

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 547

S.P. 173

In Senate, February 3, 2005

**An Act To Extend the Number of Days Nonprofit Organizations Are
Allowed To Operate Games of Chance**

(EMERGENCY)

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative CEBRA of Naples, Representative PATRICK of Rumford and
Senators: MITCHELL of Kennebec, PLOWMAN of Penobscot, Representatives:
BLANCHETTE of Bangor, FISHER of Brewer, MOORE of Standish, PINKHAM of
Lexington Township, TUTTLE of Sanford, VALENTINO of Saco.

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

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6 **Whereas,** many nonprofit organizations hold carnivals and
fairs at which games of chance are operated as a means to raise
money for the nonprofit organization; and

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10 **Whereas,** current law restricts to 2 days the length of time
that a nonprofit organization may operate a game of chance, which
places an undue burden on those organizations that operate their
fund-raising activities for more than 2 days; and

14 **Whereas,** most nonprofit organizations hold their
fund-raising activities in the summer months, before the usual
effective date for nonemergency legislation; and

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

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

26 **Sec. 1. 17 MRSA §332, sub-§4, ¶B,** as amended by PL 1999, c.
295, §1, is further amended to read:

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30 B. No other licensee may operate a game of chance on
premises to which the general public has access. In any
room where a licensed game of chance is being conducted,
32 there must be at least one member of the licensee present in
that room for every 2 nonmembers who are present. That
34 member must have been a member of the licensee for at least
one year. A member of the licensee, either directly or
36 through another member or guest, may not stake or risk
something of value in the licensee's game of chance unless
38 the member has been a member, as defined in section 330,
subsection 3-B, of the licensee for at least 14 days not
40 including the day of admission into membership.

42 A bona fide nonprofit organization may operate a licensed
game of chance to which the general public has access, once
44 every 3 months for a period not to exceed 2 3 consecutive
days. The licensed game of chance may be operated at any
46 location described in the license and may be conducted only
by members of the licensee.

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

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SUMMARY

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This bill extends from 2 days to 3 days the length of time that a bona fide nonprofit organization may operate a licensed game of chance.