

By Mr. Shattuck of Pepperell, petition of George W. Shattuck for legislation to authorize the licensing of a game commonly called Beano. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT AUTHORIZING THE LICENSING OF A GAME COMMONLY CALLED BEANO.

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

1 SECTION 1. Chapter 271 of the General Laws is hereby
2 amended by striking out section 6B, inserted by chapter 243
3 of the acts of 1953.

1 SECTION 2. The General Laws are hereby amended by in-
2 serting after chapter 271 the following chapter:

3 CHAPTER 271A.

4 GAMES OF BEANO.

5 *Section 1. Definitions.* — Terms used in this chapter shall
6 be construed as follows unless a different meaning is clearly
7 apparent from the language or context:

8 A. "Beano" shall mean any game by whatever name called
9 in which a prize is offered to the person first completing a straight
10 line of squares across a placard marked into squares for said
11 purpose.

12 B. "Charitable organization" shall mean any bona fide
13 religious, charitable, civic, veterans or fraternal organization
14 which shall have been in existence for at least two years and is
15 organized under the laws of this state and to which contribu-
16 tions are exempt from federal income tax.

17 *Section 2. License.* — The selectmen of a town or the chief
18 of police of any city wherein the provisions of this chapter have
19 been adopted may issue to any charitable organization within
20 such town or city a license to conduct games of beano on not
21 more than five days in any one calendar month, provided how-
22 ever, that such issuing authority may issue to any agricultural
23 fair a license to conduct games of beano during those days the
24 agricultural fair holds its annual bona fide agricultural exhibition,
25 under the following conditions:

26 A. The license shall authorize games on specified dates at
27 specified times and at a specified location.

28 B. Such license shall not be transferable.

29 C. All games conducted by charitable organizations shall
30 be operated by members thereof, and games conducted by agri-
31 cultural fairs shall be operated by such persons as may be desig-
32 nated or selected by said agricultural fair and the name and
33 address of such persons shall be endorsed upon the back of the
34 license.

35 D. The price to be paid for a single card or play under the
36 license shall not exceed twenty-five cents.

37 E. No person under the age of eighteen years shall be ad-
38 mitted to any room or hall where said games are being conducted,
39 or shall be permitted to play beano at agricultural fairs, but
40 this section shall not otherwise apply to other games conducted
41 on agricultural fair grounds.

42 F. No games of beano shall be played on Sunday.

43 G. All prizes, tokens or awards used, given, offered or awarded
44 during, after or in connection with the conduct of any game or
45 series of games conducted, other than at an agricultural fair,
46 in any calendar day shall not exceed the total amount of value
47 of one thousand dollars.

48 H. No games shall be conducted prior to eleven o'clock in
49 the forenoon, or subsequent to eleven o'clock in the night time
50 of the same day.

51 I. The organization conducting any agricultural fair shall not
52 charge any charitable organization greater ground rent, con-
53 cession, or other fees for a location for conducting games of
54 beano than is charged for the same or similar locations for other
55 types of concessions on the fair grounds.

56 *Section 3. Fees.* — No license issued hereunder shall be
57 granted until a license fee of ten dollars has been paid therefor

58 to the selectmen or chief of police to whom application for license
59 is made, except that no fee shall be required when the play is
60 purely for amusement purposes where no charge is made nor
61 any consideration is required nor taken as a prerequisite to play.
62 *Section 4. Expiration of License.* — A license granted here-
63 under shall be effective only for the current month for which
64 it is issued. A new application shall be made for each license
65 required.

66 *Section 5. — Remittance of Fees Received.* — The fee received
67 by the selectmen of a town or chief of police of a city shall be
68 paid over to the town or city treasurer for the use of the town
69 or city.

70 *Section 6.* Notwithstanding any other provisions of law to
71 the contrary, relative to lotteries and gambling contracts, games
72 of beano shall be lawful when conducted under a license provided
73 for herein.

74 *Section 7. Local Option.* — The provisions of this chapter
75 shall not become operative in any city or town until the same
76 are adopted by a majority of the legal voters present and voting
77 on the question at an annual or biennial city election in cities or
78 at an annual meeting in towns. In cities, upon petition therefor,
79 by three per cent of the legal voters as appear on the checklists
80 at the preceding election, addressed to the city council or board
81 of mayor and aldermen, and in towns upon written application
82 therefor of ten or more voters, or one-sixth of the voters, ad-
83 dressed to the selectmen, the following question shall be sub-
84 mitted to the voters at such election: "Shall the provisions of
85 chapter two hundred and seventy-one A of the General Laws
86 relative to playing games of beano be adopted in this city or
87 town?" In cities and in towns having an official ballot this
88 question shall appear upon the official ballot. In towns where no
89 official ballot is used the vote on the question shall be by special
90 ballot. Proper provision shall be made on such ballot to permit
91 the voter clearly to indicate his choice on the question.

92 *Section 8. Revocation.* — A city or town that has adopted the
93 provisions hereof may rescind such action in the same manner as
94 provided for its adoption. The question: "Shall the provisions
95 of chapter two hundred and seventy-one A of the General Laws
96 relative to playing games of beano be declared no longer in effect
97 in this city or town?" shall be printed on each ballot with proper
98 provisions for the voter clearly to indicate his choice.

99 *Section 9. Time of Operation.* — The provisions of the pre-
100 ceding section shall not become operative in any city or town
101 which has heretofore adopted the provisions of this chapter
102 until the next city election in cities and the next annual meeting
103 in towns.

104 *Section 10. Prohibition; Penalty.* — No person shall conduct
105 games of beano unless licensed to do so under the provisions of
106 this chapter. Any person who shall violate any of the provisions
107 of this chapter shall be fined not more than five hundred dollars
108 and each day's play shall constitute a separate offense.