

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1049, L.D. 1522, Bill, "An Act Concerning Beano or Bingo"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 17 MRSA §311, sub-§1, as repealed and replaced by PL 1979, c. 272, is amended to read:

1. Beano. "Beano" shall ~~mean~~ means a specific kind of group game of chance, regardless of whether such a game is characterized by another name. Wherever the term "beano" is used, the word "bingo" or any other word used to characterize such a game may be interchanged. In "beano," each participant is given or sold one or more tally cards, so-called, each of which contains numbers or letters and may or may not be arranged in vertical or horizontal rows. The participant covers the numbers or letters as objects similarly numbered or lettered are drawn from a receptacle, and ~~the game is won by the person who first covers a previously designated arrangement of numbers or letters on the tally card~~ winner or winners are determined by the sequence in which those objects are drawn. The manner in which the winner is determined must be clearly announced or displayed before any game is begun.

Sec. 2. 17 MRSA §312, 2nd ¶, as repealed and replaced by PL 1985, c. 449, §1, is amended to read:

"Beano" or "Bingo" shall ~~may~~ not be conducted on Christmas. "Beano" or "Bingo" may be played on Sunday after the hour of 12 noon 11 a.m. No "Beano" or "Bingo" games may be conducted between the hours of 12 midnight and 7 a.m. The prevailing time for the State ~~of Maine shall be~~ is used to determine these hours.

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Sec. 3. 17 MRSA §314-A, sub-§1, ¶B is enacted to read:

B. In conjunction with the operation of high-stakes beano, federally recognized Indian tribes holding a license under this section may advertise and offer prizes for attendance with a value of up to \$25,000 under the terms prescribed for raffles in section 331, subsection 6. Any prize awarded under this paragraph must be awarded only on the basis of a ticket of admission to the high-stakes beano game and may only be awarded to a person who holds an admission ticket.

Sec. 4. 17 MRSA §314-A, sub-§§3 and 4, as enacted by PL 1987, c. 197, §§3 and 7, are repealed and the following enacted in their place:

3. Twenty-seven weekends per year. An organization licensed under this section may operate high-stakes beano games on 27 weekends per year, whether or not consecutive. For purposes of this section, a weekend consists of Saturday and the immediately following Sunday. A high-stakes beano game licensed under this section and canceled for any reason may be rescheduled at any time, as long as 5 days prior notice of the new date is given to the Chief of the State Police.

4. Term of license; fees. A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is \$50,000, payable in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

Sec. 5. 17 MRSA §314-A, sub-§§5 and 6, as enacted by PL 1987, c. 197, §§3 and 7, are amended to read:

5. Restrictions. No license may be transferred or assigned. No more than one license may be issued under this section to any federally recognized Indian tribe for any one period. No more than one licensee may operate or conduct a beano game or high-stakes beano game on the same premises on the same date. All games shall must be conducted ~~on--the--reservation~~ within the Indian Territory of the licensed organization.

6. Applicability of chapter. Except when in direct conflict with this section or as specifically provided, all other provisions of this chapter and rules adopted under this chapter apply to licenses for high-stakes beano issued under this section. Any rule requiring operators calling the numbers to be seated on the same floor level as the players does not apply to high-stakes beano.

Sec. 6. 17 MRSA §314-A, sub-§8 is enacted to read:

8. Report. Beginning January 15, 1992, any federally

2 recognized Indian tribe licensed to conduct high-stakes beano  
3 under this section must submit a quarterly report on the  
4 operation of high-stakes beano to the joint standing committee of  
5 the Legislature having jurisdiction over legal affairs matters.  
6 The report must include information on the number of persons  
7 playing high-stakes beano during the preceding calendar quarter,  
8 the funds collected for high-stakes beano, the total amount  
9 awarded in prizes, including prizes for attendance and any other  
10 information provided to the Bureau of State Police regarding the  
11 operation of high-stakes beano.

12 **Sec. 7. 17 MRSA §324, sub-§3, as amended by PL 1987, c. 679,**  
13 **§2, is further amended to read:**

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15 3. **Lucky seven.** Lucky seven or similar sealed tickets may  
16 be sold when that game of chance is licensed by the Chief of the  
17 State Police and when a valid license certificate is properly  
18 displayed. Notwithstanding this section and section 312, Lucky  
19 seven games may be conducted during the period of beginning 2  
20 hours before and ending 2 hours after any "Beano" game-~~and also~~  
21 ~~may be conducted during the intermission of any "Beano" game.~~

22 A. Notwithstanding any other rule, Lucky seven or other  
23 similar sealed tickets may be sold that have a sale value of  
24 \$1 or less.

25 **Sec. 8. PL 1987, c. 197, §7 is repealed.**

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27 **Sec. 9. PL 1987, c. 547, §3, as enacted by PL 1989, c. 502, Pt.**  
28 **B, §63, is repealed.**

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30 **Sec. 10. PL 1987, c. 679, §3, as enacted by PL 1989, c. 502, Pt.**  
31 **B, §68, is repealed.**

32  
33 **Sec. 11. Report.** On or before September 30, 1992 any  
34 organization licensed under the Maine Revised Statutes, Title 17,  
35 section 314-A and the Bureau of State Police shall each submit a  
36 written report to the Joint Standing Committee on Legal Affairs  
37 concerning the operation of that law.

38  
39 **Sec. 12. Allocation.** The following funds are allocated from  
40 Other Special Revenue to carry out the purposes of this Act.

	1991-92	1992-93
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52	Positions	(-1.0) (-1.0)

2	Personal Services	(\$25,850)	(\$35,760)
	All Other	(2,888)	(3,880)
4	Deallocates funds no longer		
	needed due to the elimination		
6	of a Field Examiner II		
	position.		
8	<b>DEPARTMENT OF PUBLIC SAFETY</b>		
10	<b>TOTAL</b>	<u>(\$28,738)</u>	<u>(\$39,640)</u>

FISCAL NOTE

12		1991-92	1992-93
14			
16	<b>APPROPRIATIONS/ALLOCATIONS</b>		
18	Other Funds	(\$28,738)	(\$39,640)
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22 This bill changes the license fee for high-stakes beano from  
 24 5% of gross revenues to \$50,000 annually. The change to a flat  
 26 fee will not affect revenues currently collected by the  
 28 Department of Public Safety. However, the department will no  
 30 longer need to conduct certain on-site examinations. The  
 32 estimated savings from the elimination of a Field Examiner II and  
 34 associated program costs are \$28,738 in fiscal year 1991-92 and  
 36 \$39,640 in fiscal year 1992-93. These amounts are deallocated  
 38 from the Department of Public Safety's Beano and Games-of-Chance  
 40 Account.'

STATEMENT OF FACT

36 The bill listed additional types of games that qualify as  
 38 beano, permitted beano to begin on Sunday at 11 a.m. instead of  
 40 noon, and permitted the sale of Lucky seven and other sealed  
 42 tickets with values up to \$1. The bill also permitted the  
 44 Penobscot Nation to operate high-stakes beano on 36 weekends a  
 46 year instead of 18, provided for a 6-month license fee of \$50,000  
 48 for high-stakes beano instead of the current fee of 5% of gross  
 50 revenues, permitted the award of door prizes in high-stakes beano  
 52 and repealed the September 30, 1992 sunset on high-stakes beano.

46 The amendment, with respect to beano conducted by any type  
 48 of organization, expands the types of games that qualify as beano  
 50 to include any type of beano game as long as the manner of  
 52 determining the winner or winners is announced before the game  
 begins and the winners are determined by the sequence in which  
 numbers or letters are drawn. As in the original bill, the  
 amendment permits all beano games to begin at 11 a.m. on Sunday  
 and permits the sale of Lucky seven or other sealed tickets in

2 conjunction with beano of up to \$1 instead of the current rule  
4 permitting tickets only, up to 50¢. The amendment also permits  
Lucky seven and other sealed tickets to be sold during beano  
games.

6 The amendment also permits any federally recognized Indian  
8 tribe to operate high-stakes beano on 27 weekends and permits the  
advertising and awarding of door prizes with values up to  
10 \$25,000, provided admission tickets are the only method used to  
determine the door prize and only persons with admission tickets  
12 are permitted to win the prize. The amendment exempts  
high-stakes beano from the rules requiring the caller of numbers  
14 to be on the same floor level as the players. The amendment  
requires the organizations conducting high-stakes beano to report  
16 to the Joint Standing Committee on Legal Affairs quarterly on the  
operation of the high-stakes beano games and continues the  
18 requirement that the Bureau of State Police and the organizations  
report by September 30, 1992 on the 5 years of operation of  
high-stakes beano.

20 The amendment also expands the permissible location of beano  
22 games by permitting the operation on Indian Territory rather than  
on the Indian reservation. Indian Territory includes only  
24 locations within unorganized territory specifically designated in  
law.

26 Finally, the amendment retains the repeal of the September  
28 30, 1992 sunset and repeals 2 sunset clauses in related  
legislation permitting the hiring of persons to conduct  
30 high-stakes beano and permitting the sale of Lucky seven and  
other sealed tickets at beano games and adds an allocation and a  
32 fiscal note to the bill.

Reported by the Committee on Legal Affairs  
Reproduced and distributed under the direction of the Clerk of the  
House  
(6/3/91) (Filing No. H-529)