

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 544, L.D. 741, Bill, "An Act to Remove the Limitations on Raffles Conducted by Nonprofit Entities"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 17 MRSA §331, sub-§7, as amended by PL 1987, c. 402, Pt. B, §§16 and 17, is repealed and the following enacted in its place:

7. Special exempt raffles; prizes from \$10,000 to \$25,000. The following rules apply to special exempt raffles licensed under this subsection.

A. Except as provided in subsection 8, the Chief of the State Police may issue one special exempt raffle license per year to any organization, department or class eligible to hold a raffle under subsection 6 without obtaining a license. The special exempt raffle license entitles the licensee to hold one raffle in which the holder of a winning chance receives something of value worth more than \$10,000 but not more than \$25,000. Section 341 does not apply to raffles licensed under this section.

B. The Chief of the State Police may not issue a license under this subsection to hold a raffle in which the holder of a winning chance receives a cash prize worth more than \$10,000.

C. All tickets sold pursuant to a special exempt raffle license shall be purchased from a licensed distributor or licensed printer. Tickets shall be sequentially numbered and have printed on their faces the following information: the name of the special exempt raffle licensee; a description of the prize or prizes; the price of the ticket; and the date, time and place of the drawing. Any organization, department or class listed in subsection 6

1 that conducts a raffle under section 331-A shall retain all
2 unsold raffle tickets for 6 months after the raffle drawing
3 and make those tickets available for inspection at the
4 request of the Chief of the State Police.

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6 **Sec. 2. 17 MRSA §331, sub-§8 is enacted to read:**

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8 8. Special exempt raffles; prizes from \$10,000 to \$75,000.
9 The following rules apply to special exempt raffles licensed
10 under this subsection.

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12 A. The Chief of the State Police may issue one special
13 exempt raffle license per year to any organization,
14 department or class eligible to hold a raffle under
15 subsection 6 without obtaining a license. The special
16 exempt raffle license entitles the licensee to hold one
17 raffle in which the holder of a winning chance receives
18 something of value worth more than \$10,000 but not more than
19 \$75,000. Section 341 does not apply to raffles licensed
20 under this section.

21
22 B. The Chief of the State Police may not issue a license
23 under this subsection to hold a raffle in which the holder
24 of a winning chance receives a cash prize worth more than
25 \$10,000.

26
27 C. All tickets sold pursuant to a special exempt raffle
28 license shall be purchased from a licensed distributor or
29 licensed printer. Tickets shall be sequentially numbered
30 and have printed on their faces the following information:
31 the name of the special exempt raffle licensee; a
32 description of the prize or prizes; the price of the ticket;
33 and the date, time and place of the drawing. Any
34 organization, department or class listed in subsection 6
35 that conducts a raffle under section 331-A shall retain all
36 unsold raffle tickets for 6 months after the raffle drawing
37 and make those tickets available for inspection at the
38 request of the Chief of the State Police.

39
40 D. The Chief of the State Police may issue only one special
41 exempt raffle license per year, either under this subsection
42 or subsection 7, to the same organization, department or
43 class listed in subsection 6.

44 E. This subsection is repealed on July 1, 1991.

45
46 **Sec. 3. 17 MRSA §331-A, sub-§1, as enacted by PL 1987, c. 190,**
47 **§4, is amended to read:**

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50 **1. Special exempt raffle licensees.** The holder of a
51 special exempt raffle license issued under section 331,
subsection 7, may conduct or operate one raffle per year in which

1 the holder of a winning chance receives something of value worth
2 more than \$10,000 but not more than \$25,000. The holder of a
3 special exempt raffle license issued under section 331,
4 subsection 8, may conduct or operate one raffle per year in which
5 the holder of a winning chance receives something of value worth
6 more than \$10,000 but not more than \$75,000. The holder of a
7 special exempt raffle license issued under section 331,
8 subsection 7 or 8, may not conduct or operate a raffle in which
9 the holder of a winning chance receives a cash prize worth more
10 than \$10,000.

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12 Sec. 4. 17 MRSA §337, as amended by PL 1985, c. 93, §1, is
13 further amended to read:

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15 §337. Distributor

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17 No distributor may sell, market or otherwise distribute
18 gambling apparatus or implements unless licensed by the Chief of
19 the State Police, except that no license is required for the
20 sale, marketing or distribution of raffle tickets when the holder
21 of the winning chance receives something of value worth less than
22 \$10,000.

23

24 Every nonresident manufacturer or distributor of gambling
25 apparatus or implements doing business in the State of ~~Maine~~
26 shall have a Maine agent who must be licensed as a distributor.

27

28 No distributor may sell, market or otherwise distribute
29 gambling apparatus or implements to any person or organization,
30 except to persons or organizations licensed to operate or conduct
31 games of chance under section 332, licensed to conduct a special
32 exempt raffle under section 331, subsection 7 or 8, or eligible
33 to conduct a raffle pursuant to section 331, subsection 2 6. No
34 distributor may lease or loan or otherwise distribute free of
35 charge any gambling apparatus or implements to any organization
36 eligible to operate a game of chance.

37

38 Every licensee shall acquire all gambling apparatus and
39 implements from a distributor licensed under this section, unless
40 that gambling apparatus or implements are printed, manufactured
41 or constructed by the licensed organization. At no time shall ~~may~~
42 any licensee print, manufacture or construct any gambling
43 implements or apparatus for distribution to any other licensee.
44 The applicant for a distributor's license, or if the applicant is
45 a firm, corporation, association or other organization, its
46 resident manager, superintendent or official representative shall
47 file an application with the Chief of the State Police on forms
48 furnished by ~~him~~ the Chief of the State Police. The Chief of the
49 State Police shall furnish each applicant with a current copy of
50 this chapter and the rules adopted under section 343. The Chief
51 of the State Police shall furnish each licensee with a copy of
52 any changes or additions to this chapter and the rules adopted
53 under section 343.

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Sec. 5. 17 MRSA §338, as amended by PL 1985, c. 93, §2, is further amended to read:

§338. Printer

~~Except as provided in section 337, no~~ No Maine printer may print materials to be used in the conduct of a licensed game of chance unless licensed by the Chief of the State Police. A printer licensed under this section may act as his--own a distributor without having to be licensed as a distributor providing neither he the printer nor anyone in his the printer's behalf acts as a salesman seller for his services connected with a game of chance outside of the confines of his the printer's premises described in his that printer's license. If such that printer or someone else acts as a salesman seller for his the printer's services in connection with a game of chance outside of the premises described in his that printer's license, either such that printer or any person or persons acting in his that printer's behalf must be licensed as a distributor.

The applicant for a printer's license, or if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative shall file an application with the Chief of the State Police on forms furnished by him the Chief of the State Police. The Chief of the State Police shall furnish each applicant with a current copy of this chapter and the rules adopted under section 343. The Chief of the State Police shall furnish each licensee with a copy of any changes or additions to this chapter and the rules adopted under section 343.'

STATEMENT OF FACT

- This amendment changes the bill by:
1. Prohibiting raffles for cash prizes over \$10,000;
 2. Allowing eligible nonprofit entities to conduct raffles for a prize worth up to \$75,000 until July 1, 1991;
 3. Establishing requirements regarding the sources of tickets for a special exempt raffle and the information which must appear on those tickets;
 4. Requiring retention for inspection of unsold special exempt raffle tickets;
 5. Clarifying that a printer or distributor needs a license to distribute special exempt raffle tickets but not tickets for raffles for which a special exempt raffle license is not needed;

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6. Clarifying that a distributor may distribute gambling apparatus or implements to an entity authorized to conduct a special exempt raffle; and

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7. Repealing unnecessary language in the Maine Revised Statutes, Title 17, section 338.

Reported by the Committee on Legal Affairs
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5/19/89

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