

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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1991

failure to submit a completed renewal application form to the board, then the board may assess a fee of not more than \$100 to complete the processing of the application.

See title page for effective date.

CHAPTER 426

H.P. 1049 - L.D. 1522

An Act Concerning Beano or Bingo

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

Sec. 1. 17 MRSA §311, sub-§1, as repealed and replaced by PL 1979, c. 272, is amended to read: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. Whenever 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Sec. 2. 17 MRSA §312, 2nd ¶, as repealed and replaced by PL 1985, c. 449, §1, is amended to read: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.

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

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

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

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

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

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

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

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

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

	1991-92	1992-93
PUBLIC SAFETY, DEPARTMENT OF		
Licensing and Enforcement - Beano Games		
Positions	(-1.0)	(-1.0)
Personal Services	(\$25,850)	(\$35,760)
All Other	(2,888)	(3,880)
Deallocates funds no longer needed due to the elimination of a Field Examiner II position.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>(\$28,738)</u>	<u>(\$39,640)</u>

See title page for effective date.

CHAPTER 427

H.P. 441 - L.D. 624

An Act to Establish a Harbor Management Fund and Deal with Abandoned Watercraft

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

Sec. 1. 12 MRSA §557, sub-§1, as enacted by PL 1975, c. 339, §6, is amended to read:

1. **Public Lands Management Fund.** To accomplish the purposes of this chapter, there is established a Public Lands Management Fund. All income received by the Bureau of Public Lands pursuant to section 553, subsection 3, paragraph E, excepting income from the public reserved lots and from submerged lands, shall ~~shall~~ must be recorded on the books of the State in a separate account and ~~shall be~~ deposited with the Treasurer of State, to be credited to the Public Lands Management Fund.

Sec. 2. 12 MRSA §557-A is enacted to read:

§557-A. Submerged Lands Fund

1. Submerged Lands Fund. The Submerged Lands Fund, in this section called the "fund," is established as a nonlapsing fund to support the efforts of the Bureau of Public Lands in managing submerged lands. The fund is administered by the Director of the Bureau of Public Lands.

2. Purpose. All money credited to the fund must be used to manage submerged lands except as provided in section 558-B.

Sec. 3. 12 MRSA §558-A, sub-§10 is enacted to read:

10. Revenues. All revenues from the bureau's activities under this section accrue to the Submerged Lands Fund established in section 557-A.

Sec. 4. 12 MRSA §558-B is enacted to read:

§558-B. Shore and Harbor Management Fund

1. Creation of fund. The Shore and Harbor Management Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support shore and harbor management improvement activities. The fund is administered by the Director of the Bureau of Public Lands.

2. Purpose. The purpose of the fund is to support shore and harbor management improvement activities by providing grants to municipalities. These activities include