

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND TWELVE

S.P. 657 - L.D. 1880

**An Act To Ensure the State's Authority over the Operation of Gambling  
Activities**

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

**Whereas,** a recent opinion of the United States Department of Justice clarified that intrastate sale of lottery tickets over the Internet is not in violation of the federal Interstate Wire Act of 1961; and

**Whereas,** the State needs to assert its authority over the conduct of gambling; 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 §371, sub-§6 is enacted to read:

**6. Agent.** "Agent" means a person or that person's representative who has been licensed under this chapter to sell lottery tickets on behalf of the State from the physical premises of the licensee's retail business establishment.

**Sec. 2.** 17-A MRSA §952, sub-§11, as enacted by PL 1975, c. 499, §1, is amended to read:

**11.** "Unlawful" means not expressly authorized by statute. An activity not expressly authorized by statute does not cease to be unlawful solely because it is authorized under federal law or the laws of another state or jurisdiction.

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

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In House of Representatives, ..... 2012

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 2012

Read twice and passed to be enacted.

..... President

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Approved ..... 2012

..... Governor