

HOUSE No. 2410

By Mr. Ambler of Weymouth, petition of Robert B. Ambler, J. Michael Ruane, Robert Correia, Richard L. Walsh and William F. Galvin relative to exempting certain games conducted at housing projects for the elderly from the laws regulating the State Lottery. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT EXEMPTING CERTAIN GAMES CONDUCTED AT ELDERLY HOUSING PROJECTS FROM LAWS REGULATING THE STATE LOTTERY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 10 of the General Laws is hereby amended by inserting
2 after section 38 the following section: —

3 *Section 38A.* Any organization of citizens composed of persons
4 sixty years of age or older, commonly referred to as senior citizens
5 or golden age clubs, may operate or conduct the game commonly
6 called beano solely for the purpose of amusement and recreation of
7 its members, provided that the state lottery commission has upon
8 application granted said organization a senior citizens beano li-
9 cense to conduct said game in a city or town which has voted to
10 allow granting of licenses for the operation, holding or conducting
11 the game of beano therein; provided, further, that the application
12 of such organization is in the case of a city other than the city of
13 Boston, approved by the majority of the city council and, approved
14 by the mayor, in a town by the board of selectment, and in the city
15 of Boston by the licensing board for said license. There shall be no
16 fee for such a license.

17 Such license may be revoked at the discretion of the director and
18 shall be suspended or revoked upon written request to the director

19 by the city or town approving authority as set forth in this section.
20 The action of the director in suspending or revoking a license shall
21 be final, and the licensee shall not have a right of appeal.

22 Each license shall limit the playing of such game to the hours
23 between eleven o'clock post meridian, except that on Sunday the
24 playing of such game shall be limited to a five-hour period between
25 one o'clock post meridian and twelve o'clock midnight.

26 No licensee shall give a prize which exceeds a nominal value. In
27 addition to the prizes allowed by this paragraph for beano, a
28 licensee may award a door prize or prizes, the aggregate value of
29 which shall be nominal.

30 No person shall be paid for conducting or assisting in the con-
31 duct of the game or games.

32 No person other than a bona fide member of the organization or
33 guest of such member shall be allowed to participate in the game or
34 games.

35 No person under eighteen years of age shall be permitted in that
36 portion of any building or premises of the licensee during such time
37 as such game is being played.

38 No game shall be advertised or publicized by sign or billboard
39 beyond the city or town limits covered by each license.

40 Any organization licensed under this section to conduct said
41 game shall operate, manage and control said game by members of
42 the local branch of said organization who have been such members
43 for at least two years. Whoever, not being a member of such organiza-
44 tion, operates said game under a license issued to such organiza-
45 tion shall be punished by a fine of one thousand dollars and by
46 imprisonment for not more than one year.

47 If an organization licensed to conduct beano fails to exercise
48 exclusive control and management of said game, or fails to have
49 one of its members in good standing in full control and manage-
50 ment of the game at all times during its operation, it shall be
51 punished by the forfeiture of its license to play beano.

52 The profits of any game licensed to be conducted under this
53 section shall be the property of the organization conducting said
54 game, and shall be used for charitable, religious, or educational, or
55 recreational purposes, and shall not be distributed to the members
56 of such organization. No person shall be entitled to a percentage of
57 any money received as a result of conducting said game.

58 Accurate records and books shall be kept by each licensee. A
59 separate checking account shall be kept of receipts of beano and
60 money for expenses shall be withdrawn only by checks having
61 preprinted consecutive numbers and made payable to a specific
62 person or corporation and at no time shall a check be made payable
63 to cash. Proceeds from beano shall be kept in a separate bank
64 account. All monies expended for said charitable, religious, educa-
65 tional, or recreational purposes shall be duly and accurately re-
66 corded as to specific amounts expended and the purposes for which
67 expended. The director, the approving authority of the city or town
68 wherein said game is conducted, or their duly authorized agents or
69 representatives, shall at all times have access to said records and
70 books of any licensee for the purpose of examining and checking
71 the same.

72 Any game conducted pursuant to the provisions of this section
73 shall be exempt from the provisions of section thirty-nine.

74 The director shall on or before March the first file a report with
75 the clerk of the House of Representatives and the clerk of the
76 Senate showing the cities and towns which have licenses issued
77 therein, the number of licenses by categories or organizations, and
78 such other information as he may deem relevant, together with his
79 recommendations for any legislation he may deem appropriate.

