

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

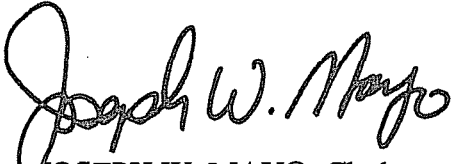
No. 169

H.P. 128

House of Representatives, January 26, 1993

An Act to Amend the Laws Concerning Beano and Games of Chance.

Reference to the Committee on Legal Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative RYDELL of Brunswick.

Cosponsored by Representatives COLES of Harpswell, DAGGETT of Augusta,
FITZPATRICK of Durham, Senator HARRIMAN of Cumberland.

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

2
4 Sec. 1. 17 MRSA §326, sub-§1, as repealed and replaced by PL 1991, c. 590, is amended to read:

6 1. **Payment of proceeds.** An organization licensed to
8 operate beano, bingo or lucky seven games may use the proceeds or
10 part of the proceeds to pay salaries, wages or remuneration to
12 any person directly and essentially involved in operating the
14 beano, bingo or lucky seven game and to defray the expenses or
16 part of the expenses of activities that further the purpose for
18 which the organization is formed. Expenses may be defrayed for
20 activities that include but are not limited to the organization's
22 group bus trips and enrollment in academic courses. Proceeds may
24 not be used to purchase alcohol or to defray the cost of
26 activities where alcohol is served. Proceeds may not be paid
28 directly to organization members. The licensing division may
30 limit the total amount of proceeds that an organization may
32 spend. An organization that chooses to make such payments or use
34 proceeds to defray the expenses of activities must file with the
36 Chief of the State Police, at least quarterly, a disposition of
38 funds form prescribed by the Chief of the State Police detailing
40 all payments made and expenses incurred pursuant to this
42 section. Every statement on the form must be made under oath by
44 an officer of the organization but notarization is not required.

28 Sec. 2. 17 MRSA §335, sub-§2, as enacted by PL 1989, c. 825,
30 §3, is amended to read:

30 2. **Exception.** Notwithstanding subsection 1, a licensee may
32 pay the proceeds or part of the proceeds of games of chance to a
34 member, auxiliary member, officer or employee of the licensed
36 organization as remuneration for a serious illness or injury or
38 casualty loss, or may use the proceeds to defray the expenses or
40 part of the expenses of activities that further the purpose for
42 which the organization is formed, if the licensee makes an
44 application pursuant to this section and the application is
46 approved by the State Police, Licensing Division. Expenses may
48 be defrayed for activities that include but are not limited to
49 the organization's group bus trips and enrollment in academic
50 courses. Proceeds may not be used to purchase alcohol or to
51 defray the costs of activities where alcohol is served. Proceeds
52 may not be paid directly to organization members. The licensing
53 division may limit the total amount of proceeds that an
54 organization may spend.

54 A. An application must be made in such form and contain
56 such information as the licensing division requires.

2 (1) In the case of serious illness or injury, the
4 licensing division may require certification by a
licensed physician setting out the facts in support of
the application.

6 (2) In the case of a casualty loss, the licensing
8 division may require statements or reports from a law
10 enforcement agency, rescue or other emergency services
personnel or an insurance agency to support the
application.

12 (2-A) In the case of defraying the expenses of an
14 activity that furthers the purpose for which the
organization is formed, the licensing division may
16 require reports from the licensee detailing the
activity for which proceeds are used, the
18 organization's total net revenue and the total amount
to be expended upon the activity.

20 (3) The licensing division may deny an application if
22 it appears that the person who would receive the
proceeds has other adequate means of financial support,
24 including, but not limited to, insurance or workers'
compensation benefits, if the activity upon which
26 proceeds are to be expended does not further the
purpose for which the organization is formed or if the
28 amount to be expended exceeds that allowed by the
licensing division.

30
32 **STATEMENT OF FACT**

34 This bill allows proceeds from beano, bingo or lucky seven
36 games to defray the expenses or part of the expenses of
activities that further the purpose for which the organization is
formed.