

MAINE STATE LEGISLATURE

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L.D. 2055

DATE: *March 26, 2002* (Filing No. S-512)

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1552, L.D. 2055, Bill, "An Act to Delay the Date by Which the Use of Tokens or Tickets is Required for Games of Chance at Agricultural Fairs"

Amend the amendment by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. 17 MRSA §330, sub-§1-C is enacted to read:

1-C. Agricultural society. "Agricultural society" or "fair" means a nonprofit agricultural fair society eligible for the state stipend under Title 7, section 62.

Sec. 2. 17 MRSA §330, sub-§2-C is enacted to read:

2-C. Gross revenue. "Gross revenue" means the total amount wagered in a game of chance less the prizes awarded.

Sec. 3. 17 MRSA §330, sub-§3-C is enacted to read:

3-C. Net revenue. "Net revenue" means gross revenue less all approved expenses.

Sec. 4. 17 MRSA §330, sub-§9 is enacted to read:

9. Tokens. "Tokens" means distinctive objects, chips, tickets or other devices of no intrinsic value used as a substitute for cash in accounting for revenue from a game of chance.

2 **Sec. 5. 17 MRSA §331, sub-§2-A**, as enacted by PL 1979, c. 736,
§1, is amended to read:

4
6 **2-A. Games of chance at agricultural fairs.** The Chief of
the State Police may issue a license to hold, conduct or operate
8 the game of chance commonly known as "penny falls" or "quarter
falls" at any agricultural fair as long as the fair controls the
revenue from such games.

10 **Sec. 6. 17 MRSA §335**, as amended by PL 1999, c. 716, §§2 and
12 3, is further amended by repealing and replacing the headnote to
read:

14 **§335. Revenue and expenses**

16 **Sec. 7. 17 MRSA §335, sub-§1**, as amended by PL 1999, c. 716,
18 §2, is repealed and the following enacted in its place:

20 **1. Compensation.** Those who conduct games of chance may not
be paid for such services except as follows.

22 **A.** An organization including a fair licensed to operate
24 beano, bingo or Lucky 7 games may use up to 20% of the gross
revenue to compensate those who conduct the games.

26 **B.** Each person who conducts a game of chance licensed to an
28 agricultural fair may be paid at a rate that does not exceed
30 3 times the State's minimum wage as established in Title 26,
section 664, subsection 1, unless the game is one for which
the limit in paragraph A applies.

32 **Sec. 8. 17 MRSA §335, sub-§2-B**, as enacted by PL 1999, c. 716,
34 §3, is repealed.

36 **Sec. 9. 17 MRSA §336, sub-§1**, as enacted by PL 1977, c. 350,
§6, is repealed and the following enacted in its place:

38 **1. Records required.** Each licensee shall keep a record of
40 all financial transactions involving games of chance operated
42 under each license granted to the licensee. The treasurer of the
44 licensee or another officer designated by the treasurer is
46 responsible for maintaining those records. The records must
48 include an exact account of all revenue from the games, an
itemization of all expenses, including, but not limited to, the
cost of prizes, printing, licenses and administration, and the
disposition of all proceeds, including, but not limited to, all
gifts, grants and payments to any person, firm, corporation,
50 association or organization for any purpose whatsoever. All
financial records involving games of chance must be separate and

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distinguishable from other records of the organization. Revenue
from more than one game of chance may be entered into one account.

Sec. 10. 18 MRSA §336, sub-§1-A, as enacted by PL 1999, c. 716, §4, is repealed.

Sec. 11. 17 MRSA §336, sub-§1-B is enacted to read:

1-B. Records required for licensee employing tokens. If a licensee employs tokens to account for revenue from games of chance and if the licensee maintains direct control over the sale and redemption of the tokens and keeps accurate records of all tokens used, then the chief may by rule alter or reduce the record-keeping requirements of subsection 1 to the extent that a licensee's use of tokens renders those records unnecessary for adequate control of the licensee's games.

Sec. 12. 17 MRSA §336, sub-§2-A, as enacted by PL 1999, c. 716, §5, is repealed and the following enacted in its place:

2-A. Disposition of funds reports from licensee using tokens. If tokens are employed to account for revenue from games of chance, then the licensee shall report the number of tokens sold, the number redeemed and the disposition of funds from the proceeds of sale in addition to such other information as the chief may require under subsection 2.

Sec. 13. 17 MRSA §341, sub-§3, as amended by PL 2001, c. 384, §1 and affected by §3, is repealed.

Sec. 14. 17 MRSA §341, sub-§§5 and 6, as enacted by PL 1999, c. 716, §10, are amended to read:

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

6. Rules. Rules adopted pursuant to ~~subsections--3--and subsection~~ 4 are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.'


SUMMARY

The purpose of this amendment is to make tokens an optional means for controlling revenue in games of chance and to authorize the Chief of the State Police to adjust record-keeping and reporting requirements for licensees who choose to use tokens.

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2 The amendment also contains some technical redrafting of
4 existing law and provides definitions for 4 previously undefined
6 terms: "agricultural society," "gross revenue," "net revenue"
8 and "tokens."

10 SPONSORED BY: 
 (Senator MILLS)

12 COUNTY: Somerset

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