

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1253

H.P. 876

House of Representatives, March 30, 2017

**An Act To Make Maine's Casinos More Competitive by Authorizing
Extensions of Credit**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WADSWORTH of Hiram.
Cosponsored by Representatives: FARRIN of Norridgewock, HARRINGTON of Sanford,
HERRICK of Paris, PIERCE of Dresden, SIMMONS of Waldoboro, WHITE of Washburn,
WINSOR of Norway.

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

2 **Sec. 1. 8 MRS §1067** is enacted to read:

3 **§1067. Issuing lines of credit by casino operator**

4 **1. Casino operator may accept credit instrument from qualified person.** A
5 casino operator may accept a credit instrument from a qualified person in exchange for
6 currency, chips, tokens or electronic tokens that may be wagered on table games or used
7 in slot machines at the casino operator's casino. For the purposes of this subsection,
8 "qualified person" means a person who has completed a credit application provided by
9 the casino operator and who is determined by the casino operator, after performing a
10 credit check and applying usual standards to establish creditworthiness, to qualify for a
11 line of credit and in an amount to be determined by the casino operator under the
12 restrictions in subsection 2 based on the person's demand deposit accounts, including any
13 checking account or savings account. Once the casino operator makes the determination
14 that a person is a qualified person, additional credit checks are not required. A decision to
15 accept a credit instrument from a qualified person must be made by the casino operator. If
16 a new credit instrument is issued to consolidate or replace an existing credit instrument or
17 instruments, the new credit instrument must use the oldest date of the credit instrument or
18 instruments being replaced. A lost or destroyed credit instrument remains valid and
19 enforceable if the party seeking enforcement can prove its existence and terms. The board
20 has no authority to determine the validity or enforceability of a credit instrument or the
21 enforceability of the debt that the credit instrument represents. Failure to comply with a
22 rule adopted by the board does not affect the validity or enforceability of the credit
23 instrument or the debt that the credit instrument represents. A credit instrument executed
24 pursuant to this section on or after the effective date of this section is a valid contract
25 creating debt that is enforceable by legal process.

26 **2. Limitations.** A casino operator may not lend anything of value or extend credit to
27 any person for the purpose of permitting that person to wager on any table game or to
28 play any slot machine except through the use of a credit instrument. A credit instrument
29 may not be secured by a person's house or other real property, tangible personal property,
30 investments, individual retirement account, plan under Section 401(k) of the United
31 States Internal Revenue Code of 1986, pension or other retirement account or college
32 savings plan or any asset whatsoever other than a demand deposit account. A credit
33 instrument must provide that any credit extended is due no later than 30 days from the
34 date credit is extended. A credit instrument must be considered an unsecured loan and
35 may not bear interest.

36 **3. Prohibition.** A casino operator may not extend credit pursuant to this section to a
37 person who is intoxicated.

38 **SUMMARY**

39 This bill allows a casino operator to extend credit to qualified customers within
40 certain limitations.