

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

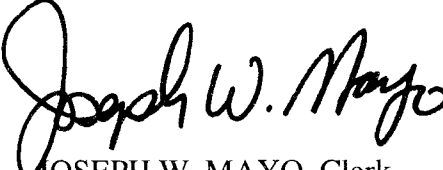
No. 2462

H.P. 1756

House of Representatives, January 10, 2000

**An Act to Amend the Control of the Revenue Generated by Games of
Chance at the Agricultural Fairs.**

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CHIZMAR of Lisbon.
Cosponsored by Senators: CAREY of Kennebec, DAGGETT of Kennebec.

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

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4 **Sec. 1. 17 MRSA §332, sub-§4, ¶A**, as amended by PL 1993, c. 410, Pt. PP, §1, is further amended to read:

6 A. An agricultural society or a bona fide nonprofit organization may operate a game of chance on the grounds of
8 the agricultural society and during the annual fair of the agricultural society.

10 **Sec. 2. 17 MRSA §335, sub-§1**, as amended by PL 1993, c. 45, §5, is further amended to read:

14 **1. Prohibition.** Proceeds of any games of chance may not be
16 used to provide salaries, wages or other remuneration to members,
18 officers or employees of any organization authorized to conduct
20 games of chance under this chapter, except that an organization
22 licensed to operate beano or bingo and Lucky 7 games in
24 conjunction with beano or bingo and agricultural societies
26 licensed to operate games of chance on the grounds of the
28 agricultural society and during the annual fair of the
30 agricultural society may use the proceeds or part of the proceeds
32 to pay salaries, wages or remuneration to any person directly
34 involved in operating the beano, bingo or, Lucky 7 games or games
36 of chance operated by an agricultural society on the grounds of
38 the agricultural society and during the annual fair of the
40 agricultural society. Payments to persons directly involved in
42 operating beano, bingo or Lucky 7 games may not exceed 20% of the
44 revenue generated by the games. Payments to persons directly
46 involved in the operation of games of chance operated by
48 agricultural societies during the annual fair of the agricultural
50 society may not exceed 300% of the minimum wage as established
 pursuant to Title 26, section 664, subsection 1.

36 **Sec. 3. 17 MRSA §336-A, sub-§2-A** is enacted to read:

38 **2-A. Agricultural societies; lease agreements.** When a
40 gambling apparatus or implement is leased to an agricultural
42 society, the distributor shall forward to the Chief of the State
44 Police a copy of the lease agreement prior to delivery of the
46 gambling apparatus or implement. The terms of the lease must
48 include, but are not limited to, the name of the lessor; address
50 of the lessor; name of the lessee; address of the lessee;
 description of the gambling apparatus or implement; serial
 number, model name or number of the gambling apparatus or
 implement; and all prices and payments for the lease. Each lease
 must be for a specific period of time no longer than the duration
 of the annual fair of that lessee, and multiple leases for the
 same gambling apparatus or implements to the same agricultural
 society are not permitted. Gambling apparatus or implements
 leased under this section:

2 A. May only be operated for the exclusive benefit of the
4 agricultural society, except that reasonable amounts for the
 gambling apparatus or implements may be paid to the
 distributor for the lease; and

6 B. Must bear the name and address of the distributor.

8 **Sec. 4. 17 MRSA §337, first ¶**, as amended by PL 1989, c. 254,
10 §4, is further amended to read:

12 No A distributor may not sell, lease, market or otherwise
14 distribute gambling apparatus or implements unless licensed by
16 the Chief of the State Police, except that no a license is not
18 required for the sale, marketing or distribution of raffle
 tickets when the holder of the winning chance receives something
 of value worth less than \$10,000.

20 **Sec. 5. 17 MRSA §337, 3rd ¶**, as amended by PL 1989, c. 254,
 §4, is further amended to read:

22 No A distributor may not sell, market or otherwise
24 distribute gambling apparatus or implements to any a person or
26 organization, except to persons or organizations licensed to
28 operate or conduct games of chance under section 332, licensed to
30 conduct a special exempt raffle under section 331, subsection 7
32 or 8, or eligible to conduct a raffle pursuant to section 331,
34 subsection 6. No A distributor may not lease or loan or otherwise
36 distribute free of charge any gambling apparatus or implements to
 any an organization eligible to operate a game of chance. A
 distributor may lease gambling apparatus or implements to an
 agricultural society licensed to operate games of chance on the
 grounds of the agricultural society and during the annual fair of
 the agricultural society as long as the distributor does not
 charge the agricultural society an amount in excess of 50% of the
 gross revenue from any licensed game of chance.

38 **Sec. 6. 17 MRSA §341, sub-§3** is enacted to read:

40 3. Agricultural societies. Games of chance conducted at
42 agricultural fairs may only be conducted with tickets or tokens
44 issued by the agricultural society. Notwithstanding any other
46 provision of this section, the tickets or tokens must be unique
 to the agricultural society and in denominations of 25¢ to 50¢.
 The tickets or tokens may only be sold or redeemed by a person
 who has been a member of the agricultural society for at least 2
 years.

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SUMMARY

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This bill impacts games of chance conducted by agricultural societies on the grounds of the society and during the society's annual fair as follows.

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1. The agricultural society and a bona fide nonprofit organization may operate licensed games of chance on the grounds of the society and during its annual fair.

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2. The bill allows members to be compensated at reasonable rates for conducting the games.

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3. The agricultural society may lease gaming equipment from licensed distributors.

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4. Games of chance may only be conducted using tickets or tokens issued by the agricultural society.