

Chapter 30: RULES RELATING TO BEANO BY FEDERALLY RECOGNIZED INDIAN TRIBES

SUMMARY: This chapter provides the rules relating to the licensing and operation of Beano and/or Bingo games on Indian reservations by federally recognized Indian tribes pursuant to 17 M.R.S.A. § 314-A, as enacted by Chapter 197 of the Public Laws of 1987. This chapter also details requirements for equipment and associated materials used in high-stakes Beano or Bingo.

§1 **Definitions** As used in this chapter, the following terms have the following meanings:

1. **Director** “Director” has the same meaning as set forth in 17 M.R.S.A §311
2. **Occasion** “Occasion” means a single gathering or session at which a series of successive Beano games are played.
3. **Blackout** “Blackout” also known as “coverall” means a bingo pattern that requires that every number on the tally card be covered.
4. **Electronic Beano Card Dauber** "Electronic beano card dauber" (herein after referred to as "Electronic Dauber") is an electronic appliance used by a player to identify beano cards that contain numbers or symbols input by a player. This device electronically stores preprinted beano cards purchased by a player, provides a means for a player to input numbers or symbols called by the licensee, compares the numbers or symbols input by the player to beano cards previously stored in an electronic database, and identifies to the player those stored beano cards that contain the numbers or symbols input by the player: provided, that player-owned devices, which are not directly interfaced with or connected to equipment used to conduct beano games or the electronic database in which electronically generated beano cards are stored in any manner, are not "electronic beano card daubers" for purposes of these Rules and Regulations.
5. **Electronic Beano Card Computer System** "electronic beano card computer system" is the computer hardware and software system that loads the electronic beano cards purchased by each electronic beano card player into the electronic dauber.
6. **Eligible Organization** “Organization” has the same meaning as set forth in 17 M.R.S. §314-A.
7. **Gambling Control Unit** “Gambling Control Unit” or “unit” has the same meaning as set forth in 17 M.R.S. §311.

§2 General Requirements

1. All games of Beano or Bingo shall be conducted in a building or area approved for public use by state and local officials, including the State Fire Marshal's Office.
2. A commercial hall permittee shall conspicuously post the commercial beano hall permit at the leased or rented hall in the room or area where Beano is being conducted.
3. All Beano license applications must be received by The Gambling Control Unit, 87 State House Station, 45 Commerce Drive, Augusta, Maine 04333-0087 at least 10 business days prior to the first date desired to operate. To the extent, if any, that information of a material nature supplied in the application or otherwise supplied by the applicant becomes outdated, inaccurate or incomplete, the applicant shall so notify the unit in writing as soon as it is aware that the information is inaccurate or incomplete, and shall at that time supply the information necessary to correct the timeliness, inaccuracy or incompleteness of the information.
4. House rules shall be developed and posted to include, at a minimum, no charges for admission, allow or disallow reserved seating and prizes for attendance according to M.R.S. Title 17, Chapter 13-A, § 314-A, (2-A).
5. A licensee may conduct only one occasion of Beano or Bingo on the same date.
6. A licensee conducting Beano or Bingo shall comply with the following advertising standards:
 - a) Advertising of any obscene or indecent nature is prohibited.
 - b) False, misleading and deceptive advertising is prohibited.
 - c) Depictions of the use of alcohol and tobacco are prohibited.
 - d) Depictions of persons under the age of 16 engaged in beano are prohibited.
 - e) Guarantees of success, riches or beano winnings are prohibited.
 - f) Advertising must include a disclaimer as follows: "Persons under 16 years of age are prohibited unless authorized under Maine Revised Statute, Title 17, Chapter 13-A."
 - g) Advertising must comply with all applicable Maine and federal laws.
7. Post or provide at each entrance or in a conspicuous place where Beano or Bingo are conducted, written materials concerning the nature and symptoms of problem gambling and the Maine 211 number or cost free brochures from Department of Health and Human Services, Maine Center for Disease Control and Prevention that provide information and referral services for problem gamblers. The provisions of this regulation are solely regulatory in nature and neither create a minimum standard of care toward the public nor establish a private cause of action for non-compliance.

§ 3 EQUIPMENT

1. Any electronic beano device or associated equipment designated for shipment within or to Maine must meet or exceed the standards outlined in Appendix A of the State of Maine Beano/Bingo or Associated Equipment Standards.
2. This rule incorporates by reference the State of Maine Beano/Bingo or Associated Equipment Standards, 2018 edition consisting of:
 - a) GLI-15, Electronic Bingo and Keno Systems, version 1.3,
 - b) GLI-11, Gaming Devices in Casinos, version 3.0,
 - c) GLI-13, On-Line Monitoring and Control Systems (MCS), and Validation Systems in Casinos, version 2.1
3. Electronic beano devices or associated equipment shall not be shipped into, within or out of Maine without first obtaining a written authorization for such transport from the Director. Written authorization shall be obtained from applications furnished by the Unit.
4. Equipment includes the electronic beano card computer system, which shall:
 - a) Be capable of printing hard copies of all beano cards purchased by electronic beano card players at the time of sale and before release of the electronic dauber to the player; and
 - b) Be capable of summarizing and printing at the completion of each beano occasion a record of the following:
 - i. The beginning and ending card numbers purchased by each player;
 - ii. The beginning and ending transaction numbers;
 - iii. The total number of cards sold;
 - iv. The total number of sales transactions;
 - v. The total dollar amount of sales; and
 - vi. The number and dollar amounts of all voids and overrings.
5. Each electronically-stored Beano card shall meet the requirements of section 4. herein and shall display a serial number. The Beano numbers on that electronically-stored card shall be identical to the numbers on the paper card displaying the same serial number.
6. Each Beano or tally card shall have twenty-five squares which are divided into five vertical and five horizontal rows, making five squares to a row. At the top of each vertical row will appear one letter of the word "Beano" beginning at the extreme left row with the letter "B" and continuing in sequence through "O" at the extreme right row. Each square shall be numbered making five numbers to a row, the exception being the center or third vertical row which has four numbers and a center space. (The most commonly used cards are those numbered 1 to 75 inclusive. In this series the numbers 1 to 15, inclusive, are used in the first vertical row; numbers 16 to 30, inclusive, in the second row; 31 to 45, inclusive, in the third row; 46 to 60, inclusive, in the fourth row; and 61 to 75, inclusive, in the fifth row. Each card may have a different combination of numbers either vertically, horizontally or diagonally).

7. One of the following methods shall be used in securing the numbers "called" in the conduct of the game:
 - a) An electrically operated blower machine containing balls which the operator may take from the air one at a time while the blower is in operation or which provides a trap or other mechanical means for automatically catching no more than one ball at a time while the blower is in operation.
 - b) A mechanically or manually operated cage which provides a trap or other mechanical means for automatically catching no more than one ball at a time while the cage is in operation.
8. A chalkboard, dry erase board or electric flashboard must be used to display the numbers called in the conduct of the game

§ 4 Conduct of Beano

1. Before commencing the first game on any occasion at which a series of Beano games is to be held, all numbers shall be removed from the blower, or from such other mechanical means used to catch the numbers, and shall be placed in appropriate position to enable any interested person, or persons, to determine that all numbers 1 thru 75, are present.
2. All cards which have not been purchased and paid for shall be removed from the tables and the immediate vicinity of any player while the games are in progress.
3. All players will be furnished a ticket, receipt or some other easily and quickly identifiable device indicating the maximum number of cards purchased and which may be played at any single game. At no time will a participant play more than the number of Beano cards actually purchased and identified by the furnished ticket, receipt or other identifiable device used by the Licensee organization to signify the maximum number of cards purchased. The device used to indicate the number of cards purchased will remain in full sight of any interested person to view during the game.
4. All players must be seated in the same area with the operator calling the numbers.
5. The Licensee shall conspicuously post the license to operate Beano, the Location Permit, and a copy of house and game rules in the room or area where Beano is being conducted.
6. The Licensee shall conspicuously post the price or combination of prices of all Beano cards in the room or area where Beano is being conducted.
7. The particular arrangement of numbers required to be covered in order to win the game shall be clearly described and announced to the players immediately before each game begins.
8. Each number shall remain within the blower or cage until ready to be called. Upon removal, said number shall be called without delay unless a Beano or Bingo is called, at which time no additional numbers will be called, and at which time the card shall be checked. If a number was

removed from the blower or cage and had not been announced when the Beano was called, this number shall be placed back in the blower or cage. Each number as called must be clearly marked on a chalkboard, dry erase board or electric flashboard visible to all players, and must remain on such chalkboard, dry erase board or electric flashboard until after the winner or winners have been determined.

9. The player must notify the licensee when they have a winning pattern or "Beano".
10. The winner's card shall be checked against the numbers called by the licensee.
11. An organization may not operate a game to require the pre-announced or randomly marked number to appear at a specific place or in a specific order within the winning arrangement of numbers.
12. On each Beano/Bingo occasion all cards shall be purchased and winners determined. The prize shall be awarded at the conclusion of each game.
13. No person conducting or assisting in the conduct of Beano/Bingo may participate as a player, or assist any player by playing their cards, in any game of Beano/Bingo during the same occasion.
14. All members of the Licensee who are involved in the conduct of Beano/Bingo shall be thoroughly familiar with the provisions of the Statutes pertaining to Beano/Bingo and with these Rules.
15. All monetary prizes given to the winners shall be legibly recorded in a bonded log containing the date of the occasion, game number, amount won, winners name and address which shall be retained for not less than three (3) years and made available to the Gambling Control Unit upon request
16. The registrant shall announce or describe the prize to the players before each game begins.
17. When more than one player is found to be the winner in the same game, the Licensee shall divide the monetary prize among the winners as equally as possible .
18. When the division of a prize is non-monetary, the Licensee may;
 - a) Substitute prizes whose aggregate value does not exceed that permitted by these Rules, or may
 - b) Continue the play of the game until a single winner can be determined using the following method;
 - i. The tied players will each use the same card that was played during the tied game.
 - ii. Licensee will call the next number for the tied players.
 - iii. The first player to cover that next number called on that card shall be declared the winner of the prize.
 - c) If the tied game was a blackout game, the tied players will not have any remaining numbers on their cards available for play. In that instance, the Licensee shall break the tie and establish a single winner by returning all balls to the blower or cage. The first player who can match the next number called to any number on his card will be declared the single winner.

§ 5 Conduct of Electronic Beano

1. In addition to the rules under section 4 above, the following apply to the use of electronic beano card dauber and computer systems.
2. Electronic daubers shall not be reserved for any player. However, an electronic dauber may be reserved for a player with a disability that would restrict the ability to mark paper tally cards when such disability is consistent with definitions set forth in the Americans with Disabilities Act (ADA). If there are no requests for use of this reserved dauber prior to fifteen (15) minutes before the scheduled start of the occasion, it may be made available for use by any player.
3. At the time of sale of any electronic Beano cards and prior to releasing the electronic dauber to the player, the licensee must print a hard copy of any electronic cards purchased by the player. An electronic Beano card player cannot exchange the cards being played until completion of a Beano game. In order to exchange the cards being played, the player must return the electronic dauber, and the hard copy of any previously-purchased electronic Beano cards, to the licensee for loading and printing of the new cards.
4. No electronic dauber shall be programmed to play more than 54 Beano cards in a single game.
5. The electronic Beano card player must input each number called by the licensee into the memory of the electronic dauber by use of a separate dauber function. Automatic or global marking of numbers is prohibited.
6. After commencing the first game, and until the end of the occasion, there shall be no electronic communication from the electronic dauber to the electronic Beano card computer system or any other electronic destination or from the electronic Beano card computer system to any other electronic destination. However, the Bingo caller may advance the game and/or part of the game for the electronic daubers from the calling station.

§ 7 Expenditures

1. The Licensee may pay as compensation to a member of the Licensee, who has been in good standing as such for at least two years previous to application, an amount not to exceed 200% of the minimum wage as established by Title 17, Chapter 13-A, § 326 for advising, controlling and managing the conduct of Beano.
2. The Licensee may also pay as compensation to a member of the Licensee who has been in good standing for at least one year previous to application, an amount not to exceed 200% of the minimum wage as established by Title 17, Chapter 13-A, § 326, for assisting in the conduct of Beano.
3. The Licensee may pay as compensation to any member or employee an amount not to exceed 200% of the minimum wage as established by Title 17, Chapter 13-A, § 326, for janitorial services.
4. The Licensee may also pay reasonable amounts for the use of suitable premises, furniture and goods, wares, or merchandise to be given as prizes.
5. All such payments shall be made from the respective Beano and Games of Chance accounts and reported on the respective Beano and Games of Chance disposition of funds reports.

6. At no time shall the payments made pursuant to this rule exceed 20% of the net revenue after deducting expenses for prizes, license fees and any other direct expense.
7. The Licensee shall, in addition to the other books and records required hereafter, maintain and keep a separate financial account in a reputable banking establishment.

§ 8 Reports and Records Required

1. Within ten (10) business days after any period in which Bingo or Beano is conducted, the Licensee shall file with the Gambling Control Unit a disposition of funds form prescribed and furnished by the Gambling Control Unit, even if the event canceled, which shall include:
 - a. An exact account of all income from Beano or Bingo;
 - b. A list of all expenses, including, but not limited to, the cost of all prizes, printing, licenses and administration; and
 - c. An exact account of the disposition of all other proceeds from Beano or Bingo, including, but not limited to, all gifts, grants and payments to any person, firm, corporation, association or organization for any purpose whatsoever, provided, however, that nothing in these Regulations shall be construed to prevent a Licensee from making a payment to the general fund of its respective Indian Nation or Tribe after all necessary expenditures entailed in its Beano/Bingo operation have been made. Every such statement shall be made under oath by the member in charge of such occasion.
2. All records of financial transactions involving Beano/Bingo shall be separate and distinguishable from all other financial records of the Licensee.
3. Each Licensee shall maintain and keep for a period of three (3) years following the date the occasion was held such books and records as may be necessary to substantiate the reports required thereafter.
4. The Director or their authorized representative may examine the books and records of any Licensee at any time, so far as those books and records relate to the transactions connected with the holding, operating and conducting of Beano/Bingo, and the Licensee shall cooperate with the Director or their representative by making such books and records available to them. The Gambling Control Unit may also examine any manager, officers, director, agent, member or employee of the licensee in relation to the conduct of a game of Beano/Bingo, or concerning the conduct of Beano/Bingo.

AUTHORITY: 17 M.R.S.A. § 314-A.

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