## MAINE STATE LEGISLATURE

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1 2	FIRST REGULAR SESSION
3 4	ONE HUNDRED AND THIRTEENTH LEGISLATURE
5 6	Legislative Document NO. 83
7 8 9 10	H.P. 80  House of Representatives, January 26, 1987 Reference to the Committee on Legal Affairs suggested and ordered printed.  EDWIN H. PERT, Clerk Presented by Representative Racine of Biddeford.  Cosponsored by Representative Murphy of Kennebunk, Representative Greenlaw of Standish and Representative Pouliot of Lewiston.
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12 13	STATE OF MAINE
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN
17 18 19	AN ACT Concerning "Beano" or "Bingo" on Indian Reservations.
20 21	Be it enacted by the People of the State of Maine as follows:
22 23	17 MRSA §314, as amended by PL 1983, c. 610, is further amended to read:
24	§314. Issuance of license; fees
25 26 27 28 29 30 31 32	The Chief of the State Police may issue licenses to operate "Beane" "beano" or "Binge" "bingo" games on a monthly basis to any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veteran's veterans' organization, including the Penobscot Nation, which was in existence at least 2

1 years prior to its application for a license, 2 sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized mem-3 4 bers thereof; provided that this chapter or the rules 5 issued under this chapter which limit the prize 6 amount of a beano or bingo game shall not apply to 7 issued to the Penobscot Nation for operation license within their Indian reservation, namely Indian 8 Said The 2 years' limitation shall not apply 9 Island. any chartered posts of weterans veterans' organi-10 11 zations, nationally established, even though 12 posts have not been in existence for 2 years prior to 13 application for a license nor shall the 2 years' limitation apply to any volunteer fire depart-14 15 ment or rescue unit; and provided that a license may issued to an agricultural fair association when 16 17 sponsored, operated and conducted for the benefit of 18 such agricultural fair association.

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The fee for such a license to any nonprofit organization is \$3 for each calendar week, or portion thereof, that the amusement is to be operated, or the license may be issued for a calendar month for a All license fees shall be paid to the \$12.50. Treasurer of State to be credited to the General Fund. No licenses may be assignable or transferable. Nothing contained in this section is to be construed prohibit any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization, including the Penobscot Nation, from obtaining licenses for a period not to exceed 6 months on one application. No more than one license may be issued to any organization for any one period. No more than one licensee may operate or conduct a game of "beano" or "bingo" on the same premises on the same date.

## The fee for the Penobscot Nation for its license shall be 1/2% of gross revenues.

All fees required by this chapter shall accompany the application for a license. Fees submitted as license fees shall be refunded if the license is not issued. Fees shall not be refunded for unused licenses or for any license which is suspended or revoked as provided by this chapter.

1	The new revenues from tribal bingo operations
	shall be used solely to fund tribal government opera-
2 3 4 5	tions, programs of economic development; and to pro-
4	vide for the general welfare of the tribe and its
5	members; and may also be donated to charity organiza-
6	tions and to help fund operations of local governmen-
7	tal agencies.
8	Tribal bingo operations shall be managed solely
9	by the respective Indian tribe. All management costs
10	incurred in tribal bingo operations shall be deducted
11	from gross revenues.
12	Tax consequences of prizes, gifts or other items
13	shall be the responsibility of the recipient, pro-
14	vided that the Penobscot Nation shall submit reports
15	as required by law.
16	STATEMENT OF FACT
17 18 19 20 21 22	This bill gives the Chief of the State Police authority to issue beans or bings licenses to the Penobscot Nation. The laws and rules governing prize amounts will not apply to beans or bings activities operated by the Penobscot Nation on their reservation.
23 24 25 26	The proceeds from the games must be used to fund tribal programs or other delineated programs. All management expenses will be paid out of the gross revenues.