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Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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

COMMITTEE AMENDMENT “ ” 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,
2 §28, is further amended by amending the first blocked paragraph to read:

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,
18 §28, is further amended to read:

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)