

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of: H. P. 483, L. D. 602

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1678

H. P. 1486

House of Representatives, April 11, 1975

Reported by Majority from the Committee on Legal Affairs and printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

**IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE**

AN ACT Amending Certain Laws Relating to Games of Chance.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the present definition relating to gambling machines is too narrowly drawn and would permit the influx and licensing of many types of gambling machines which the State of Maine has neither the manpower, expertise nor funds to properly regulate and control; and

Whereas, there is great potential that out-of-state members of the criminal element would attempt to influence the operation and financial control of such gambling machines if introduced into Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 17 MRSA § 330, sub-§ 6, as enacted by PL 1973, c. 735, § 3, is repealed and the following enacted in place thereof:

6. Gambling machine. "Gambling machine" shall mean any device, mechanical or electrical, which when its internal mechanism is set in motion and by the application of an element of chance may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise or tickets.

Sec. 2. 17 MRSA § 332, 2nd ¶, as enacted by PL 1973, c. 735, § 3, is amended to read:

No license shall be issued for the conduct or operation of any ~~slot~~ gambling machine or roulette, nor shall any license be issued for the conduct or operation of any lottery, except that a license may be issued for the conduct or operation of a raffle as defined in section 330.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This bill will close a potentially dangerous loophole in the existing laws governing gambling.