

# MAINE STATE LEGISLATURE

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Date: 2/26/14

Minority

L.D. 227  
(Filing No. H-627)

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 188, L.D. 227, Bill, "An Act Concerning High-stakes Beano"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 8 MRSA §1001, sub-§39**, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**39. Slot machine.** "Slot machine" means any mechanical, electrical or electronic device, contrivance or machine or other device, contrivance or machine that is available to play upon insertion of money or a token, credit or similar object or thing of value, the play of which by the element of chance may deliver or entitle the person playing the device, contrivance or machine to receive cash, tokens or credits to be exchanged for cash, merchandise or anything of value, whether the payoff is made automatically from the device, contrivance or machine or in any other manner, and includes progressive electronic gaming devices with a payoff that increases as the electronic gaming device is played. "Slot machine" does not include an electronic beano terminal, as defined in Title 17, section 314-A, subsection 5-A, paragraph A, operated by a federally recognized Indian tribe authorized to conduct high-stakes electronic beano in accordance with Title 17, section 314-A.

**Sec. 2. 17 MRSA §314-A, sub-§3**, as repealed and replaced by PL 1991, c. 426, §4, is repealed.

**Sec. 3. 17 MRSA §314-A, sub-§3-A**, as enacted by PL 2003, c. 452, Pt. I, §5 and affected by Pt. X, §2, is repealed.

**Sec. 4. 17 MRSA §314-A, sub-§3-B**, as enacted by PL 2011, c. 410, §1, is repealed.

**Sec. 5. 17 MRSA §314-A, sub-§5-A** is enacted to read:

**COMMITTEE AMENDMENT**

1 5-A. High-stakes electronic beano. A federally recognized Indian tribe other than  
2 the Houlton Band of Maliseet Indians or the Passamaquoddy Tribe licensed under this  
3 section may operate high-stakes electronic beano as described in this subsection.

4 A. As used in this subsection, unless the context otherwise indicates, the following  
5 terms have the following meanings.

6 (1) "Electronic beano system" means the central computer server system that  
7 electronically generates beano games along with all electronic beano terminals  
8 that are connected to the central computer server system.

9 (2) "Electronic beano terminal" means an electronic device used by a beano  
10 participant to play high-stakes electronic beano. An electronic beano terminal  
11 allows a participant, upon payment of cash, a token or credit, to play a game of  
12 chance resembling beano from a draw of no more than 75 letters and numbers  
13 that correspond to the electronic beano game. The element of chance is  
14 determined by a central computer server system that communicates with the  
15 electronic beano terminal.

16 (3) "High-stakes electronic beano" means a game of beano that is played on an  
17 electronic beano terminal that is connected to a central computer server system  
18 that electronically generates beano games.

19 B. Notwithstanding section 311, subsection 1, high-stakes electronic beano is not  
20 required to be a group game.

21 C. A federally recognized Indian tribe authorized to operate high-stakes electronic  
22 beano may operate up to 300 electronic beano terminals.

23 D. High-stakes electronic beano is played in the following manner:

24 (1) The participant inserts cash, a token or credit into the electronic beano  
25 terminal;

26 (2) The participant selects the denomination of beano card to be played; and

27 (3) The participant presses a button to begin play.

28 A draw of no more than 75 letters and numbers generated by the electronic beano  
29 system is electronically applied to the beano card displayed on the electronic beano  
30 terminal.

31 Participants win prizes by achieving predetermined beano patterns within a  
32 predetermined number of drawn letters and numbers.

33 E. An electronic beano terminal must clearly display the manner in which a  
34 participant wins prizes before any high-stakes electronic beano game is played.

35 F. An electronic beano terminal must offer electronic beano cards of varying  
36 denominations. Any game-winning beano pattern may be used.

37 G. An electronic beano terminal may use electronic displays on the screen for the  
38 purposes of entertainment as long as the displays have no effect on the outcome of  
39 the high-stakes electronic beano game.

H. An electronic beano terminal may accept cash, tokens, cards or vouchers for the purchase of electronic beano cards but may not dispense cash to a participant.

I. A prize awarded for winning a high-stakes electronic beano game must be in the form of a voucher that may be redeemed for cash or prizes.

J. An electronic beano system must be tested to ensure that the game is conducted and prizes are awarded in the manner displayed to a participant on the electronic beano terminal. Testing must be conducted by an independent testing company contracted by a federally recognized Indian tribe authorized to operate high-stakes electronic beano prior to the electronic beano system's being used in high-stakes electronic beano games. The testing company shall provide audits of the electronic beano system upon request of the Chief of the State Police. The tribe shall ensure a method of secure access to the central computer server system via the Internet by the Chief of the State Police for the purposes of conducting audits and monitoring the operation and play of high-stakes electronic beano. Any software, equipment or training necessary for the Chief of the State Police to use the auditing and monitoring system must be paid for by the tribe. An independent testing company may not be a distributor or vendor of an electronic beano terminal or a central computer server system.

**Sec. 6. 17-A MRSA §952, sub-§5-A, ¶C,** as amended by PL 2009, c. 487, Pt. B, §11, is further amended to read:

C. That is not a machine that a person may lawfully operate pursuant to a license that has been issued under Title 17, chapter 62, a machine used to play high-stakes electronic beano pursuant to a license issued under Title 17, chapter 13-A or a machine that is operated by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations; and'

**SUMMARY**

This amendment, which is the minority report of the committee, replaces the bill. The amendment authorizes the Penobscot Nation and the Aroostook Band of Micmacs to use electronic beano terminals for the operation of high-stakes electronic beano. The amendment specifies that an electronic beano terminal is not a slot machine or an illegal gambling machine. An electronic beano terminal plays a game of chance resembling a beano game using a draw of no more than 75 letters and numbers that correspond to the game. The element of chance is determined by a central computer server system that is subject to testing by an independent testing company and to which the Chief of the State Police is provided access via the Internet for the purpose of conducting audits. An electronic beano terminal is not permitted to dispense cash or prizes. Instead, prizes for high-stakes electronic beano are awarded by voucher. The amendment also clarifies that, unlike traditional beano, beano conducted on an electronic beano terminal is not required to be a group game.

**FISCAL NOTE REQUIRED**

(See attached)



# 126th MAINE LEGISLATURE

LD 227

LR 167(02)

**An Act Concerning High-stakes Beano**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-627)**

**Committee: Veterans and Legal Affairs**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to the Department of Public Safety associated with increased monitoring and enforcement can be absorbed within existing budgeted resources.