

# MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 951, L. D. 537.

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# N I N E T Y - F I R S T      L E G I S L A T U R E

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**Legislative Document**

**No. 834**

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H. P. 1303

House of Representatives, March 24, 1943.

Reported by Majority of the Committee on Legal Affairs. (New Draft ordered printed.)

HARVEY R. PEASE, Clerk.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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### **AN ACT Providing for the Licensing and Regulation of the Amusement Known as Five-in-a-Row.**

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

**Sec. 1. Five-in-a-Row.** No person, firm, association or corporation shall hold, conduct or operate the amusement commonly known as "Five-in-a-Row" for the entertainment of the public within the state unless a license therefor is obtained from the chief of the state police. This act shall not be construed to apply to any other amusement or game.

**Sec. 2. License.** Any person, firm, association or corporation desiring to conduct such an amusement shall apply to the chief of the state police for a license subject to the provisions hereinafter set forth. The application shall be signed by the person, or a member of the firm, or an executive officer of the association or corporation to be licensed, and shall contain the full name and address of the person, firm, association or corporation and the location where it is desired to conduct the amusement, and shall bear the consent of the municipal officers of the town or city in which it is proposed to operate such amusement.

**Sec. 3. Issuance of licenses; fees.** The chief of the state police may, at his discretion, issue licenses to operate such amusement. No such license shall be issued for a period exceeding 16 weeks. The fees for such a li-

cense, which shall be paid to the chief of the state police, and paid over by him to the treasurer of state to be credited to the general funds, shall be as follows: A minimum fee of \$500 for any person, firm, association or corporation to operate such amusement in any one town, and \$10 for each seat used in excess of 100; a minimum fee of \$500 for any person, firm, association or corporation to operate such amusement at established agricultural fairs, and \$10 for each seat used in excess of 100; a minimum fee of \$50 for any bona fide charitable, educational, fraternal, patriotic, religious, or veterans' organization, when sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized members thereof only, to operate 1 day in each week during said 16-week period, and \$3 for each seat in excess of 100; except that a minimum fee of \$5 may be charged one of said organizations for a license to operate such amusement using not more than 100 seats for 1 day only.

No such licenses shall be assignable or transferable. There shall be no charge for admission to such amusement, or to the hall or place where said amusement is held, and the maximum charge per game for each player shall not exceed 10c for the 1st tally card and 5c for each additional tally card.

**Sec. 4. Supervision.** The chief of the state police shall make such rules and regulations for the holding, conducting and operating of such amusements as he may deem advisable for the purpose of this act; and shall have the power and authority to regulate, supervise and exercise general control over the operation of such amusements; and to investigate as to the direct or indirect ownership and control of any licensee; and to revoke or suspend any license because of licensee permitting nuisances, improper conduct, abuse of privileges, or for other cause shown upon reasonable notice or hearing.

**Sec. 5. Expenses of administration.** The necessary expenses of administering the provisions of this act shall be paid out of the fees received under the provisions of this act.

**Sec. 6. Effect of other laws.** All acts and parts of acts inconsistent herewith shall be inoperative as to this act, and its share of the state stipend for aid and encouragement to agricultural societies shall not be withheld from any such society because of the conducting on the fair grounds of the game of "Five-in-a-Row".

**Sec. 7. Penalties.** Any person, firm, association or corporation holding or conducting, or aiding or abetting in the holding or conducting of such amusement within the state without a license therefor duly issued by

the chief of the state police, or any person, firm, association or corporation who violates any of the provisions of this act or any of the rules or regulations of the chief of the state police prescribed by authority of this act shall be punished by a fine of not more than \$1,000.