

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Authorize Nonprofit Organizations To Conduct Tournament Games**

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

**Sec. 1. 17 MRSA §333-A** is enacted to read:

### **§ 333-A. Tournament games**

The Chief of the State Police may issue a license to conduct tournament games as provided in this section to an organization eligible to conduct beano games under chapter 13-A and games of chance under this chapter. For purposes of this section, "tournament game" means a game of chance played using a deck of cards with rules similar to poker or other card games. The Chief of the State Police may not issue a tournament game license to an organization more than once per month.

**1. Local governing authority approval.** An organization that intends to apply for a tournament game license must first receive approval by the local governing authority where the games are to be conducted. Proof of approval from the local governing authority must be provided to the Chief of the State Police upon application for a tournament game license.

**2. License application.** An organization must submit a license application to the Chief of the State Police on a form provided by the Chief of the State Police. The license application must specify one or more charitable organizations that the proceeds of the tournament are intended to benefit. For the purposes of this section, "charitable organization" means any person or entity, including any person or entity in a foreign state, that is or purports to be organized or operated for any charitable purpose or that solicits, accepts or obtains contributions from the public for any charitable, educational, humane or patriotic purpose.

**3. License.** The license fee for a tournament game license is \$5 per tournament player.

**4. Tournament.** The organization licensed to conduct a tournament game under this section shall display the rules of the game and the license issued to conduct the tournament. The maximum number of players allowed is 100. Winners are determined by a process of elimination. The use of currency is prohibited as part of tournament play. The maximum entry fee to play in the tournament is \$100, except the organization may add \$5 to the entry fee to defray the cost of the license application. Only one entry fee is permitted per person. A tournament must be completed within 48 hours. Other games of chance are prohibited, except for lucky seven or similar sealed tickets.

**5. Proceeds.** Seventy-five percent of the entry fees under subsection 4 must be paid as prizes to the winners of the tournament. Of the money remaining after the payment of prizes, 75% must be distributed to the charitable organization or organizations listed on the license application pursuant to this section.

**6. Cost of administration; surplus.** The Chief of the State Police may retain, from license fees collected in accordance with subsection 3, only an amount necessary to defray the costs of administering this section. All fees collected in excess of the amount necessary to defray the costs of administration must be allocated as follows:

- A. Forty percent to the Fractionation Development Center; and
- B. Sixty percent to the General Fund.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Licensing and Enforcement - Public Safety 0712**

Initiative: Allocates funds for one additional Public Safety Inspector I position, one additional State Police Detective position, one additional Office Assistant position and operating costs necessary to enforce the regulation of tournament games.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2007-08</b>	<b>2008-09</b>
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$141,491	\$199,116
All Other	\$9,522	\$11,943
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$151,013</b>	<b>\$211,059</b>

Effective September 20, 2007