

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 602

H. P. 483

House of Representatives, February 11, 1975

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Curran of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Amending Certain Laws Relating to Games of Chance.

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

Sec. 1. 17 MRSA § 330, sub-§ 1, as enacted by PL 1973, c. 735, § 3, is amended to read:

1. **Game of chance.** "Game of chance" shall mean a game, scheme, or device in which a player or participant risks something of value for a chance to win something of value and in which an element of chance or luck, rather than skill, is the dominating element which determines the risk outcome of the game or the result of the risk. For the purposes of this chapter, "Beano" or "Bingo" is not to be included in this definition.

Sec. 2. 17 MRSA § 334, first sentence, as enacted by PL 1973, c. 735, § 3, is amended to read:

The Chief of the State Police may require such evidence as he may deem necessary to satisfy him that ~~such an applicant~~ organization conforms to the restrictions and other provisions of this ~~Title~~ chapter.

Sec. 3. 17 MRSA § 342, as enacted by PL 1973, c. 735, § 3, is amended to read:

§ 342. Reports

The Chief of the State Police shall require from any licensed printer or distributor, or from any organization licensed to operate a game of chance, whatever reports he deems necessary for the purpose of the administration and enforcement of this chapter ~~from any licensed printer or distributor.~~

Sec. 4. 17 MRSA § 343, as enacted by PL 1973, c. 735, § 3, is repealed and the following enacted in place thereof:

§ 343. Rules and regulations

The Chief of the State Police shall have the power to make and adopt rules and regulations, not inconsistent with law, which he may deem necessary for the administration and enforcement of this chapter and for the licensing, conduct and operation of games of chance. He shall have the power and authority to regulate, supervise and exercise general control over the operation of such games, to investigate as to the direct or indirect ownership or control of any licensee, and to revoke or suspend any license for just cause after hearing. In establishing such rules and regulations, he shall, in addition to the standards set forth in other provisions of this chapter, be guided by the following standards setting forth conduct, conditions and activity deemed undesirable.

1. **Fraud.** The practice of any fraud or deception upon a participant in a game of chance.

2. **Unsafe premises.** The conduct of a game of chance in or at premises which may be unsafe due to fire hazard or other such conditions.

3. **Advertising, solicitation and transportation.** Advertising which is obscene; solicitation on a public way of persons to participate in a game of chance; providing or arranging by a licensee for transportation of persons to or from a place where any game of chance is played.

4. **Organized crime.** Infiltration of organized crime into the operation of games of chance, or into the printing or distributing of gambling materials.

5. **Disorderly persons.** Presence of disorderly persons in a location where a game of chance is being conducted.

6. **Leasing of equipment.** Use of equipment which is not owned absolutely, or for which rental is made for said use in the operation of a game of chance.

Sec. 5. 17 MRSA § 345, as enacted by PL 1973, c. 735, § 3, is amended to read:

§ 345. Access to premises

Any person, firm, corporation, association or organization making application to the Chief of the State Police to conduct or operate a game of chance or any such person, firm, corporation, association or organization licensed under this chapter to operate or conduct a game of chance, shall permit inspection of any equipment, prizes, records, or items and materials used or to be used in the conduct or operation of a game of chance by the Chief of the State Police or his authorized representative.

Any firm, corporation, association or organization licensed to operate a game of chance shall permit at any and all times the State Fire Marshal or any inspector from his office, or the city or town fire inspectors of the municipality in which the licensed game is being conducted, to enter and inspect the licensed premises.

STATEMENT OF FACT

The purpose of this Act is to clarify various areas in the current statutory requirements relating to the operation of games of chance.