

	L.D. 2462
2 ²	DATE: 4-4-00 (Filing No. H-1045)
4	MAJORITY (FILING NO. H-1043)
6	LEGAL AND VETERANS AFFAIRS
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10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 119TH LEGISLATURE
16	SECOND REGULAR SESSION
18	COMMITTEE AMENDMENT "A" to H.P. 1756, L.D. 2462, Bill, "An
20	Act to Amend the Control of the Revenue Generated by Games of Chance at the Agricultural Fairs"
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24	Amend the bill in section 1 in paragraph A in the 3rd line (page 1, line 8 in L.D.) by striking out the following: "the agricultural" and inserting in its place the following: 'the <u>an</u>
26	agricultural'
28	Further amend the bill in section 2 in subsection 1 in the
30	5th line from the end (page 1, line 29 in L.D.) by inserting after the following: " <u>Payments</u> " the following: ' <u>by an</u>
32	agricultural society'
34	Further amend the bill by inserting after section 2 the following:
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36	'Sec. 3. 17 MRSA §335, sub-§2-B is enacted to read:
38	2-B. Exceptions for agricultural fairs. Agricultural fairs licensed to conduct games of chance may pay wages and salaries
40	subject to the limitations set out in subsection 1 to operators
42	of games of chance hired by the agricultural fair society.
	Sec. 4. 17 MRSA §336, sub-§1-A is enacted to read:
44	1. A Percente required by perioultural fairs. The treasurer
46	1-A. Records required by agricultural fairs. The treasurer of the agricultural fair society conducting a game of chance that
48	is operated by a member of the agricultural fair society, or the treasurer's designee, shall keep a record as required by subsection 1. An agricultural fair society that employs

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operators who are not members of the agricultural fair society 2 and that is required to use tokens as provided by section 341, subsection 3, shall keep a record of all tokens, tickets or other 4 devices used to play games of chance, sold and redeemed for cash. The records must include the exact amount of income from б the sale of tokens, tickets or other devices used to play games of chance and the exact amount paid towards the redemption of the 8 tokens, tickets or other devices used to play games of chance, for cash. The records must include an exact account of expenses 10 and disposition of all other proceeds, including but not limited to payments to any person, firm, corporation, association or 12 organization for any purpose whatsoever. All records of financial transactions involving games of chance must be separate 14 and distinguishable from all other financial records of the organization.

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Sec. 5. 17 MRSA §336, sub-§2-A is enacted to read:

2-A. Disposition of funds reports by agricultural fairs. Agricultural fair societies licensed to conduct games of chance 20 that are operated by members of the agricultural fair society are 22 subject to the disposition of funds reporting requirements provided in subsection 2. Within 10 business days after the last 24 day of any period during which games of chance are conducted by an agricultural fair society that employs operators who are not 26 members of the agricultural fair society and that is required to use tokens as provided by section 341, subsection 3, the 28 agricultural fair society shall file with the Chief of the State Police a disposition of funds form prescribed and furnished by 30 the Chief of the State Police. The report must provide, in detail, the total number of tokens, tickets or other devices used 32 to play games of chance sold and redeemed for cash and the disposition of funds from the proceeds of the sale of tokens. 34 Every statement must be made under oath by an officer of the agricultural fair society or by the member of the agricultural 36 fair society in charge of the sale and redemption of tokens, tickets or other devices used to play games of chance.' 38

Further amend the bill in section 3 in subsection 2-A in the 40 2nd line (page 1, line 38 in L.D.) by inserting after the following: "leased" the following: 'as provided in section 337'

Further amend the bill in section 3 in subsection 2-A in the 12th to 14th lines (page 1, lines 48 to 50 in L.D.) by striking 44 the following: "multiple leases for the same gambling out 46 apparatus or implements to the same agricultural society are not permitted" and inserting in its place the following: 'each gaming 48 apparatus must have its own separate lease'

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Further amend the bill in section 3 in subsection 2-A in 2 paragraph A in the 2nd line (page 2, line 3 in L.D.) by striking out the following: "that reasonable" and inserting in its place the following: 'for leased amounts subject to the provisions of 4 section 337'

Further amend the bill by striking out all of section 6 and 8 inserting in its place the following:

'Sec. 6. 17 MRSA §341, sub-§1, as amended by PL 1981, c. 698, §90, is further amended to read:

1. Limits. A licensed game of chance shall-be is limited 14 as to the amount to be gambled for any one chance to $50 \neq \frac{$1}{$1}$, except that an organization may operate and conduct a game of 16 cards and charge no more than \$1 daily entry fee for participation in a game of cards, provided-that as long as no 18 money or valuable thing other than \$1 daily entry fee is gambled in connection with a game of cards.

Sec. 7. 17 MRSA §341, sub-§§3 to 6 are enacted to read:

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3. Games conducted at agricultural fairs. Beginning 24 January 1, 2001, games of chance conducted at agricultural fairs may be conducted only with tickets, tokens or other device 26 approved by the Chief of the State police by rule distributed by the agricultural fair society. 28

Games conducted at agricultural fairs by members of 4. 30 agricultural society or bona fide nonprofit. Beginning January 1, 2001, games of chance operated and conducted solely by members 32 of an agricultural fair society or games of chance operated and conducted by members of bona fide nonprofit organizations on the 34 grounds of the agricultural society and during the annual fair of the agricultural society may use cash, tickets, tokens or other 36 device approved by the Chief of the State Police by rule.

38 Notwithstanding any other provision of this section, the tickets, tokens or other device approved by the Chief of the State Police 40 must be unique to the agricultural society and may be in denominations from 25¢ to 50¢. The tickets, tokens or device 42 approved by the Chief of the State Police may be sold and redeemed only by a person who has been a member or active 44 volunteer of the agricultural society for at least 2 fair seasons. The agricultural society has the burden of proof for 46 demonstrating the qualification of members or active volunteers.

48 5. Requirements. Agricultural fair societies that use tokens shall provide records and reports as required by section 50 336, subsections 1-A and 2-A.

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subchapter II-A.

"/ " to H.P. 1756, L.D. 2462

6. Rules. Rules adopted pursuant to subsections 3 and 4 are routine technical rules as defined by Title 5, chapter 375,

Sec. 8. Review by November 15, 2003. The Chief of the State 6 Police or the chief's designee and a representative from the Department of Agriculture, Food and Rural Resources shall report 8 regarding the operation of games of chance at agricultural fairs to the joint standing committee of the Legislature having 10 jurisdiction over games of chance by November 15, 2003.' 12 Further amend the bill by relettering or renumbering any 14 nonconsecutive Part letter or section number to read consecutively. 16 Further amend the bill by inserting at the end before the 18 summary the following: 20 **'FISCAL NOTE** 22 The Bureau of State Police within the Department of Public 24 Safety will incur some minor additional costs to provide certain forms, to adopt certain rules, to make certain approvals and to 26 submit a required report to the Legislature. These costs can be absorbed within the bureau's existing budgeted resources. 28 The Department of Agriculture, Food and Rural Resources will 30 incur some minor additional costs to submit a required report to These costs can be absorbed within the the Legislature. 32 department's existing budgeted resources. 34 The Judicial Department may realize some minor savings from reductions of workload, administrative costs and indigent defense costs associated with the minimal number of cases that will no 36 in the longer be filed in the court system. Reductions collection of fines may decrease General Fund revenue by minor 38 amounts. 40 This bill may reduce prosecutions for Class D crimes. If the number of jail sentences is reduced, the savings to the 42 counties are estimated to be \$83.36 per day per prisoner. The amount of any reduction of jail time and the resulting savings to 44 the county jail system are expected to be insignificant.' 46 48 **SUMMARY** 50 This amendment specifies that each gaming apparatus leased to an agricultural fair must have a separate individual lease. Page 4-LR3445(2) COMMITTEE AMENDMENT

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committee amendment "H"

The maximum amount to be gambled per game on a licensed game of 2 chance is changed from $50 \notin$ to \$1 by this amendment. Under this amendment proceeds from games of chance conducted agricultural 4 fairs may be used to pay the wages of persons who operate games of chance as long as payment does not exceed 300% of minimum 6 The amendment also specifies that games operated by an wage. agricultural fair or bona fide nonprofit may use cash, tokens, tickets or other device approved by the Chief of the State 8 Police. Beginning January 1, 2001, those games not run solely by 10 the fair or bona fide nonprofit shall use tokens, tickets or other device approved by the Chief of the State Police. The 12 amendment also adds a requirement that the joint standing committee of the Legislature having jurisdiction over games of 14 chance shall review this Act by November 15, 2003.

to H.P. 1756, L.D. 2462

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This amendment also adds a fiscal note to the bill.

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