

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Authorizing a Scratch Ticket with Proceeds To Benefit Native American Boys and Girls Clubs**

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

**Sec. 1. 8 MRSA §374, sub-§6** is enacted to read:

**6. Native American lottery game.** No later than January 30, 2010, the commission, in consultation with the Native American Boys and Girls Club Fund Board, established in Title 30, section 6215, subsection 3, shall develop and initiate a Native American lottery game designed to raise funds for the Native American Boys and Girls Club Fund established pursuant to Title 30, section 6215, subsection 1. The commission shall provide the net proceeds of this Native American lottery game to the Native American Boys and Girls Club Fund annually. The commission shall change the Native American lottery game ticket periodically throughout the year.

**Sec. 2. 8 MRSA §387, sub-§1, ¶C,** as amended by PL 1995, c. 494, §5, is further amended to read:

C. For payment to the General Fund; and

**Sec. 3. 8 MRSA §387, sub-§1, ¶D,** as amended by PL 2003, c. 414, Pt. B, §18 and affected by c. 614, §9, is further amended to read:

D. For payment to the Maine Outdoor Heritage Fund pursuant to Title 12, section 10302-; and

**Sec. 4. 8 MRSA §387, sub-§1, ¶E** is enacted to read:

E. For payment to the Native American Boys and Girls Club Fund pursuant to Title 30, section 6215, subsection 2.

**Sec. 5. 30 MRSA §6215** is enacted to read:

### **§ 6215. Native American Boys and Girls Club Fund**

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

A. "Board" means the Native American Boys and Girls Club Fund Board.

B. "Fund" means the Native American Boys and Girls Club Fund.

**2. Fund established.** There is established the Native American Boys and Girls Club Fund. The fund consists of revenues received pursuant to Title 8, section 387 and any funds received as contributions from private and public sources. The fund must be held separate and apart from all other money, funds

and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year.

The fund is established for the purpose of maintaining and improving nonprofit Native American Boys and Girls Clubs. Members of the Native American Boys and Girls Clubs must be from federally recognized Indian tribes in this State. A Native American Boys and Girls Club may contract with organizations and individuals for the purpose of carrying out projects funded by the fund.

**3. Fund administration.** The board shall administer the fund. Half of the revenue received from Title 8, section 387, subsection 1, paragraph E must be deposited in endowment fund accounts, one endowment fund account for each Native American Boys and Girls Club, for long-term development purposes or remain in liquid savings accounts if market conditions necessitate. The other half of the revenue may be deposited in checking accounts for annual program sustainability, one checking account for each Native American Boys and Girls Club. A Native American Boys and Girls Club may transfer funds from the checking account to the endowment fund account or the liquid savings account.

**4. Native American Boys and Girls Club Fund Board.** There is established the Native American Boys and Girls Club Fund Board, which consists of 9 members:

- A. Two members from the Houlton Band of Maliseet Indians;
- B. Two members from the Passamaquoddy Tribe;
- C. Two members from the Penobscot Nation; and
- D. Two members from the Aroostook Band of Micmacs.

The members of the board serve for a term of 3 years and may be reappointed. In the event of the death, resignation or disability of a member, the tribe from which the vacancy occurred shall fill the vacancy for the remainder of the unexpired term. The board, by a majority vote of its 8 members, shall select an individual who is a resident of the State and not an appointed member of the board to act as chair. The chair is a voting member of the board and serves for 4 years. A quorum of the board for the transaction of business is 4 members.

## SUMMARY

This bill directs the State Liquor and Lottery Commission to develop a Native American lottery game. The bill also establishes a Native American Boys and Girls Club Fund and a Native American Boys and Girls Club Fund Board.