



127th MAINE LEGISLATURE

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Legislative Document

No. 762

H.P. 515

House of Representatives, March 5, 2015

**An Act To Permit the Penobscot Nation To Operate Electronic
High-stakes Bingo**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MITCHELL of the Penobscot Nation.
Cosponsored by Senator DILL of Penobscot and
Representatives: BEAR of the Houlton Band of Maliseet Indians, BEAVERS of South
Berwick, DANA of the Passamaquoddy Tribe, RUSSELL of Portland, VEROW of Brewer.

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

2 **Sec. 1. 8 MRSA §1001, sub-§39**, as enacted by PL 2003, c. 687, Pt. A, §5 and
3 affected by Pt. B, §11, is amended to read:

4 **39. Slot machine.** "Slot machine" means any mechanical, electrical or electronic
5 device, contrivance or machine or other device, contrivance or machine that is available
6 to play upon insertion of money or a token, credit or similar object or thing of value, the
7 play of which by the element of chance may deliver or entitle the person playing the
8 device, contrivance or machine to receive cash, tokens or credits to be exchanged for
9 cash, merchandise or anything of value, whether the payoff is made automatically from
10 the device, contrivance or machine or in any other manner, and includes progressive
11 electronic gaming devices with a payoff that increases as the electronic gaming device is
12 played. "Slot machine" does not include an electronic beano terminal, as defined in Title
13 17, section 314-A, subsection 5-A, paragraph A, subparagraph (2), operated by the
14 Penobscot Nation.

15 **Sec. 2. 17 MRSA §314-A, sub-§1**, as amended by PL 2009, c. 487, Pt. B, §6, is
16 further amended to read:

17 **1. Eligible organizations.** The Chief of the State Police may issue licenses to
18 operate high-stakes beano or high-stakes bingo to a federally recognized Indian tribe.
19 The Chief of the State Police may issue licenses to operate electronic beano terminals, as
20 defined in subsection 5-A, paragraph A, subparagraph (2), to the Penobscot Nation.

21 A. The Chief of the State Police may also issue, to a federally recognized tribe,
22 licenses to sell lucky seven or other similar sealed tickets in accordance with section
23 324-A.

24 B. In conjunction with the operation of high-stakes beano, federally recognized
25 Indian tribes holding a license under this section may advertise and offer prizes for
26 attendance with a value of up to \$25,000 under the terms prescribed for raffles in
27 section 1837. Any prize awarded under this paragraph may be awarded only on the
28 basis of a ticket of admission to the high-stakes beano game and may only be
29 awarded to a person who holds an admission ticket.

30 The Chief of the State Police may not issue more than one license to operate high-stakes
31 beano or high-stakes bingo under this section to a federally recognized Indian tribe for the
32 same period.

33 **Sec. 3. 17 MRSA §314-A, sub-§3**, as repealed and replaced by PL 1991, c. 426,
34 §4, is repealed.

35 **Sec. 4. 17 MRSA §314-A, sub-§3-A**, as enacted by PL 2003, c. 452, Pt. I, §5 and
36 affected by Pt. X, §2, is repealed.

37 **Sec. 5. 17 MRSA §314-A, sub-§3-B**, as enacted by PL 2011, c. 410, §1, is
38 repealed.

1 **Sec. 6. 17 MRSA §314-A, sub-§4**, as amended by PL 2011, c. 410, §2, is further
2 amended to read:

3 **4. Term of license; fees.** A license issued under this section is valid for a period of
4 one year. The annual license fee for a high-stakes beano license, whether or not the
5 licensee operates high-stakes electronic beano pursuant to subsection 5-A, is \$50,000,
6 except that the annual license fee due in 2008 to 2013 is \$25,000. License fees may be
7 paid in advance in quarterly installments. All license fees must be paid to the Treasurer
8 of State to be credited to the General Fund.

9 **Sec. 7. 17 MRSA §314-A, sub-§5-A** is enacted to read:

10 **5-A. High-stakes electronic beano.** The Penobscot Nation may operate high-stakes
11 electronic beano as described in this subsection.

12 A. As used in this subsection, unless the context otherwise indicates, the following
13 terms have the following meanings.

14 (1) "Electronic beano system" means the central computer server system that
15 electronically generates beano games along with all electronic beano terminals
16 that are connected to the central computer server system.

17 (2) "Electronic beano terminal" means an electronic device used by a beano
18 participant to play high-stakes electronic beano. An electronic beano terminal
19 allows a participant, upon payment of cash, a token or credit, to play a game of
20 chance resembling beano from a draw of no more than 75 letters and numbers
21 that correspond to the electronic beano game. The element of chance is
22 determined by a central computer server system that communicates with the
23 electronic beano terminal.

24 (3) "High-stakes electronic beano" means a game of beano that is played on an
25 electronic beano terminal that is connected to a central computer server system
26 that electronically generates beano games.

27 B. Notwithstanding section 311, subsection 1, high-stakes electronic beano is not
28 required to be a group game.

29 C. The Penobscot Nation may operate up to 800 electronic beano terminals.

30 D. High-stakes electronic beano is played in the following manner:

31 (1) The participant inserts cash, a token or credit into the electronic beano
32 terminal;

33 (2) The participant selects the denomination of beano card to be played; and

34 (3) The participant presses a button to begin play.

35 A draw of no more than 75 letters and numbers generated by the electronic beano
36 system is electronically applied to the beano card displayed on the electronic beano
37 terminal.

38 Participants win prizes by achieving predetermined beano patterns within a
39 predetermined number of drawn letters and numbers.

1 computer server system that is subject to testing by an independent testing company and
2 to which the Chief of the State Police is provided access via the Internet for the purpose
3 of conducting audits and monitoring play. An electronic beano terminal is not permitted
4 to dispense cash or prizes. Instead, prizes for high-stakes electronic beano are awarded
5 by voucher. The bill also clarifies that, unlike traditional beano, beano conducted on an
6 electronic beano terminal is not required to be a group game.