

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 561

S.P. 169

In Senate, February 18, 1993

**An Act to Clarify the Laws Concerning Beano and Bingo.**

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.  
Cosponsored by Senators: CAREY of Kennebec, CONLEY of Cumberland, TITCOMB of  
Cumberland, WEBSTER of Franklin, Representatives: CARROLL of Gray, HALE of Sanford,  
JACQUES of Waterville.

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

2  
4       **Sec. 1. 17 MRSA §311, sub-§8**, as enacted by PL 1987, c. 197, §1, is amended to read:

6       **8. Winner-take-all round.** "Winner-take-all round" means a  
8       ~~beano game or series of beano games in which all the proceeds~~  
10       ~~from the sale of the cards for that round~~ are paid to  
12       ~~participants as prizes during that round~~ distributed as provided  
14       in section 314-B, subsection 2.

12       **Sec. 2. 17 MRSA §311, sub-§9** is enacted to read:

14       **9. Unlimited paper game.** "Unlimited paper game" means a  
16       game for which there is no limit on total prizes that may be  
18       awarded on any single occasion.

18       **Sec. 3. 17 MRSA §314-A, sub-§3**, as repealed and replaced by PL  
20       1991, c. 426, §4, is amended to read:

22       **3. Twenty-seven weekends per year.** An organization  
24       licensed under this section may operate high-stakes beano games  
26       on 27 weekends per year, whether or not consecutive. For  
28       purposes of this section, a weekend consists of Friday, 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.

30       **Sec. 4. 17 MRSA §314-B**, as enacted by PL 1987, c. 197, §4, is  
32       amended to read:

34       **1. Eligible organizations.** An organization licensed under  
36       section 314 may operate ~~one~~ 4 winner-take-all ~~round~~ rounds per  
occasion.

38       **2. Prizes.** Notwithstanding the prize limits in section  
40       317, an organization operating a winner-take-all round under this  
42       section shall pay all the proceeds from each winner-take-all  
44       round as ~~prizes, provided no winner receives more than \$500~~  
46       follows.

44       A. If the total amount of proceeds is more than \$1,500:

46               (1) Five percent of the proceeds is paid to the State;

48               (2) Five percent of the proceeds is paid to the  
licensee; and

50               (3) Ninety percent of the proceeds is paid to the  
52               participants.

2           B. If the total amount of proceeds does not exceed \$1,500:

4           (1) Ten percent of the proceeds is paid to the  
4           licensee; and

6           (2) Ninety percent of the proceeds is paid to the  
8           participants.

10          Sec. 5. 17 MRSA §314-C is enacted to read:

12          §314-C. Unlimited paper game

14           1. Frequency. A licensee may conduct one unlimited paper  
14           game per occasion.

16           2. Licensee discretion. Subject to the prize limits set  
18           out in section 317, the licensee may determine what games are  
18           played and what prizes are awarded in an unlimited paper game.

20          Sec. 6. 17 MRSA §317, first ¶, as amended by PL 1985, c. 180,  
22          is further amended to read:

24           The Chief of the State Police ~~shall have the power to~~ may  
26           make and adopt rules and ~~regulations~~, not inconsistent with law,  
28           ~~which he may deem~~ that the chief determines necessary for the  
30           administration and enforcement of this chapter and for the  
32           licensing, conduct and operation of the amusement commonly known  
34           as "Beano" or "Bingo." ~~He shall have the power and authority to~~  
36           The Chief of the State Police may regulate, supervise and  
38           exercise general control over the operation of such ~~that~~  
40           amusement including, but not limited to, the payment of prizes  
42           and the use of equipment. Any rule ~~promulgated~~ adopted by the  
44           Chief of the State Police concerning the value of prizes that may  
46           be awarded ~~shall~~ must include a provision that no single prize  
48           may exceed \$400 ~~\$500~~ in value and that no more than \$1,400 ~~\$2,000~~  
50           in total prizes may be awarded on any one occasion, ~~except that~~  
          one unlimited paper game per occasion may be conducted. ~~He shall~~  
          ~~have the power and authority to~~ The Chief of the State Police may  
          investigate as to the direct or indirect ownership or control of  
          any licenses and ~~to~~ revoke or suspend any license for just cause  
          after hearing. In establishing such rules and ~~regulations~~, ~~he~~  
          ~~shall~~ the Chief of the State Police must, in addition to the  
          standards set forth in other provisions of this chapter, be  
          guided by the following standards setting forth conduct,  
          conditions and activity deemed determined undesirable:

50          Sec. 7. 17 MRSA §324, sub-§3, as amended by PL 1991, c. 426,  
52          §7, is further amended to read:

54           3. Lucky seven. Lucky seven or similar sealed tickets may  
56           be sold when that game of chance is licensed by the Chief of the

2 State Police and when a valid license certificate is properly  
displayed. Notwithstanding this section and section 312, Lucky  
4 seven games may be conducted during the period beginning 2 3  
hours before and ending 2 hours after any "Beano" game.

6 A. Notwithstanding any other rule, Lucky seven or other  
similar sealed tickets may be sold that have a sale value of  
8 \$1 or less.

10 Sec. 8. 17 MRSA §327 is enacted to read:

12 **§327. General rules of operation**

14 Notwithstanding any rules to the contrary, the following  
general rules of operation apply to beano and bingo.

16 1. Equipment. In addition to standard numbered beano tally  
18 cards, paper cards printed on 2-part carbonless forms, known as  
"u-pick-ems" may be used. A participant using "u-pick-ems" shall  
20 mark any number from one to 75 in spaces or squares on various  
patterns printed on the forms.

22 2. Nonsmoking area. A nonsmoking area may be set up in  
24 another room or outdoor area separate from the area where the  
operator is calling numbers if that other room or area has:

26 A. A master board;

28 B. A public address system; and

30 C. A licensed worker present at all times during the game.

32 3. Calling numbers. When a monitor is used, a ball does  
34 not have to remain within the blower or cage until called, but  
may be placed so that a camera shows the number. That number is  
36 not in play until called by the operator.

38 4. Operator location. The operator calling the numbers  
need not be seated on the same floor level as participants.

40 5. Bonus cards. Bonus numbers preprinted on cards by card  
42 manufacturers may be used by participants.

44 6. Participation by licensee. A person conducting or  
46 assisting in the conduct of beano may assist by playing for a  
participant for the sole purpose of allowing the participant to  
use the restroom.

48 7. Electronic card manager or aid. A licensee may not  
50 prohibit the use of an electronic card manager or aid. The  
licensee may set a card limit that applies to all participants,  
52 including users of these electronic card managers or aids. Any  
winning configuration must be marked.



- 2 F. Allows a licensee to play for a player to allow that  
player to use the restroom;
- 4 G. Regulates the use of electronic card managers or aids;
- 6 H. Allows electronic verification of tally cards; and
- 8 I. Allows for the arrangement of numbers on cards in any  
pattern that can be rotated.