

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1814

H.P. 1359

House of Representatives, May 25, 2001

**An Act Regarding the Use of Tokens or Tickets for Games of Chance at
Agricultural Fairs.**

(EMERGENCY)

Reported by the Minority from the Joint Standing Committee on Legal and Veterans
Affairs pursuant to Joint Order 2001, H. P. 1332.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** agricultural fairs need more time to adjust to the
6 requirements of Public Law 1999, chapter 716; and

8 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
10 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
12 safety; now, therefore,

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

16 **Sec. 1. 17 MRSA §341, sub-§§3 and 4,** as enacted by PL 1999, c.
18 716, §10, are amended to read:

20 **3. Games conducted at agricultural fairs.** Beginning
January 1, ~~2001~~ 2002, games of chance conducted at agricultural
22 fairs may be conducted only with tickets, tokens or other device
approved by the Chief of the State Police by rule distributed by
the agricultural fair society.

24 **4. Games conducted at agricultural fairs by members of**
26 **agricultural society or bona fide nonprofit.** Beginning January
1, ~~2001~~ 2002, games of chance operated and conducted solely by
28 members of an agricultural fair society or games of chance
operated and conducted by members of bona fide nonprofit
30 organizations on the grounds of the agricultural society and
during the annual fair of the agricultural society may use cash,
32 tickets, tokens or other device approved by the Chief of the
State Police by rule.

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

44 **Sec. 2. Review by January 15, 2002 and 2003.** The Chief of the
46 State Police or the chief's designee and a representative from
the Department of Agriculture, Food and Rural Resources shall
48 report regarding the operation of games of chance at agricultural
fairs to the joint standing committee of the Legislature having
50 jurisdiction over games of chance by January

15, 2002 and again by January 15, 2003.

Sec. 3. Retroactivity. This Act applies retroactively to January 1, 2001.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

FISCAL NOTE

The Department of Agriculture, Food and Rural Resources and the Department of Public Safety will incur some minor additional costs to submit a required report to the Legislature. These costs can be absorbed within the departments' existing budgeted resources.

SUMMARY

A minority of the Joint Standing Committee on Legal and Veterans Affairs voted to report out this bill pursuant to Joint Order 2001, House Paper 1332. Current law requires that, beginning January 1, 2001, agricultural fairs licensed to conduct games of chance must use tokens or tickets to conduct those games unless the games are operated by a member of the agricultural fair society or a bona fide nonprofit entity. For-profit entities hired by the fair are required to use tokens or tickets when operating the games. This bill amends the law by extending by one year the date that fairs are required to comply. It also requires the State Police and the Department of Agriculture, Food and Rural Resources to report to the joint standing committee of the Legislature having jurisdiction over games of chance by January 15, 2002 and 2003. This bill is retroactive to January 1, 2001.