

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 67, L.D. 95, Bill, "An Act Concerning the Licensing of Organizations Operating Games of Chance or Beano"

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 §314, first ¶, as amended by PL 1977, c. 696, §365, is further amended to read:

The Chief of the State Police may issue licenses to operate "Beano" or "Bingo" games on a monthly basis to any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' veterans' organization which that was in existence at least 2 years prior to its application for a license, when sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized members thereof. The Chief of the State Police may also issue a license to any auxiliary associated with an organization, department or association qualified for a license under this section if the auxiliary has been in existence at least 2 years before applying for a license and the games are sponsored, operated and conducted for the exclusive benefit of the auxiliary by duly authorized members of the auxiliary. Proceeds from any game conducted by the auxiliary or the auxiliary's parent organization may not be used to provide salaries, wages or other remuneration to members, officers or employees of the auxiliary or its parent organization. Said The 2 years' limitation shall does not apply to any chartered posts of veterans' veterans' organizations, nationally established, or auxiliaries of those posts, even though such the posts have not been in existence for 2 years prior to their application for a license nor shall does the 2 years' limitation apply to any volunteer fire department or rescue unit, ~~and provided that a or auxiliary of that department or unit.~~ A license may be issued to an agricultural fair association when sponsored, operated and conducted for the benefit of such agricultural fair association.

2 Sec. 2. 17 MRSA §314, 2nd ¶, as amended by PL 1987, c. 197,
§2, is further amended to read:

4 The fee for such a license to any nonprofit organization is
5 \$5 for each calendar week, or portion thereof, that the amusement
6 is to be operated, or the license may be issued for a calendar
7 month for a fee of \$15. All license fees shall must be paid to
8 the Treasurer of State to be credited to the General Fund. ~~No~~
9 ~~licenses--may--be~~ A license is not assignable or transferable.
10 Nothing contained in this section ~~is--to~~ may be construed to
11 prohibit any volunteer fire department or any agricultural fair
12 association or bona fide nonprofit charitable, educational,
13 political, civic, recreational, fraternal, patriotic, religious
14 ~~ex,~~ veterans' organization or auxiliary of any of them from
15 obtaining licenses for a period not to exceed 6 months on one
16 application. No more than one license may be issued to any
17 organization for any one period. No more than one licensee may
18 operate or conduct a game of "beano" or "bingo" on the same
19 premises on the same date.

20 FISCAL NOTE

22 This legislation is expected to have a minimal impact on the
23 license sales and enforcement duties of the Department of Public
24 Safety, Licensing Division, Beano - Games of Chance.'

26 STATEMENT OF FACT

28 The original bill permitted veterans' auxiliaries to obtain
29 Beano licenses. The amendment broadens the category of
30 organizations eligible for a license to operate Beano or Bingo
31 games by permitting an auxiliary of any qualified organization to
32 obtain a license in its own name. The auxiliary would be
33 required to meet all the qualifications required of other
34 organizations, including the requirement of 2 years' existence
35 and the requirement that the games be operated for the exclusive
36 benefit of the auxiliary. The 2-year limitation would not apply
37 to veterans' auxiliaries or auxiliaries of volunteer fire
38 departments or rescue units. The amendment also provides that
39 proceeds of games conducted by the auxiliary may not be used to
40 provide salaries or other remuneration for the auxiliary or the
41 parent organization.

42 The amendment also adds a fiscal note.

44
46 Reported by the Committee on Legal Affairs
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House
(4/4/91) (Filing No. H-77)