# MAINE STATE LEGISLATURE

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### FIRST REGULAR SESSION

## ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1577

S.P. 525 In Senate, May 15, 1987 Submitted by the Department of Public Safety pursuant to Joint Rule 24.

Reference to the Committee on Legal Affairs suggested and ordered printed.  $\label{eq:committee} % \begin{subarray}{ll} \end{subarray} % \begin{$ 

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator DILLENBACK of Cumberland.
Cosponsored by Representative TUPPER of Orrington,
Representative PAUL of Sanford, Senator USHER of Cumberland.

#### STATE OF MAINE

# IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

1 2 3 4	AN ACT to Ensure that the General Public does not have Access to Licensed Games of Chance.
5 6	Be it enacted by the People of the State of Maine as follows:
7 8	Sec. 1. 17 MRSA §330, sub-§3-B is enacted to read:
9 0 1 2 3 4 5	3-B. Member. "Member" means a bona fide member of a firm, corporation, association, organization, department, class or combination of, who has been duly admitted as a member according to the laws, rules, regulations, ordinances or bylaws governing membership in the firm, corporation, association, organization, department, class or combination thereof.

Sec. 2. 17 MRSA  $\S 332$ , sub- $\S 4$ ,  $\S B$ , as amended by PL 1981, c. 593,  $\S 2$ , is repealed and the following 2 3 enacted in its place: B. No other licensee may operate a game of chance on premises to which the general public has access. In any room where a licensed game of chance is being conducted, there shall be at 4 5 6 7 least one member of the licensee present in that room for every 2 nonmembers who are present. 8 9 That member shall have been a member of the 10 1.1 censee for at least one year. No member of the licensee, either directly or through another member or guest, may stake or risk something of val-12 13 14 ue in the licensee's game of chance unless the member has been a member, as defined in section 330, subsection 3-B, of the licensee for at least 15 16

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membership.

bona fide nonprofit organization may operate a licensed game of chance, to which the general public has access, once every 6 months for a period not to exceed 3 consecutive days. The censed game of chance may be operated at any location described in the license and shall be conducted only by members of the licensee.

30 days not including the day of admission

#### STATEMENT OF FACT

Section 1 provides a definition of "member" the Maine Revised Statutes, Title 17, chapter 14.

Section 2 ensures that the general public does not have access to licensed games of chance. In the past, licensees have circumvented the Title 17, section 332, subsection 4, paragraph B, existing provision that a ". . .licensee may operate a game of chance on premises to which the general public has access" by allowing members to bring large numbers of guests to games of chance. Section 2 requires that:

There be at least one member of the licensee present in a room where a licensed game of chance is

1 2	being conducted for every 2 nonmembers who are present;
3 4	2. The member has been a member of the licensee for at least one year; and $% \left( 1\right) =\left( 1\right) ^{2}$
5 6 7 8	3. New members are not allowed to play directly or indirectly in a licensee's game of chance. This will consequently prevent licensees from circumventing existing policy.
9 10 11 12	One purpose of the 2nd and 3rd requirements in particular is to prevent licensees from circumventing the first requirement and thereby the entire policy that the general public is not to have access to li-

censed games of chance.

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Section 2 also clarifies existing law that a licensee may operate a game of chance to which the general public has access only once every 6 months for a maximum period of 3 consecutive days.

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