

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2015

H.P. 1512

House of Representatives, December 26, 2001

**An Act to Amend Certain Statutes Regarding Beano and Games of
Chance.**

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Received by the Clerk of the House on December 19, 2001. Referred to the Committee on
Legal and Veterans Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint
Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative CHIZMAR of Lisbon.

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

Sec. 1. 17 MRSA §313, as enacted by PL 1975, c. 307, §2, is amended to read:

§313. Application

Any organization desiring to conduct such an amusement shall apply to the Chief of the State Police for a license pursuant to the provisions set forth in this section. The application ~~shall~~ must be on forms provided by the Chief of the State Police, ~~shall~~ must be signed by a duly authorized officer of the organization to be licensed, ~~shall~~ must contain the full name and address of the organization and the location where it is desired to conduct the amusement and ~~shall~~ must bear the consent of the municipal officers of the town or city in which it is proposed to operate such amusement. The Chief of the State Police shall process the application for a license within 60 days of receipt of the application.

Sec. 2. 17 MRSA §316, as enacted by PL 1975, c. 307, §2, is amended to read:

§316. Evidence

The Chief of the State Police may require such evidence as he ~~the chief~~ may deem determine necessary to satisfy ~~him~~ the chief that an applicant or licensed organization conforms to the restrictions and other provisions of this chapter. Charters, organizational papers, bylaws or other such written orders of founding ~~which~~ that outline or otherwise explain the purpose for which organizations were founded or evidence regarding the conduct of beano by the licensee shall must, upon request, be forwarded to the Chief of the State Police.

Sec. 3. 17 MRSA §332, sub-§1, as amended by PL 1993, c. 730, §1, is further amended to read:

1. Organizations eligible. Notwithstanding other provisions of law, the Chief of the State Police may issue a license to operate a game of chance to an agricultural society eligible for the state stipend under Title 7, section 62, or to a bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic or religious organization, or to a volunteer fire department or to an auxiliary of any of these organizations, any of which must be founded, chartered or organized in this State for a period of not less than 2 consecutive years before applying for a license.

2 **Sec. 4. 17 MRSA §333**, as enacted by PL 1973, c. 735, §3, is
amended to read:

4 **§333. Application**

6 An application to operate or conduct a game of chance shall
7 must be on forms provided by the Chief of the State Police. Such
8 application shall must be signed by a duly authorized officer of
9 the organization. It shall must contain the full name and
10 address of the organization, a full description of the game of
11 chance, the location where the game is to be conducted and any
12 other information deemed determined to be necessary by the Chief
13 of the State Police for the issuance of a license to operate a
14 game of chance. An application to operate or conduct a game of
15 chance shall must bear the consent of the municipal officers of
16 the town or city in which such game of chance is to be operated
17 or conducted. The Chief of the State Police shall process an
18 application for a license within 60 days of receipt of the
application.

20 **Sec. 5. 17 MRSA §334**, as amended by PL 1981, c. 593, §3, is
22 further amended to read:

24 **§334. Evidence**

26 The Chief of the State Police may require such evidence as
27 he the chief may deem determine necessary to satisfy him the
28 chief that an applicant or licensed organization conforms to the
29 restrictions and other provisions of this chapter. Charters,
30 organizational papers, bylaws or other such written orders of
31 founding which that outline or otherwise explain the purpose for
32 which such organization was founded or evidence regarding the
33 conduct of a game of chance by the licensee, shall must, upon
34 request, be forwarded to the Chief of the State Police. The
35 Chief of the State Police may require of any licensee or of any
36 person operating, conducting or assisting in the operation of a
37 licensed game of chance evidence as he the chief may deem
38 determine necessary to satisfy him the chief that the person is a
39 duly authorized member of the licensee, or a person employed by
40 the licensee as a bartender, as required by section 332,
41 subsection 2. Upon request, this evidence shall must be forwarded
42 to the Chief of the State Police.

44 **Sec. 6. 17 MRSA §341, sub-§4**, as amended by PL 2001, c. 384,
46 §1 and affected by §3, is further amended to read:

48 **4. Games conducted at agricultural fairs by members of**
49 **agricultural society or bona fide nonprofit.** Beginning January
50 1, 2002, games of chance operated and conducted solely by members
of an agricultural fair society or games of chance operated and

2 conducted by members of bona fide nonprofit organizations on the
3 grounds of the agricultural society and during the annual fair of
4 the agricultural society may use cash, tickets, tokens or other
5 device approved by the Chief of the State Police by rule.

6 Notwithstanding any other provision of this section, the tickets,
7 tokens or other device approved by the Chief of the State Police
8 must be unique to the agricultural society and may be in
9 denominations ~~from~~ of 25¢ ~~to~~, 50¢ or \$1. The tickets, tokens or
10 device approved by the Chief of the State Police may be sold and
11 redeemed only by a person who has been a member or active
12 volunteer of the agricultural society for at least 2 fair
13 seasons. The agricultural society has the burden of proof for
14 demonstrating the qualification of members or active volunteers.

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SUMMARY

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19 This bill amends the laws regarding beano and games of
20 chance as follows.

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22 1. It provides for a period of 60 days for the Chief of the
23 State Police to process applications for beano and games of
24 chance licenses.

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26 2. It allows the Chief of the State Police to require
27 evidence from beano and games of chance licensees regarding
28 conduct of the amusements.

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30 3. It requires organizations desiring to be licensed to
31 conduct games of chance to be in existence for 2 years before
32 applying for a license.

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34 4. It allows licensed agricultural fair societies to use
tokens in the denomination of \$1 for games of chance.