

## §1002. Board

**1. Establishment.** The Gambling Control Board is created within the Department of Public Safety to carry out the functions specified in this chapter. The board is affiliated with the department as specified in this chapter.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**2. Members.** The board consists of 5 members appointed by the Governor. At least 4 of the board members must have training or experience in at least one of the following fields: corporate finance, economics, law, accounting, law enforcement, computer science or the gambling industry. One member must have experience in the harness racing industry. An elected official or candidate for elective office may not serve as a board member.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**3. Term of office.** Members of the board serve 3-year terms, except that the Governor shall initially appoint one member for a term of one year, 2 members for a term of 2 years and 2 members for a term of 3 years. A vacancy is filled by appointment for the remainder of the unexpired term of that member. Members whose terms expire serve until their successors are appointed and confirmed. Members may serve no more than 2 full consecutive terms on the board.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**4. Confirmation.** Appointees must be reviewed by the joint standing committee of the Legislature having jurisdiction over gambling matters and are subject to confirmation by the Senate.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**5. Chair.** The Governor shall appoint one of the 5 board members as chair. The member serves as chair at the pleasure of the Governor.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**6. Quorum.** An action of the board is not binding unless taken at a meeting at which at least 3 of the 5 members are present.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**7. Removal.** Except as provided in subsection 5, the Governor may remove any member of the board for just cause.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

**8. Conflict of interest.** In addition to the restrictions imposed pursuant to Title 5, section 18, a board member may not participate in any matter before the board in which that board member has a personal bias or any other conflict of interest as the board determines, either on the board's own motion or in response to a written complaint. During a board member's term of service and for 2 years after the end of that board member's service, any person with a direct and substantial interest in any gambling facility or gambling activity may not employ or be represented by the board member or a member of the board member's immediate family. For the purposes of this subsection, "direct and substantial" means ownership or control of more than 10% of the voting securities of any gambling facility or any entity in contract, consort or cooperation with a gambling facility or key executive.

[PL 2003, c. 687, Pt. A, §5 (NEW); PL 2003, c. 687, Pt. B, §11 (AFF).]

### SECTION HISTORY

PL 2003, c. 687, §A5 (NEW). PL 2003, c. 687, §B11 (AFF).

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