

# MAINE STATE LEGISLATURE

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17 M.R.S.A. § 330 et seq.  
17-AMRAB 952  
Gambling Solicitation

JOSEPH E. BRENNAN  
ATTORNEY GENERAL



RICHARD S. COHEN  
JOHN M. R. PATERSON  
DONALD G. ALEXANDER  
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

November 9, 1976

Honorable Theodore S. Curtis, Jr.  
2 Mill Street  
Orono, Maine 04473

Re: Publicity Concerning Raffles.

Dear Senator Curtis:

Attorney General Brennan asked me to respond to your letter to him of October 25, 1976, asking about laws relating to publication of news items regarding raffles. Specifically, your question was:

"Is there any prohibition in 17 M.R.S.A. § 330, et seq. or any other Maine statutes which would prevent newspapers from publishing news articles about the price, location of 4-H foundation raffles, the drawing of winners and similar information?"

Our review of the Maine statutes indicates that there is no provision in the Maine statutes, 17 M.R.S.A. § 330, et seq. or otherwise which prohibits the publication of news articles about the price, location of 4-H foundation raffles, the drawing of winners and similar information. We would note that very few laws exist restricting publication of news articles on any subject - absent obscenity - and that such laws as do exist are subject to very close first amendment scrutiny. There is no law in Maine which purports to compromise the freedom of the press in such a manner. The gaming laws are in no way intended to limit publication of news articles about gaming activities. However, such matters are for determination of the appropriate newspaper.

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We would note further that although publication of news articles is not controlled, solicitation of gaming activities by persons operating games is controlled by 17-A M.R.S.A. § 952.

Sincerely,



DONALD G. ALEXANDER  
Deputy Attorney General

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