

# MAINE STATE LEGISLATURE

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Date 6/20/23

L D 1088  
(Filing No H-648)

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 683, L D 1088, "An Act to Update the Gambling Laws to Allow Once-annual Casino Nights for Charitable Purposes or Registered Political Committees"

Amend the bill by striking out the title and substituting the following  
**'An Act to Update the Gambling Laws to Allow Once-annual Game Nights for Eligible Organizations and Registered Political Committees'**

Amend the bill by striking out everything after the enacting clause and inserting the following

**'Sec. 1. 17 MRSA §1832, sub-§1**, as amended by PL 2021, c 136, §5, is further amended to read

**1. License or registration required.** Except as provided in sections 1837-A and 1837-B, a person, firm, corporation, committee, association or organization may not hold, conduct or operate a game of chance without a license issued by or, as applicable, without registering with the Gambling Control Unit in accordance with this section. A license is not required when a game of chance constitutes social gambling. For purposes of this section, "committee" means a party committee, political action committee or ballot question committee registered and required to file reports under Title 21-A, chapter 13.

**Sec. 2. 17 MRSA §1832, sub-§2-B** is enacted to read

**2-B. Once-annual game night registration.** The Gambling Control Unit may accept a registration from an eligible organization described in subsection 2 or a committee to conduct once in a calendar year a game night, referred to in this section as "a game night," which may include the operation or conduct of card games and games of chance. The proceeds from the game night must be dedicated to a verifiable charitable purpose, except that, if the registrant is a committee, the proceeds must be for the purpose of fund-raising. An eligible organization or committee seeking to register to conduct a game night under this subsection shall register in the manner prescribed by the Gambling Control Unit and shall maintain records in the same manner as described under section 1839, except that

**COMMITTEE AMENDMENT**

1 disposition of funds reports for card games allowed under this subsection are not required  
 2 to be submitted to the Gambling Control Unit but must be maintained in the same manner  
 3 as other records

4 **Sec. 3. 17 MRSA §1832, sub-§3**, as amended by PL 2017, c 284, Pt KKKKK,  
 5 §15, is further amended to read

6 **3. Must be 18 years of age.** The Gambling Control Unit may not accept a registration  
 7 to conduct a game night, a game of chance, a raffle or certain tournament games or accept  
 8 an application from or issue a license for card games and certain tournament games under  
 9 this section to a person or representative of an eligible organization or committee who is  
 10 not 18 years of age or older

11 **Sec. 4. 17 MRSA §1832, sub-§4**, as amended by PL 2017, c 284, Pt KKKKK,  
 12 §15, is further amended to read

13 **4. Municipal approval required.** An eligible organization described in subsection 2  
 14 applying for a license to conduct a card game and tournament games requiring a license or  
 15 an eligible organization or committee registering to conduct a game night under subsection  
 16 2-B shall obtain written approval from the local governing authority where the game or the  
 17 game night is to be operated or conducted This written approval must be submitted with  
 18 the application to the Gambling Control Unit as described in subsection 5

19 **Sec. 5. 17 MRSA §1832, sub-§5-A** is enacted to read

20 **5-A. Once-annual game night application.** An eligible organization described in  
 21 subsection 2 or committee seeking to register to conduct a game night shall submit an  
 22 application to the Gambling Control Unit The application must be in a form provided by  
 23 the Gambling Control Unit and must be signed by a duly authorized officer of the eligible  
 24 organization or committee The application must include the full name and address of the  
 25 eligible organization or committee, a full description of the card games or games of chance  
 26 to be operated or conducted, the location where the game night is to be conducted and any  
 27 other information determined necessary by the Gambling Control Unit for the issuance of  
 28 a registration to conduct a game night, including but not limited to membership lists,  
 29 bylaws, documentation showing the organization's nonprofit status or charitable  
 30 designation, if applicable, documentation showing the committee's registration under Title  
 31 21-A, chapter 13, if applicable, and documentation verifying the purpose of the game  
 32 night's proceeds A game night must be conducted in accordance with section 1835-B If  
 33 the game night will be conducted, pursuant to section 1835-B, subsection 2, by employees  
 34 of a distributor licensed under section 1840, the application must include the full name and  
 35 address of the licensed distributor and any other information determined necessary by the  
 36 Gambling Control Unit

37 **Sec. 6. 17 MRSA §1832, sub-§6**, as amended by PL 2017, c 284, Pt KKKKK,  
 38 §15, is further amended to read

39 **6. Multiple licenses.** The Gambling Control Unit may issue more than one license or  
 40 registration to conduct or operate a game governed by this chapter simultaneously to an  
 41 eligible organization described in subsection 2 Each game governed by this chapter must  
 42 have a separate license, the nature of which must be specified on the license, except that a  
 43 registration issued under subsection 2-B for a game night may allow for multiple card  
 44 games and games of chance to be operated or conducted simultaneously by the eligible

1 organization or committee described in subsection 2-B without separate licenses or  
 2 registrations

3 **Sec. 7. 17 MRSA §1834, sub-§4-A** is enacted to read

4 **4-A. Once-annual game night.** The fee for a registration to conduct a game night  
 5 under section 1832, subsection 2-B is \$100

6 **Sec. 8. 17 MRSA §1835-B** is enacted to read

7 **§1835-B. Conduct of once-annual game night**

8 **1. Wagers or entry fees; definitions.** The following provisions apply to a game night  
 9 registered under section 1832, subsection 2-B For purposes of this section, "eligible  
 10 organization" means an organization described in section 1832, subsection 2 and  
 11 "committee" has the same meaning as in section 1832, subsection 1

12 A An eligible organization or committee registered to conduct a game night under  
 13 section 1832, subsection 2-B may charge an entry fee to the game night, the proceeds  
 14 of which must be used as described in section 1832, subsection 2-B and to cover the  
 15 costs of conducting the game night

16 B Card games and games of chance operated or conducted at a game night must use  
 17 tokens or other devices approved by the Gambling Control Unit by rule No money or  
 18 thing of value may be wagered on a card game or game of chance operated or conducted  
 19 at a game night

20 C An eligible organization or committee may award prizes to an individual as a result  
 21 of that individual's participation in card games and games of chance operated or  
 22 conducted during the game night Prior to the game night, the eligible organization or  
 23 committee shall determine the available prizes and shall identify those prizes in its  
 24 application for registration The Gambling Control Unit may establish, as necessary,  
 25 rules regarding acceptable prizes

26 **2. Conduct of once-annual game night.** A game night must be conducted by  
 27 members or employees of the eligible organization or committee conducting the game night  
 28 or by employees of a distributor licensed under section 1840 who leases gambling  
 29 apparatus or implements for the purposes of the game night Any gambling apparatus or  
 30 any other implements of gambling that are used in the operation or conduct of card games  
 31 or games of chance during the game night must be leased by the eligible organization or  
 32 committee from a distributor licensed under section 1840

33 **3. Persons under 18 years of age.** An eligible organization or committee conducting  
 34 a game night or the employees of a distributor licensed under section 1840 authorized to  
 35 conduct the game night pursuant to subsection 2 may not permit a person under 18 years  
 36 of age to take part in the game night

37 **4. Location; frequency.** A registration issued for a game night must specify the  
 38 location where the eligible organization or committee may operate the game night An  
 39 eligible organization or committee may conduct no more than one game night in any 12-  
 40 month period

41 **5. "Donation" not to provide an exclusion.** The word "donation" printed on any  
 42 item associated with a game night does not exclude the sponsoring organization or  
 43 committee from complying with this chapter

1           **Sec. 9. 17 MRSA §1840, sub-§2**, as amended by PL 2017, c 284, Pt KKKKK, §28, is further amended by amending the first blocked paragraph to read

2  
3           A nonresident manufacturer or distributor of gambling apparatus or implements doing  
4           business in the State must have an agent in this State who is licensed as a distributor. A  
5           distributor may not sell, market or otherwise distribute gambling apparatus or implements  
6           to a person or organization, except to persons or eligible organizations described under  
7           section 1832, subsection 2 licensed or registered to operate or conduct games under this  
8           chapter or registered to conduct a special raffle under section 1837-A or to eligible  
9           organizations and committees registered to conduct a game night under section 1832,  
10           subsection 2-B. A distributor may not lease or loan or otherwise distribute free of charge  
11           any gambling apparatus or implements to an organization eligible to operate a game under  
12           this chapter, except that a distributor may lease gambling apparatus or implements to an  
13           agricultural society registered to operate games of chance on the grounds of the agricultural  
14           society and during the annual fair of the agricultural society as long as the distributor does  
15           not charge the agricultural society an amount in excess of 50% of the gross revenue from  
16           any game conducted under this chapter.

17           **Sec. 10. 17 MRSA §1840, sub-§5**, as amended by PL 2017, c 284, Pt KKKKK, §28, is further amended to read

18  
19           ~~5. Agricultural societies; lease~~ **Lease agreements.** When a gambling apparatus or  
20           implement is leased as provided in subsection 2 to an agricultural society or to an eligible  
21           organization or committee registered under section 1832, subsection 2-B, the distributor  
22           shall forward to the Gambling Control Unit a copy of the lease agreement and shipment  
23           approval prior to delivery of the gambling apparatus or implement. The terms of the lease  
24           must include, but are not limited to, the name of the lessor, address of the lessor, name of  
25           the lessee, address of the lessee, description of the gambling apparatus or implement, serial  
26           number, model name or number of the gambling apparatus or implement, and all prices  
27           and payments for the lease. Each lease must be for a specific period of time no longer than  
28           the duration of the annual fair of that lessee or the game night under section 1832,  
29           subsection 2-B, and each gambling apparatus must have its own separate lease. Gambling  
30           apparatus or implements leased under this section.

31           A. May be operated only for the exclusive benefit of an eligible organization or  
32           committee under section 1832, subsection 2-B or for the exclusive benefit of the  
33           agricultural society, except that the agricultural society may pay a distributor up to 50%  
34           of gross gaming revenue in accordance with subsection 2, and

35           B. Must bear the name and address of the distributor.

36           **Sec. 11. 21-A MRSA §1006** is enacted to read

37           **§1006. Proceeds of game night**

38           A party committee, political action committee or ballot question committee registered  
39           under this chapter that conducts a game night pursuant to Title 17, section 1832, subsection  
40           2-B shall report to the commission all proceeds from the game night in a manner prescribed  
41           by rule by the commission. Rules adopted under this section are routine technical rules as  
42           defined in Title 5, chapter 375, subchapter 2-A.'

43           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
44           number to read consecutively.

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**SUMMARY**

This amendment replaces the bill and changes the title. The amendment establishes the requirements for conducting a once-annual game night and authorizes the Department of Public Safety, Gambling Control Unit to accept a once-annual game night registration from an eligible organization, the proceeds from which are dedicated to a charitable purpose, or from a registered party committee, political action committee or ballot question committee, the proceeds from which are for the purpose of fund-raising. The Commission on Governmental Ethics and Election Practices is required to adopt rules regarding the reporting of proceeds from a game night.

**FISCAL NOTE REQUIRED**

(See attached)



# 131st MAINE LEGISLATURE

LD 1088

LR 708(02)

**An Act to Update the Gambling Laws to Allow Once-annual Casino Nights for Charitable Purposes or Registered Political Committees**

**Fiscal Note for Bill as Amended by Committee Amendment**

**Committee: Veterans and Legal Affairs**

**Fiscal Note Required: Yes**

*A (H-648)*

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## Fiscal Note

Potential current biennium revenue increase - Other Special Revenue Funds

### Fiscal Detail and Notes

This bill authorizes the Gambling Control Unit (GCU) to accept a once-a-year game night registration from eligible organizations, registered political party committees, political action committees or ballot question committees. The bill requires that these organizations report all proceeds received from the game night to the Commission on Governmental Ethics and Election Practices. These once-a-year gaming night registrations will potentially increase Other Special Revenue Funds revenue to the GCU. If the number of applicants for registrations is significant, the additional administrative and compliance activities associated with the new registrations may increase the workload on the staff of the GCU. Any such increase is expected to be gradual and any additional staffing for the GCU may need to be addressed in future budgets.