

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 705

H.P. 1761 - L.D. 2325

AN ACT to Prohibit any Type of
Gambling Machine.

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

Sec. 1. 17 MRSA §330, sub-§1-A is enacted to read:

1-A. Electronic video machine. "Electronic video machine" means a machine, however operated, which has a video screen featuring an electronically simulated game or games and delivers or entitles the person playing or operating it to receive the privilege of playing the electronic video machine without charge, but does not deliver or entitle the person playing or operating the electronic video machine to receive any cash, premiums, merchandise, tickets or something of value other than the privilege of playing the electronic video machine without charge. A machine which has a video screen featuring an electronically simulated slot machine as a game is not an electronic video machine, but is a machine as defined in subsection 3-A.

Sec. 2. 17 MRSA §330, sub-§3-A, as enacted by PL 1979, c. 271, §1, is amended to read:

3-A. Machine. "Machine" shall mean means any machine, including electronic devices, however operated, the internal mechanism or components of which when set in motion or activated and by the application of the element of chance may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise or, tickets or something of value as defined in subsection 8.

Sec. 3. 17 MRSA §330, sub-§7, as repealed and replaced by PL 1977, c. 350, §1, is amended to read:

7. Slot machine. "Slot machine" shall mean means any machine which operates by inserting a coin, token or similar object, setting the internal mechanism of the machine in motion, and by the application of the element of chance may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise or, tickets or something of value as defined in subsection 8.

Sec. 4. 17 MRSA §330, sub-§8, as repealed and replaced by PL 1977, c. 350, §1, is repealed and the following enacted in its place:

8. Something of value. "Something of value" means:

A. Any money or property;

B. Any token, object or article exchangeable for money, property, amusement or entertainment; or

C. Any form of credit or promise directly or indirectly contemplating transfer of money or property, or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

Sec. 5. 17 MRSA §332, sub-§3, as amended by PL 1979, c. 271, §2, is further amended to read:

3. Schemes prohibited. No license shall may be issued for the conduct or operation of any machine, slot machine or, roulette, or for the operation of any games commonly known as policy or numbers, except that a license may be issued for any electronic video machine. Any electronic video machine which constitutes a game of chance, as defined in section 330, subsection 2, shall be fully governed by the laws contained in this chapter.

Sec. 6. 17 MRSA §332, sub-§3-B is enacted to read:

3-B. Licenses for electronic video machines. The following provisions apply to licenses for electronic video machines.

A. The Chief of the State Police may issue a game of chance license to operate an electronic video machine to any society or organization listed in subsection 1, which has been founded, chartered or organized in this State at least 2 years prior to its application for a license.

B. An electronic video machine licensed under this section shall only be operated for the exclusive benefit of the licensee, except that up to 50% of the gross proceeds from the operation of the machine may be paid to the distributor as a rental fee and for service and repair of the machine. Notwithstanding other provisions of

this chapter, a licensee may rent an electronic video machine from a distributor.

C. No more than 5 electronic video machines may be operated on the licensee's premises. A separate games of chance license is required for the operation of each electronic video machine.

D. A licensee may operate an electronic video machine only on the licensee's premises.

E. Two or more licensees may not share the use of any premises for the operation of electronic video machines.

F. No distributor or employee of the distributor may be a member of the licensee.

Sec. 7. 17 MRSA §339, sub-§2-A is enacted to read:

2-A. Operation of electronic video machines. The fee for a game of chance license to operate an electronic video machine shall be \$10 for each week computed on a Monday to Sunday basis or portion of a week. The license may be issued for a calendar month for a fee of \$40.

Any combination of monthly or weekly licenses may be issued. Licenses to operate an authorized electronic video machine may be issued for a period not to exceed 6 months on one application.

Sec. 8. 17 MRSA §343, sub-§7 is enacted to read:

7. Bona fide nonprofit organization. The establishment of organizations which exist primarily to operate games of chance and do not have a bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or public safety purpose.

Sec. 9. 17 MRSA §347 is enacted to read:

§347. Vending machines

Nothing in this chapter applies to vending machines, the primary purpose of which is to dispense beverages, candy, fruit or other foodstuffs when a coin is inserted into the machine.

Effective July 25, 1984.
