must be deposited in the General Fund.

44 The amendment also allows a licensed fantasy contest operator to offer a fantasy  
45 contest based on the performances of participants in collegiate athletic events.

