

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1154

H.P. 843

House of Representatives, March 7, 2019

**An Act To Increase the Betting Limit on Games of Chance at Fairs
and Festivals and To Expand Allowed Operation**

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 HANDY of Lewiston.
Cosponsored by Senator LIBBY of Androscoggin and
Representatives: CLOUTIER of Lewiston, CRAVEN of Lewiston.

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

2 **Sec. 1. 17 MRSA §1834, sub-§4**, as amended by PL 2017, c. 284, Pt. KKKKK,
3 §16, is further amended to read:

4 **4. Games of cards.** The fee for a license issued to an organization to operate a game
5 of cards, when the organization charges no more than a \$10 daily entry fee for
6 participation in the games of cards and when no money or valuable thing other than the
7 \$10 daily entry fee is gambled by any person in connection with the game of cards, is \$30
8 for each calendar year or portion of a calendar year. For card games that are played by
9 placing the maximum bet of ~~\$1~~ \$5 per hand or deal, the license fee for a calendar month
10 is \$60 and the fee for licenses issued for a calendar year is \$700.

11 **Sec. 2. 17 MRSA §1835, sub-§§1 and 3**, as amended by PL 2017, c. 284, Pt.
12 KKKKK, §17, are further amended to read:

13 **1. Wagers or entry fees for card games; exceptions.** The following limits apply to
14 a card game.

15 A. The maximum bet for a licensed card game in which bets are placed per hand or
16 per deal is ~~\$1~~ \$5.

17 B. Licensed card games that award part or all of the entry fees paid to participate in
18 the game as prize money and in which no money or thing of value is wagered except
19 for the entry fee are limited to a \$10 daily entry fee and no more than 60 players at
20 any one time at any one location.

21 C. If Notwithstanding paragraph A, if the licensee operates card games for less than
22 3 total days in a calendar year and contributes 100% of the gross revenue from those
23 games to charity, the amount wagered must be limited to:

- 24 (1) A \$1 daily entry fee;
25 (2) Fifty cents per game; or
26 (3) Twenty-five cents per card received.

27 Prior to play of the game, the licensee shall determine which of the limits in
28 subparagraphs (1), (2) and (3) is to be used and shall post the limit where the game is
29 conducted.

30 **3. Games conducted at agricultural fair by members of the agricultural society**
31 **or a bona fide nonprofit.** Card games operated and conducted solely by members of an
32 agricultural society or card games operated and conducted by members of bona fide
33 nonprofit organizations on the grounds of the agricultural society and during the annual
34 fair of the agricultural society may use cash, tickets, tokens or other devices approved by
35 the Gambling Control Unit by rule.

36 Notwithstanding any other provision of this section, the tickets, tokens or other devices
37 approved by the Gambling Control Unit must be unique to the agricultural society and
38 may be in denominations of 25¢, 50¢ or \$1 or \$5. The tickets, tokens or devices
39 approved by the Gambling Control Unit may be sold and redeemed only by a person who

1 has been a member or active volunteer of the agricultural society for at least 2 fair
2 seasons. The agricultural society has the burden of proof for demonstrating the
3 qualification of members or active volunteers.

4 An agricultural society that uses tokens shall provide records and reports as required by
5 section 1839.

6 **Sec. 3. 17 MRSA §1835, sub-§5**, as amended by PL 2017, c. 284, Pt. KKKKK,
7 §17, is further amended to read:

8 **5. Location.** A license issued pursuant to this section must specify the location
9 where the organization may operate the licensed card game. A licensee may not operate
10 card games in more than one location at the same time.

11 A. An agricultural society or a bona fide nonprofit organization may operate a card
12 game on the grounds of an agricultural society and during the annual fair of the
13 agricultural society.

14 B. No more than one licensee may operate a card game at a time on the same
15 premises. In any room where a licensed card game is being conducted, there must be
16 at least one member of the licensee present in that room for every 2 nonmembers who
17 are present. That member must have been a member of the licensee for at least one
18 year. A member of the licensee, either directly or through another member or guest,
19 may not stake or risk something of value in the licensee's card game unless the
20 member has been a member of the licensee for at least 14 days not including the day
21 of admission into membership.

22 A bona fide nonprofit organization may operate a licensed card game to which the
23 general public has access ~~once every 3 months~~ for a period not to exceed ~~3~~ 4 consecutive
24 days. The licensed card game may be operated at any location described in the license
25 and may be conducted only by members of the licensee.

26 **Sec. 4. 17 MRSA §1835-A, sub-§1, ¶¶A and B**, as enacted by PL 2017, c. 284,
27 Pt. KKKKK, §18, are amended to read:

28 A. The maximum bet for a licensed game of chance is \$~~4~~ \$5.

29 B. If Notwithstanding paragraph A, if the registrant operates games of chance for
30 less than 3 total days in a calendar year and contributes 100% of the gross revenue
31 from those games of chance to charity, the amount wagered must be limited to:

32 (1) A \$1 daily entry fee; or

33 (2) Fifty cents per game.

34 **Sec. 5. 17 MRSA §1835-A, sub-§3**, as enacted by PL 2017, c. 284, Pt. KKKKK,
35 §18, is amended to read:

36 **3. Games conducted at agricultural fair by members of the agricultural society**
37 **or a bona fide nonprofit.** Games of chance operated and conducted solely by members
38 of an agricultural society or games of chance operated and conducted by members of
39 bona fide nonprofit organizations on the grounds of the agricultural society and during

1 the annual fair of the agricultural society may use cash, tickets, tokens or other devices
2 approved by the Gambling Control Unit by rule.

3 Notwithstanding any other provision of this section, the tickets, tokens or other devices
4 approved by the Gambling Control Unit must be unique to the agricultural society and
5 may be in denominations of 25¢, 50¢ or \$1 or \$5. The tickets, tokens or devices
6 approved by the Gambling Control Unit may be sold and redeemed only by a person who
7 has been a member or active volunteer of the agricultural society for at least 2 fair
8 seasons. The agricultural society has the burden of proof for demonstrating the
9 qualification of members or active volunteers.

10 An agricultural society that uses tokens shall provide records and reports as required by
11 section 1839.

12 **Sec. 6. 17 MRSA §1835-A, sub-§5**, as enacted by PL 2017, c. 284, Pt. KKKKK,
13 §18, is amended to read:

14 **5. Location.** A registration for a game of chance must specify the location where the
15 organization may operate the game. A registrant may not operate games of chance in
16 more than one location at the same time.

17 A. An agricultural society or a bona fide nonprofit organization may operate a game
18 of chance on the grounds of an agricultural society and during the annual fair of the
19 agricultural society.

20 B. No more than one registrant may operate a game of chance at a time on the same
21 premises. In any room where a registered game of chance is being conducted, there
22 must be at least one member of the organization registered to conduct games of
23 chance present in that room for every 2 nonmembers who are present. That member
24 must have been a member of the registered organization for at least one year. A
25 member of the organization registered to conduct games of chance, either directly or
26 through another member or guest, may not stake or risk something of value in the
27 registrant's game of chance unless the member has been a member of the organization
28 registered to conduct games of chance for at least 14 days not including the day of
29 admission into membership.

30 A bona fide nonprofit organization may operate a registered game of chance to which the
31 general public has access ~~once every 3 months~~ for a period not to exceed 3 ~~4~~ consecutive
32 days. The game of chance may be operated at any location described in the organization's
33 registration and may be conducted only by members of the registrant. This subsection
34 does not apply to raffles conducted in accordance with section 1837-A.

35 **SUMMARY**

36 This bill raises the betting limit for games of chance from \$1 to \$5. It also allows a
37 bona fide nonprofit organization to operate a licensed card game or registered game of
38 chance to which the general public has access for 4 consecutive days instead of 3 days
39 and removes the current 3-month waiting period between game operations.