

Date: (Filing No. S-)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 605, L.D. 1490, “An Act to Allow Nonprofit Organizations to Sell Progressive Pull-tab Games and to Offer Partner-assisted Beano and to Establish New Guidelines for the Expansion of Gambling”

Amend the bill by striking out the title and substituting the following:

'An Act to Allow Nonprofit Organizations to Sell Progressive Sealed Ticket Games and to Offer Partner-assisted Beano'

Amend the bill in the emergency preamble in the 2nd paragraph in the first line (page 1, line 3 in L.D.) by striking out the following: "authorized lucky seven or similar"

Amend the bill by striking out all of section 1.

Amend the bill by inserting after section 1 the following:

'Sec. 2. 17 MRSA §311, sub-§10 is enacted to read:

10. Sealed ticket game. "Sealed ticket game" has the same meaning as in section 1831, subsection 14-B.

Sec. 3. 17 MRSA §314-A, sub-§1, ¶A, as amended by PL 2017, c. 284, Pt. JJJJ, §9, is further amended to read:

A. The Gambling Control Unit may also issue, to a federally recognized Indian tribe, licenses to sell ~~lucky seven or other similar~~ sealed ticket game tickets in accordance with section 324-A.

Sec. 4. 17 MRSA §314-A, sub-§1-A, as amended by PL 2017, c. 284, Pt. JJJJ, §10, is further amended to read:

1-A. Sealed ticket game tickets. The Gambling Control Unit may also accept a registration from a federally recognized Indian tribe licensed under this section to sell ~~lucky seven or other similar~~ sealed ticket game tickets in accordance with section 324-A. The licensee may operate a dispenser to sell ~~the lucky seven or other similar~~ sealed ticket game tickets. As used in this subsection, "dispenser" means a mechanical or electrical device or machine that, upon the insertion of money, credit or something of value, dispenses printed

1 ~~lucky seven or other similar~~ sealed ticket game tickets. The element of chance must be
2 provided by the ticket itself, not by the dispenser. The Gambling Control Unit may adopt
3 rules to facilitate the use of dispensers. Rules adopted pursuant to this subsection are
4 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5 **Sec. 5. 17 MRSA §315-A, sub-§5**, as amended by PL 2017, c. 284, Pt. JJJJJ, §17,
6 is further amended to read:

7 **5. Sealed ticket game tickets.** A limited dual beano registration does not authorize
8 the registered organizations to sell sealed ticket game tickets jointly.

9 **Sec. 6. 17 MRSA §324-A, sub-§2, ¶C**, as amended by PL 2017, c. 284, Pt. JJJJJ,
10 §25, is further amended to read:

11 C. ~~Lucky seven or similar sealed~~ Sealed ticket game tickets may be sold when that
12 game of chance is registered with the Gambling Control Unit and when a valid license
13 or registration certificate is properly displayed. Notwithstanding the other provisions
14 of this section and section 312, ~~lucky seven games sealed ticket games~~ may be
15 conducted during the period beginning 2 hours before and ending 2 hours after a
16 "beano" game.

17 Notwithstanding any other rule, ~~lucky seven or other similar sealed~~ ticket game tickets
18 may be sold that have a sale value of \$1 or less, and a person who sells or distributes
19 "beano" cards or materials used to play "beano" prior to the conduct of "beano" as a
20 volunteer, as provided in this section, is permitted to play in the "beano" game.

21 **Sec. 7. 17 MRSA §326, sub-§1-A**, as amended by PL 2017, c. 284, Pt. JJJJJ, §27,
22 is further amended to read:

23 **1-A. Payment of proceeds.** An organization licensed or registered to operate beano
24 or bingo and ~~Lucky-7 sealed ticket~~ games in conjunction with beano or bingo may use the
25 proceeds or part of the proceeds to:

26 A. Pay salaries, wages or remuneration to any person directly involved in operating
27 beano, bingo or ~~Lucky-7 sealed ticket~~ games;

28 B. Defray the expenses or part of the expenses that further the purpose for which the
29 organization is formed except that proceeds may not be:

30 (1) Used to purchase alcohol or to defray the cost of activities where alcohol is
31 served; or

32 (2) Paid directly to organization members except as specifically allowed in this
33 subsection; and

34 C. Defray the expenses or part of the expenses of a member, auxiliary member, officer
35 or employee of the organization for a serious illness, injury or casualty loss if the
36 licensee makes an application and the application is approved by the Gambling Control
37 Unit.

38 (1) An application must be made in the form and contain the information the unit
39 requires.

40 (a) In the case of serious illness or injury, the unit may require certification by
41 a licensed physician setting out the facts in support of the application.

(b) In the case of a casualty loss, the unit may require statements or reports from a law enforcement agency, rescue or other emergency services personnel or an insurance agency to support the application.

(c) The licensing division may deny an application if it appears that the person who would receive the proceeds has adequate means of financial support, including, but not limited to, insurance or workers' compensation benefits.

Sec. 8. 17 MRSA §326, sub-§4, as amended by PL 2017, c. 284, Pt. JJJJJ, §27, is further amended to read:

4. Posting. An organization licensed or registered to operate beano or bingo and ~~Lucky-7 sealed ticket~~ games in conjunction with beano or bingo shall post in a conspicuous place in the room or hall where the licensed game is conducted a sign that states: the net revenue earned from the operation of those games in dollars and cents; the amount of charitable donations from that net revenue in dollars and cents; what percentage in dollars and cents of the net revenue that amount represents in donations to nonprofit activities; and what percentage of the net revenue was distributed from licensed games for the previous calendar year and the current calendar year.'

Amend the bill in section 2 in §329 by striking out all of subsection 2 (page 2, lines 9 to 11 in L.D.) and inserting the following:

2. Partner-assisted beano. A person playing beano may play with another person playing beano as a partnered pair.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 17 MRSA §1831, sub-§3, as amended by PL 2021, c. 136, §1, is further amended to read:

3. Distributor. "Distributor" means a person, firm, corporation, association or organization, other than an Internet raffle operator, that sells, markets or otherwise distributes sealed ~~tickets~~ ticket games, gambling apparatus or any other implements of gambling that may be used in the conduct of a game of chance.'

Amend the bill in section 3 in the first blocked paragraph in the 8th and 9th lines (page 2, lines 21 and 22 in L.D.) by striking out the following: "lucky seven or similar"

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 17 MRSA §1831, sub-§14-B is enacted to read:

14-B. Sealed ticket game. "Sealed ticket game" means a game consisting of tickets or cards with preprinted symbols, numbers or other figures that are hidden by an opaque, removable material. Each ticket or card represents a chance to win a specific single prize, including a monetary prize, or specific set of prizes. A winning ticket or card contains a predetermined winning configuration of symbols, numbers or other figures. "Sealed ticket game" includes a sealed ticket game that is designed by the manufacturer to include a jackpot prize that is carried over to a subsequent series of tickets or cards with the same form number in the event that jackpot prize is not won. "Sealed ticket game" does not include the lottery under Title 8, chapter 14-A or 16.

Sec. 5. 17 MRSA §1836, sub-§4, as amended by PL 2023, c. 86, §1, is further amended to read:

4. Tournament. The organization licensed to conduct a tournament game under this section shall display the rules of the tournament game and the license issued. The maximum number of players allowed is 100 unless the tournament game is held on premises owned by the licensee, in which case the maximum number of players allowed is 300. Winners are determined by a process of elimination. The use of currency is prohibited as part of tournament game play. The maximum entry fee to play in the tournament game is \$100, except the organization may add to the player entry fee to defray the cost of the license fee, as long as the total additional amount collected from all players does not exceed \$125. Only one entry fee is permitted per person. A tournament game must be completed within 48 hours. Other games of chance on the premises are prohibited during a tournament game, except for high-hand competitions under subsection 7, ~~lucky seven or similar sealed tickets~~ ticket games and no more than one 50/50 raffle per tournament with a prize value up to \$2,000. All prizes awarded in accordance with this subsection must be paid in cash or by check.

Sec. 6. 17 MRSA §1838, sub-§1, ¶A, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

A. An organization, including a fair, licensed to operate beano, bingo or ~~lucky seven~~ sealed ticket games may use up to 20% of the gross revenue to compensate those who conduct the games.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment changes the title of the bill and removes the requirement in the bill to review and evaluate any proposal to authorize new for-profit gambling in the State or to expand existing authorized for-profit gambling in the State. The amendment also removes the maximum allowed tally cards per beano game conducted by a partnered pair and makes technical corrections to clarify what a partnered pair is. The amendment also changes the defined term, but not the definition, in the bill from "lucky seven or similar sealed ticket game" to "sealed ticket game" and changes all references to this type of game to align with the defined term and adds the definition to the Maine Revised Statutes, Title 17, chapter 13-A regarding beano or bingo. The amendment retains the emergency preamble.

FISCAL NOTE REQUIRED

(See attached)