

MAINE STATE LEGISLATURE

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(NEW TITLE)
NEW DRAFT OF: H. P. 474, L. D. 628

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1534

H. P. 1207

House of Representatives, May 21, 1969

Reported by a Minority of the Committee on Business Legislation. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

**IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE**

AN ACT Prohibiting the Conducting of Contests and Games by Retail Sellers.

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

Sec. 1. Findings and intent. The Legislature finds and declares that the practice current in this State of conducting contests and games of chance, as a promotional device designed to increase the retail sales of the goods in connection with which such contests and games are conducted, misleads the citizens of this State and causes the citizens of this State to pay more for such goods than they would pay if such contests and games did not exist, since the cost to the retailer of purchasing and conducting such contests and games may be passed on to the retail consumer in the form of increased prices for such goods.

The Legislature further finds and declares that unnecessary increases in the operating costs of retail businesses and in the retail prices of goods are detrimental to the welfare of the citizens of this State, and that such welfare is of paramount concern to the Legislature.

The Legislature further finds and declares that the sale of goods at retail is a business so affected with the public interest that this legislation is reasonably necessary for the accomplishment of its purpose of protection of the public against being misled by the conducting of contests and games of chance.

The Legislature intends by the enactment of this legislation to abolish all contests and games of chance, of whatever name or nature, whether involving the matching of coins or pieces of paper, the spelling out of words, the un-

covering of letters, words or devices to the exclusion of other letters, words or devices, the collection of certain numbers of types of articles, or otherwise, conducted by retail sellers of goods in this State, whether purchase of any goods is required to participate in such contest or game, or not.

Sec. 2. R. S., T. 17, § 2304, additional. Title 17 of the Revised Statutes is amended by adding a new section 2304, to read as follows:

§ 2304. Conduct of contests and games by retailers

No person, firm, corporation or other legal entity engaged in the business of selling goods at retail shall conduct, by himself or as agent for another, any game or contest which provides participants with the opportunity to receive some gratuity in a manner determined by chance.

Whoever violates this section shall be punished by a fine of \$1,000.