

To accompany the petition of Rosaire J. Rajotte that provision be made for a referendum in connection with the licensing and conducting of a game commonly called "Beano" in certain cities and towns. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT PROVIDING FOR A REFERENDUM IN CONNECTION WITH THE LICENSING AND CONDUCTING OF A GAME COMMONLY CALLED "BEANO" IN CERTAIN CITIES AND TOWNS.

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 271 of the General Laws is hereby amended
2 by inserting after section 22A the following section:—
3 *Section 22B.* Nothing in this chapter shall authorize
4 the prosecution, arrest or conviction of any person for
5 conducting, promoting or playing, or for allowing to be
6 conducted, promoted or played, the game commonly
7 called beano, or substantially the same game under an-
8 other name, in connection with which prizes are offered
9 to be won by chance; provided, the said game of beano
10 is conducted under a license so to do by a fraternal or
11 religious organization approved by the clergy represent-
12 ing such organization, a charitable organization approved
13 by the selectmen or city council, as the case may be, and
14 by the district attorney, or a veterans' organization char-
15 tered by the congress of the United States, or the com-
16 monwealth, for the purpose of raising funds for charitable
17 purposes.

18 Any charitable, fraternal, religious organization or
19 veterans' organization chartered by the congress of the

20 United States or the commonwealth, desiring to operate
21 or conduct the game of beano within the commonwealth
22 shall make application for a license to conduct said game
23 to the mayor of the city or the selectmen of the town
24 where it desires to operate. Licenses may be revoked at
25 the pleasure of the grantor.

26 No permit shall be granted to operate, hold or conduct
27 beano on Sunday and shall on any week day be limited
28 to the hours between seven thirty P.M. and twelve mid-
29 night. Any fraternal, religious, or veterans' organization
30 chartered by congress licensed to conduct beano shall
31 be limited to conducting said beano one night in each
32 calendar week.

33 The fee for the license to operate, hold or conduct
34 beano shall be set by the mayor of a city or the select-
35 men of a town.

36 The charitable, fraternal, religious or veterans' organ-
37 ization chartered by the congress of the United States
38 or the commonwealth, holding a license to conduct
39 beano must operate, manage and control the game by
40 its own members; the operation of beano by any per-
41 son, persons, firms or corporations under the name or
42 guise of a fraternal, religious, or veterans' organization
43 chartered by the congress of the United States or the
44 commonwealth shall be illegal and said organization and
45 operators be subject to a fine of one thousand dollars or
46 imprisonment for one year.

47 A license so granted shall not authorize the giving of
48 any one prize to exceed fifty dollars in value.

49 No license shall be granted to conduct the game of
50 beano in any place or establishment where alcoholic
51 beverages are dispensed.

52 Any organization which fails to exercise exclusive con-
53 trol and management of any such game called beano
54 or which organization fails to have one of its members
55 in good standing in full control and management of the
56 game at all times during its operation shall be punished
57 by a fine of not more than five hundred dollars.

58 The profits of beano, so conducted under this act,

59 shall be the property of the organization conducting said
60 game to be used for charitable, religious or educational
61 purposes and shall not be distributed to the members
62 of the organization.

63 Accurate records and books shall at all times be kept
64 and maintained by each licensee showing the total
65 amount of all moneys deposited by those playing, at-
66 tending or participating in said games and expenses
67 thereof. The city or town issuing the license, or its duly
68 authorized representatives, and the state and county au-
69 thorities, shall at all times have access to said records
70 and books of any licensee for the purpose of examining
71 and checking the same.

72 Wilful misuse of funds in violation of the provisions
73 of this section shall be cause for forfeiting the permit and
74 punishment by a fine of not more than two thousand
75 dollars or by imprisonment for not more than one year.

76 No license shall be granted under this section in any
77 city or town within any county unless a majority of the
78 registered voters of such county voting on the question
79 of granting such licenses when said question was last
80 submitted to them, as hereinafter provided, have voted
81 in the affirmative.

82 The state secretary shall cause to be placed on the
83 official ballot to be used in the cities and towns at the
84 biennial state election in the year nineteen hundred and
85 fifty-six, and in every fourth year thereafter, the fol-
86 lowing question: — “Shall the licensing and conducting
87 of a game commonly called ‘Beano’ be permitted in
88 this county?” If a majority of the votes cast in a county
89 in answer to said question are in the affirmative, such
90 county shall be taken to have authorized the licensing
91 and conducting of a game commonly called “Beano.”

