

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 376, L.D. 517,
Bill, "AN ACT Concerning "Beano" or "Bingo" on Indian
Reservations."

Amend the Bill by striking out everything after
the enacting clause and inserting in its place the
following:

'Sec. 1. 17 MRSA §314, as amended by PL 1983, c.
610, is further amended to read:

§314. Issuance of license; fees

The Chief of the State Police may issue licenses
to operate "beano" or "bingo" games on a monthly ba-
sis to any volunteer fire department or any agricul-
tural fair association or bona fide nonprofit chari-
table, educational, political, civic, recreational,
fraternal, patriotic, religious or veteran's organi-
zation, including the Penobscot Nation and the
Passamaquoddy Tribe, which was in existence at least
2 years prior to its application for a license, when
sponsored, operated and conducted for the exclusive
benefit of such organization by duly authorized mem-
bers thereof, provided that this chapter or the rules
promulgated under this chapter which limit the prize
amount, admission charge or operation on Sunday after
2 p.m. of a beano or bingo game do not apply to a li-
cense issued to the Penobscot Nation or the
Passamaquoddy Tribe for operation within their re-
spective Indian reservations at Indian Island, Indian
Township and Pleasant Point. Said The 2 years' limi-
tation shall not apply to any chartered posts of vet-
erans organizations, nationally established, even
though such posts have not been in existence for 2
years prior to their application for a license nor
shall the 2 years' limitation apply to any volunteer

COMMITTEE AMENDMENT "A" to H.P. 376, L.D. 517

1 fire department or rescue unit; and provided that a
2 license may be issued to an agricultural fair associ-
3 ation when sponsored, operated and conducted for the
4 benefit of such agricultural fair association.

5 The fee for such a license to any nonprofit orga-
6 nization is \$3 for each calendar week, or portion
7 thereof, that the amusement is to be operated, or the
8 license may be issued for a calendar month for a fee
9 of \$12.50. All license fees shall be paid to the
10 Treasurer of State to be credited to the General
11 Fund. No licenses may be assignable or transferable.
12 Nothing contained in this section is to be construed
13 to prohibit any volunteer fire department or any ag-
14 ricultural fair association or bona fide nonprofit
15 charitable, educational, political, civic, recrea-
16 tional, fraternal, patriotic, religious or veterans'
17 organization, including the Penobscot Nation and the
18 Passamaquoddy Tribe, from obtaining licenses for a
19 period not to exceed 6 months on one application. No
20 more than one license may be issued to any organiza-
21 tion for any one period. No more than one licensee
22 may operate or conduct a game of "beano" or "bingo"
23 on the same premises on the same date.

24 All fees required by this chapter shall accompany
25 the application for a license. Fees submitted as li-
26 cense fees shall be refunded if the license is not
27 issued. Fees shall not be refunded for unused li-
28 censes or for any license which is suspended or re-
29 voked as provided by this chapter.

30 The net revenues from tribal "beano" or "bingo"
31 operations must be used solely to fund tribal govern-
32 ment operations, programs, economic development and
33 to provide for the general welfare of the tribe and
34 its members and may also be donated to charity orga-
35 nizations and to help fund operations of local gov-
36 ernmental agencies.

37 Tribal "beano" or "bingo" operations shall be
38 managed solely by the respective Indian tribe. All

COMMITTEE AMENDMENT "A" to H.P. 376, L.D. 517

1 management costs incurred in tribal "beano" or
2 "bingo" operations shall be deducted from gross reve-
3 nuces.

4 Sec. 2. Sunset. This Act is repealed on Septem-
5 ber 30, 1987, before which time the tribal governors
6 of the Penobscot Nation and the Passamaquoddy Tribe
7 shall report to the Joint Standing Committee on Legal
8 Affairs on the effectiveness of this Act.'

9 STATEMENT OF FACT

10 This amendment gives the Chief of the State Po-
11 lice authority to issue beano or bingo licenses to
12 the Penobscot Nation and the Passamaquoddy Tribe. The
13 laws governing prize amounts, admission charges and
14 operation on Sunday will not apply to beano or bingo
15 activities operated by the Penobscot Nation or the
16 Passamaquoddy Tribe on their respective reservations.

17 The proceeds from the games must be used to fund
18 tribal programs or other delineated programs. The
19 tribes will be the sole managers of their respective
20 operations. All management expenses will be paid out
21 of the gross revenues.

22 This bill remains in effect until September 30,
23 1987. Before that date, the tribal governors will re-
24 port to the Joint Standing Committee on Legal Affairs
25 on the effectiveness of the bill. The Legislature may
26 remove the "sunset" provision if it determines these
27 provisions should be retained.

28

3736052085

Reported by the Committee on Legal Affairs
Reproduced and distributed under the direction of the
Clerk of the House

5/24/85

(Filing No. H-193)