

16 **DEPARTMENT OF PUBLIC SAFETY**

633 **GAMBLING CONTROL BOARD**

Chapter 1: INTRODUCTION

- §1.** The Act to Establish the Gambling Control Board to License and Regulate Slot Machines at Commercial Harness Racing Tracks, Public Law 2003, Ch. 687, was enacted by the Legislature and signed into law by Governor John E. Baldacci on May 6, 2004. The Gambling Control Board created by that portion of the Public Law codified at 8 M.R.S.A. Chapter 31 is charged with the responsibility of adopting rules necessary to administer and enforce Maine's slot machine gambling industry. In 2010, a referendum vote by the citizens of the State of Maine enacted An Act to Allow a Casino in Oxford County. Initiated Bill Chapter 2, effective November 2, 2010, added the regulation of casinos to the responsibilities of the Gambling Control Board.
- §2.** The rules contained herein are authorized by that legislation. For definitions of specific terms used in these rules, see 8 M.R.S.A. §1001.
- §3.** Wherever in these rules a duty or responsibility is assigned to the Board, the Board may, pursuant to the authority granted to it by 8 M.R.S.A. §1003, delegate that duty or responsibility to the Executive Director.
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STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-56

AMENDED:

October 1, 2011 – filing 2011-321

Chapter 2: LICENSES AND APPLICATIONS

SUMMARY: All persons participating in the operation, distribution, and maintenance of slot machines and slot machine facilities or casinos must apply for and be granted the appropriate license as specified by 8 M.R.S.A. §§ 1011-1020.

§1. Application – Slot Machine Operator

1. An applicant for a license to act as a Slot Machine Operator shall apply on forms specified by the Board. In addition to any information required by statute, application forms may require the applicant to provide the following:
 - A. The applicant's legal name, form of entity, the names, addresses, employer identification or social security numbers (if applicable) and dates of birth (if applicable) of its directors, officers, partners, owners, key executives and slot machine or casino operations employees, to the extent available.
 - B. A description of the applicant's organizational structure. This will include an organizational chart listing key executives and positions being held for gaming operations along with their duties and responsibilities.
 - C. With respect to any persons named in subparagraph (4A) that are not individuals, the names, addresses, social security numbers, and dates of birth of all individuals who are directors, officers, owners, partners, key executives.
 - D. The percentages of shares of stock, if any, held by each person named in subparagraph (A) or subparagraph (C) above. The Director may, at his or her discretion, cause periodic reexamination of the percentage of shares held by persons subject to such disclosures under these regulations.
 - E. The names of all persons principally involved in the original creation of the applicant's enterprise.
 - F. Responses to questions designed to elicit information necessary for the Board to evaluate the qualification and suitability of the applicant pursuant to 8 M.R.S.A. Chapter 31, §1016, subsection 2.
 - G. Certified copies, including amendments, of the applicant's charter, bylaws, articles of incorporation, articles of organization, partnership agreement, including the amount and date of each capital contribution of any partner to the applicant, trust agreement, and other documents that document or explain the legal organization of the applicant.

- H. Unless a municipality, the name, address, and date of birth of the record owner of the premises or the property upon which the premises are located or, if the applicant is not the sole owner of the premises or property, the information required by subparagraph (A) above with respect to all persons having an ownership interest in the premises or property and copies of all agreements pursuant to which the applicant occupies the premises or property, as well as copies of all documents relating to the premises or property including, without limitation, all mortgages, deeds of trust, bonds, debentures, pledges of corporate stock and voting trust agreements, but excluding easements; utility agreements; subdivision and plot plans; and, for the period prior to three years before the filing of the application, deeds in the chain of title and satisfied mortgages.
- I. Certified copies of organizational minutes and/or other corporate records reflecting ownership and the election of officers.
- J. The information required by subparagraph (A) above as to any operator of any business conducted by such applicant and any other contractor (which is not a publicly traded entity, a public utility or a municipality) utilized by such applicant which has received compensation from such applicant in excess of \$100,000 for gambling-related services in any of the three (3) preceding fiscal years together with a copy of all agreements between such applicant and such operator or contractor and a statement of all compensation paid to such operator or contractor during said three-year period.
- K. Copies of the applicant's audited financial statements for the preceding three (3) fiscal years and a copy of internally prepared financial statements for the current fiscal year as at the close of the most recent fiscal quarter.
- L. If a corporation, annual reports and SEC filings, if any, for past 3 years and meeting minutes from past 12 months.
- M. Copies of the applicant's State and Federal tax returns for a period of three (3) fiscal years.
- N. Copies of the declaration pages of all insurance policies insuring the applicant or the premises.
- O. A copy of the Certificate of Authority to do business in the state of Maine, if incorporated outside of Maine.
- P. Copies of any Trade Name Registrations filed by the applicant.
- Q. The information required by subparagraph (A) above as to the ten (10) largest unsecured creditors which are not publicly traded entities or accounting firms or legal firms of the applicant who are owed more than \$25,000 by the applicant for a period in excess of sixty days.
- R. Any and all other information as the Director may require to determine the competence, honesty and integrity of the applicant as required by 8 M.R.S.A. Chapter 31.

- S. The Slot Machine Operator shall certify by a sworn notarized statement that it has not entered and does not intend to enter into any joint venture, partnership or teaming agreement in order to fulfill its obligations in connection with the slot machine operations; that it has not entered and does not intend to enter into any agreement whereby the proceeds generated by any agreement between the Slot Machine Operator and the Board would be shared with one or more other persons. Provided, however, that a slot machine operator may enter into a management agreement with a third-party, who is not licensed under these regulations, for the operation of the slot machines on the operator's premises provided that: (1) the proposed management agreement is provided to and approved by the Board, and (2) the third-party complies with all these regulations which apply to slot machine operators, including without limitation the licensure requirements.
2. The application, as well as other documents submitted to the Board by or on behalf of the applicant for purposes of determining the qualifications of the applicant, shall be sworn to or affirmed before a notary public. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.
 3. To the extent, if any, that information of a material nature supplied in the application or otherwise supplied by the applicant or on the applicant's behalf, becomes outdated, inaccurate or incomplete, the applicant shall so notify the Board 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. The applicant shall cooperate fully with the Board and the Department with respect to its background investigation of the applicant.
 5. The applicant shall submit with the application a proposed business plan for the conduct of slot machine operations. Such plan shall be submitted in conformity with a separate form specified and supplied by the Board. The plan shall include, without limitation, the following items: a floor plan of the area to be used for slot machine operations; the proposed placement of slot machines on the premises; the kind, type and number of slot machines proposed, provided however that the name of the manufacturer(s) of such machines shall not be included; money control procedures; a security plan; a staffing plan for slot machine operations; accounting and tax compliance procedures; and the method to be utilized for prize payments. The plan shall provide the details of any progressive jackpot games. The specification of the kind, type and number of the slot machines in the business plans shall make clear whether or not the devices are video versus spinning reel; coin-in/coin-out versus coin-in/ticket-out, etc. The plan shall also propose the generic games to be played on the devices (e.g., video poker, keno, bingo, blackjack, line-up games). The plan shall provide for payment for payout from slot machines such that the payouts have a minimum average daily aggregate payback percentage as required by the appropriate statute. Initial applicants shall submit the above to the extent known at the time of their application. Updated information should be submitted as it becomes available.
 6. As soon as the Director has determined that the application is complete, the Director shall forward same to the Department which shall undertake and complete the background

investigation of the applicant, its officers, directors, partners, owners and key-executives. It will report its findings to the Board within six (6) months or such longer time as agreed by the applicant or as determined by the Board to be necessary for completion of the investigation due to circumstances documented by the Department.

7. The Board shall weigh the following factors in evaluating the application:
 - A. Whether the applicant satisfies the criteria outlined in 8 M.R.S.A. Chapter 31, Section 1016.
 - B. The extent to which, if any, the applicant would be subject to the control or influence of its activities by any person having a financial interest pertaining to the applicant, including a mortgage or other lien against property of the applicant or, who in the opinion of the Board, might otherwise influence its activities. In such case the Director shall consider the character, honesty and integrity of whoever has the ability to control or influence the activities of the applicant.
 - C. The degree to which the applicant has demonstrated its ability to finance the proposed slot machine operations, as well as the source of such financing.
 - D. The degree to which the applicant has supplied accurate and complete information pursuant to the requirements of this rule.
 - E. The extent to which the applicant has cooperated with the Board and the Department in connection with the background investigation.
 - F. Whether the person, or any of its officers, directors, partners, owners, key executives, or slot machine operations employees are known to associate with persons of nefarious backgrounds or disreputable character.
 - G. With respect to any past conduct which may adversely reflect upon the applicant, the nature of the conduct, the time that has passed since the conduct, the frequency of the conduct and any extenuating circumstances that affect or reduce the impact of the conduct or otherwise reflect upon the applicant's fitness for the license.
 - H. The adequacy of the applicant's business plan, as it reflects on the applicant's competency or capability to conduct slot machine operations in conformance with the requirements of these regulations.
 - I. Any other information before the Director, including substantially similar background investigations performed by other agencies or jurisdictions, that relate to the applicant's competency, financial capability, honesty, integrity, reputation, habits, or associations.

§2. Application – Casino Operator

1. An applicant for a license to act as a Casino Operator shall apply on forms specified by the Board. In addition to any information required by statute, application forms may require the applicant to provide the following:
 - A. The applicant's legal name, form of entity, the names, addresses, employer identification or social security numbers (if applicable) and dates of birth (if applicable) of its directors, officers, partners, owners, key executives and slot machine or casino operations employees, to the extent available.
 - B. A description of the applicant's organizational structure. This will include an organizational chart listing key applicants and positions being held for gaming operations along with their duties and responsibilities.
 - C. With respect to any persons named in subparagraph (A) that are not individuals, the names, addresses, social security numbers, and dates of birth of all individuals who are directors, officers, owners, partners, key executives.
 - D. The percentages of shares of stock, if any, held by each person named in subparagraph (A) or subparagraph (C) above. The Director may, at his or her discretion, cause periodic reexamination of the percentage of shares held by persons subject to such disclosures under these regulations.
 - E. The names of all persons principally involved in the original creation of the applicant's enterprise.
 - F. Responses to questions designed to elicit information necessary for the Board to evaluate the qualification and suitability of the applicant pursuant to 8 M.R.S.A. Chapter 31, §1016, subsection 2.
 - G. Certified copies, including amendments, of the applicant's charter, bylaws, articles of incorporation, articles of organization, partnership agreement, including the amount and date of each capital contribution of any partner to the applicant, trust agreement, and other documents that document or explain the legal organization of the applicant.
 - H. Unless a municipality, the name, address, and date of birth of the record owner of the premises or the property upon which the premises are located or, if the applicant is not the sole owner of the premises or property, the information required by subparagraph (A) above with respect to all persons having an ownership interest in the premises or property and copies of all agreements pursuant to which the applicant occupies the premises or property, as well as copies of all documents relating to the premises or property including, without limitation, all mortgages, deeds of trust, bonds, debentures, pledges of corporate stock and voting trust agreements, but excluding easements; utility agreements; subdivision and plot plans; and, for the period prior to three years before the filing of the application, deeds in the chain of title and satisfied mortgages.
 - I. Certified copies of organizational minutes and/or other corporate records reflecting ownership and the election of officers.

- J. The information required by subparagraph (A) above as to any operator of any business conducted by such applicant and any other contractor (which is not a publicly traded entity, a public utility or a municipality) utilized by such applicant which has received compensation from such applicant in excess of \$100,000 for gambling-related services in any of the three (3) preceding fiscal years together with a copy of all agreements between such applicant and such operator or contractor and a statement of all compensation paid to such operator or contractor during said three-year period.
- K. Copies of the applicant's audited financial statements for the preceding three (3) fiscal years and a copy of internally prepared financial statements for the current fiscal year as at the close of the most recent fiscal quarter.
- L. If a corporation, annual reports and SEC filings, if any, for past 3 years and meeting minutes from past 12 months.
- M. Copies of the applicant's State and Federal tax returns for a period of three (3) fiscal years.
- N. Copies of the declaration pages of all insurance policies insuring the applicant or the premises.
- O. A copy of the Certificate of Authority to do business in the state of Maine, if incorporated outside of Maine.
- P. Copies of any Trade Name Registrations filed by the applicant.
- Q. The information required by subparagraph (A) above as to the ten (10) largest unsecured creditors which are not publicly traded entities or accounting firms or legal firms of the applicant who are owed more than \$25,000 by the applicant for a period in excess of sixty days.
- R. Any and all other information as the Director may require to determine the competence, honesty and integrity of the applicant as required by 8 M.R.S.A. Chapter 31.
- S. The Casino Operator shall certify by a sworn notarized statement that it has not entered and does not intend to enter into any joint venture, partnership or teaming agreement in order to fulfill its obligations in connection with the casino operations; that it has not entered and does not intend to enter into any agreement whereby the proceeds generated by any agreement between the Casino Operator and the Board would be shared with one or more other persons. Provided, however, that a casino operator may enter into a management agreement with a third-party, who is not licensed under these regulations, for the operation of the slot machines or table games on the operator's premises provided that: (1) the proposed management agreement is provided to and approved by the Board, and (2) the third-party complies with all these regulations which apply to casino operators, including without limitation the licensure requirements.

T. The applicant shall provide proof that it meets all of the following eligibility criteria:

1. The casino is located on a parcel of land that is no less than 50 acres in size and located not more than:
 - i. Thirty miles from a Level I or Level II trauma center verified as such by the American College of Surgeons or successor organization;
 - ii. Fifteen miles from the main office of a county sheriff;
 - iii. Twenty-five miles from the main office of a state police field troop;
 - iv. Thirty miles from an interchange of the interstate highway system;
 - v. Ten miles from a fire station;
 - vi. Ten miles from a facility at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year; and,
 - v. One-half mile from a state highway as defined in Title 23, section 1903, subsection 15.
2. Ownership of a facility that is within 10 miles of the proposed casino at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year;
3. The casino is not located within 100 miles of a licensed casino or slot machine facility.
4. The casino is approved by voters of the municipality in which the casino is located by a referendum election or by a vote of the municipal officers at any time after October 1, 2009 and on or before December 31, 2011.
5. The slot machines and table games are located and operated in the casino.

For purposes of these criteria, distances are determined by measuring along the most commonly used roadway, as determined by the Department of Transportation.

2. The application, as well as other documents submitted to the Board by or on behalf of the applicant for purposes of determining the qualifications of the applicant, shall be sworn to or affirmed before a notary public. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.

3. To the extent, if any, that information of a material nature supplied in the application or otherwise supplied by the applicant or on the applicant's behalf, becomes outdated, inaccurate or incomplete, the applicant shall so notify the Board 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. The applicant shall cooperate fully with the Board and the Department with respect to its background investigation of the applicant.
5. The applicant shall submit with the application a proposed business plan for the conduct of casino operations. Such plan shall be submitted in conformity with a separate form specified and supplied by the Board. The plan shall include, without limitation, the following items: a floor plan of the area to be used for slot machine operations and table game operations; the proposed placement of slot machines and table games on the premises; the kind, type and number of slot machines and table games proposed, provided however that the name of the manufacturer(s) of such machines shall not be included; money control procedures; a security plan; a staffing plan for slot machine operations and table game operations; accounting and tax compliance procedures; and the method to be utilized for prize payments. The plan shall provide the details of any progressive jackpot games. The specification of the kind, type and number of the slot machines in the business plans shall make clear whether or not the devices are video versus spinning reel; coin-in/coin-out versus coin-in/ticket-out, etc. The plan shall also propose the generic games to be played on the slots (e.g., video poker, keno, bingo, blackjack, line-up games) and shall also propose the generic table games (e.g. black jack, poker, dice, craps, etc.). The plan shall provide for payment for payout from slot machines such that the payouts have a minimum average daily aggregate payback percentage as required by the appropriate statute. Initial applicants shall submit the above to the extent known at the time of their application. Updated information should be submitted as it becomes available.
6. As soon as the Director has determined that the application is complete, it shall forward same to the Department which shall undertake and complete the background investigation of the applicant, its officers, directors, partners, owners and key executives. It will report its findings to the Board within six (6) months or such longer time as agreed by the applicant or as determined by the Board to be necessary for completion of the investigation due to circumstances documented by the Department.
7. The Board shall weigh the following factors in evaluating the application:
 - A. Whether the applicant satisfies the criteria outlined in 8 M.R.S.A. Chapter 31, Section 1016.
 - B. The extent to which, if any, the applicant would be subject to the control or influence of its activities by any person having a financial interest pertaining to the applicant, including a mortgage or other lien against property of the applicant or, who in the opinion of the Board, might otherwise influence its activities. In such case the Director shall consider the character, honesty and integrity of whoever has the ability to control or influence the activities of the applicant.

- C. The degree to which the applicant has demonstrated its ability to finance the proposed casino operations, as well as the source of such financing.
- D. The degree to which the applicant has supplied accurate and complete information pursuant to the requirements of this rule.
- E. The extent to which the applicant has cooperated with the Board and the Department in connection with the background investigation.
- F. Whether the person, or any of its officers, directors, partners, owners, key executives, or casino operations employees are known to associate with persons of nefarious backgrounds or disreputable character.
- G. With respect to any past conduct which may adversely reflect upon the applicant, the nature of the conduct, the time that has passed since the conduct, the frequency of the conduct and any extenuating circumstances that affect or reduce the impact of the conduct or otherwise reflect upon the applicant's fitness for the license.
- H. The adequacy of the applicant's business plan, as it reflects on the applicant's competency or capability to conduct casino operations in conformance with the requirements of these regulations.
- I. Any other information before the Director, including substantially similar background investigations performed by other agencies or jurisdictions, that relate to the applicant's competency, financial capability, honesty, integrity, reputation, habits, or associations.

§3. Application – Slot Machine Distributor

- 1. An applicant for a license to act as a Slot Machine Distributor shall apply on forms specified by the Board. In addition to any information required by statute, application forms may require the applicant to provide the following:
 - A. The applicant's legal name, form of entity, the names, addresses, employer identification or social security numbers (if applicable) and dates of birth (if applicable) of its directors, officers, partners, owners, and key executives and slot machine operations employees.
 - B. A description of the applicant's organizational structure. This will include an organizational chart listing key applicants and positions being held for gaming operations along with their duties and responsibilities.
 - C. With respect to any persons named in subparagraph (A) that are not individuals, the names, addresses, social security numbers, and dates of birth of all individuals who are directors, officers, owners, partners, key executives, or slot machine operations employees of any such persons.
 - D. The percentages of shares of stock, if any, held by each person named in subparagraph (A) or subparagraph (C) above. The Director may, at his or her

discretion, cause periodic reexamination of the percentage of shares held by persons subject to such disclosures under these regulations.

- E. The names of all persons principally involved in the original creation of the applicant's enterprise.
- F. Responses to questions designed to elicit information necessary for the Board to evaluate the qualification and suitability of the applicant pursuant to 8 M.R.S.A. Chapter 31, Section 1016, subsection 2.
- G. Certified copies, including amendments, of the applicant's charter, bylaws, articles of incorporation, articles of organization, partnership agreement, including the amount and date of each capital contribution of any partner to the applicant, trust agreement, and other documents that document or explain the legal organization of the applicant.
- H. Certified copies of organizational minutes and/or other corporate records reflecting ownership and the election of officers.
- I. The information required by subparagraph (A) above as to any operator of any business conducted by such applicant and any other contractor (which is not a publicly traded entity) utilized by such applicant which has received compensation from such applicant in excess of \$100,000 for gambling-related services in any of the three (3) preceding fiscal years together with a copy of all agreements between such applicant and such operator or contractor and a statement of all compensation paid to such operator or contractor during said three-year period.
- J. Copies of the applicant's audited financial statements for the preceding three (3) fiscal years and a copy of internally prepared financial statements for the current fiscal year as at the close of the most recent fiscal quarter.
- K. If a corporation, biennial reports and SEC filings, if any, for past 3 years and meeting minutes from past 12 months.
- L. Copies of the applicant's State and Federal tax returns for a period of three (3) fiscal years.
- M. Copies of the declaration pages of all insurance policies insuring the applicant.
- N. A copy of the Certificate of Authority to do business in the state of Maine, if incorporated outside of Maine.
- O. Copies of any Trade Name Registrations filed by the applicant.
- P. The information required by subparagraph (A) above as to the ten (10) largest unsecured creditors which are not publicly traded entities or accounting firms or legal firms of the applicant who are owed more than \$25,000 by the applicant for a period in excess of sixty days.

- Q. Any and all other information as the Director may require to determine the competence, honesty and integrity of the applicant as required by 8 M.R.S.A. Chapter 31, Section 1016.
 - R. The identity of all customers to whom the applicant has furnished slot machines or other gambling equipment or technology within the three years immediately preceding the date of the application.
 - S. A description of the means by which the applicant exercises security and financial control over the activities of service technicians in order to insure the integrity of slot machine distribution.
 - T. The names and addresses of individuals who have been authorized by the applicant to engage in dealings with the Board for purposes of representing the interests of the applicant.
 - U. A description of the applicant's business and a list of the makes and types of machines to be distributed.
2. The application, as well as other documents submitted to the Board by or on behalf of the applicant for purposes of determining the qualifications of the applicant, shall be sworn to or affirmed before a notary public. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.
 3. To the extent, if any, that information of a material nature in the application or the supplemental information provided by the applicant becomes outdated, inaccurate or incomplete, the applicant shall notify the Board in writing as soon as it is aware that the information is outdated, inaccurate or incomplete, and shall at that time supply the information necessary to make the application or supplementary information current, accurate and complete.
 4. The applicant shall cooperate fully with the Board and the Department in any background investigation of the applicant.
 5. The applicant, upon request of the Board or Department, shall make any and all of its books and records available for inspection by the Board or the Department.
 6. As soon as the Director has determined that the application is complete, it shall forward same to the Department which shall undertake and complete the background investigation of the applicant, its officers, directors, partners, owners, key executives. It will report its findings to the Board within six (6) months or such longer time as agreed by the applicant or as determined by the Board to be necessary for completion of the investigation due to circumstances documented by the Department.
 7. The Board shall weigh the following factors in evaluating the application:
 - A. Whether the applicant satisfies the criteria outlined in 8 M.R.S.A. Chapter 31 Section 1016.

- B. The extent to which, if any, the applicant would be subject to the control or influence of its activities by any person having a financial interest pertaining to the applicant, including a mortgage or other lien against property of the applicant or, who in the opinion of the Board, might otherwise influence its activities. In such case the Director shall consider the character, honesty and integrity of whoever has the ability to control or influence the activities of the applicant.
- C. The degree to which the applicant has demonstrated its ability to finance the proposed slot machine distribution, as well as the source of such financing.
- D. The degree to which the applicant has supplied accurate and complete information pursuant to the requirements of this rule.
- E. The extent to which the applicant has cooperated with the Board and the Department in connection with the background investigation.
- F. Whether the person, or any of its officers, directors, partners, owners, key executives, or slot machine distribution employees are known to associate with persons of nefarious backgrounds or disreputable character.
- G. With respect to any past conduct which may adversely reflect upon the applicant, the nature of the conduct, the time that has passed since the conduct, the frequency of the conduct and any extenuating circumstances that affect or reduce the impact of the conduct or otherwise reflect upon the applicant's fitness for the license.
- H. Any other information before the Director, including substantially similar background investigations performed by other agencies or jurisdictions, that relate to the applicant's competency, financial capability, honesty, integrity, reputation, habits, or associations.

§4. Application – Table Game Distributor

- 1. An applicant for a license to act as a Table Game Distributor shall apply on forms specified by the Board. In addition to any information required by statute, application forms may require the applicant to provide the following:
 - A. The applicant's legal name, form of entity, the names, addresses, employer identification or social security numbers (if applicable) and dates of birth (if applicable) of its directors, officers, partners, owners, key executives and slot machine and casino operations employees.
 - B. A description of the applicant's organizational structure. This will include an organizational chart listing key executives and positions being held for gaming operations along with their duties and responsibilities.
 - C. With respect to any persons named in subparagraph (A) that are not individuals, the names, addresses, social security numbers, and dates of birth of all individuals who are directors, officers, owners, partners, key executives, or casino operations employees of any such persons.

- D. The percentages of shares of stock, if any, held by each person named in subparagraph (A) or subparagraph (C) above. The Director may, at his or her discretion, cause periodic reexamination of the percentage of shares held by persons subject to such disclosures under these regulations.
- E. The names of all persons principally involved in the original creation of the applicant's enterprise.
- F. Responses to questions designed to elicit information necessary for the Board to evaluate the qualification and suitability of the applicant pursuant to 8 M.R.S.A. Chapter 31, Section 1016, subsection 2.
- G. Certified copies, including amendments, of the applicant's charter, bylaws, articles of incorporation, articles of organization, partnership agreement, including the amount and date of each capital contribution of any partner to the applicant, trust agreement, and other documents that document or explain the legal organization of the applicant.
- H. Certified copies of organizational minutes and/or other corporate records reflecting ownership and the election of officers.
- I. The information required by subparagraph (A) above as to any operator of any business conducted by such applicant and any other contractor (which is not a publicly traded entity) utilized by such applicant which has received compensation from such applicant in excess of \$100,000 for gambling-related services in any of the three (3) preceding fiscal years together with a copy of all agreements between such applicant and such operator or contractor and a statement of all compensation paid to such operator or contractor during said three-year period.
- J. Copies of the applicant's audited financial statements for the preceding three (3) fiscal years and a copy of internally prepared financial statements for the current fiscal year as at the close of the most recent fiscal quarter.
- K. If a corporation, biennial reports and SEC filings, if any, for past 3 years and meeting minutes from past 12 months.
- L. Copies of the applicant's State and Federal tax returns for a period of three (3) fiscal years.
- M. Copies of the declaration pages of all insurance policies insuring the applicant.
- N. A copy of the Certificate of Authority to do business in the state of Maine, if incorporated outside of Maine.
- O. Copies of any Trade Name Registrations filed by the applicant.
- P. The information required by subparagraph (A) above as to the ten (10) largest unsecured creditors which are not publicly traded entities or accounting firms or

legal firms of the applicant who are owed more than \$25,000 by the applicant for a period in excess of sixty days.

- Q. Any and all other information as the Director may require to determine the competence, honesty and integrity of the applicant as required by 8 M.R.S.A. Chapter 31, Section 1016.
 - R. The identity of all customers to whom the applicant has furnished table games or other gambling equipment or technology within the three years immediately preceding the date of the application.
 - S. A description of the means by which the applicant exercises security and financial control over the activities of service technicians in order to insure the integrity of table game distribution.
 - T. The names and addresses of individuals who have been authorized by the applicant to engage in dealings with the Board for purposes of representing the interests of the applicant.
 - U. A description of the applicant's business and a list of the makes and types of games to be distributed.
2. The application, as well as other documents submitted to the Board by or on behalf of the applicant for purposes of determining the qualifications of the applicant, shall be sworn to or affirmed before a notary public. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.
 3. To the extent, if any, that information of a material nature in the application or the supplemental information provided by the applicant becomes outdated, inaccurate or incomplete, the applicant shall notify the Board in writing as soon as it is aware that the information is outdated, inaccurate or incomplete, and shall at that time supply the information necessary to make the application or supplementary information current, accurate and complete.
 4. The applicant shall cooperate fully with the Board and the Department in any background investigation of the applicant.
 5. The applicant, upon request of the Board or Department, shall make any and all of its books and records available for inspection by the Board or the Department.
 6. As soon as the Director has determined that the application is complete, it shall forward same to the Department which shall undertake and complete the background investigation of the applicant, its officers, directors, partners, owners and key executives. It will report its findings to the Board within six (6) months or such longer time as agreed by the applicant or as determined by the Board to be necessary for completion of the investigation due to circumstances documented by the Department.

7. The Board shall weigh the following factors in evaluating the application:
 - A. Whether the applicant satisfies the criteria outlined in 8 M.R.S.A. Chapter 31 Section 1016.
 - B. The extent to which, if any, the applicant would be subject to the control or influence of its activities by any person having a financial interest pertaining to the applicant, including a mortgage or other lien against property of the applicant or, who in the opinion of the Board, might otherwise influence its activities. In such case the Director shall consider the character, honesty and integrity of whoever has the ability to control or influence the activities of the applicant.
 - C. The degree to which the applicant has demonstrated its ability to finance the proposed table game distribution, as well as the source of such financing.
 - D. The degree to which the applicant has supplied accurate and complete information pursuant to the requirements of this rule.
 - E. The extent to which the applicant has cooperated with the Board and the Department in connection with the background investigation.
 - F. Whether the person, or any of its officers, directors, partners, owners, key executives, or table game distribution employees are known to associate with persons of nefarious backgrounds or disreputable character.
 - G. With respect to any past conduct which may adversely reflect upon the applicant, the nature of the conduct, the time that has passed since the conduct, the frequency of the conduct and any extenuating circumstances that affect or reduce the impact of the conduct or otherwise reflect upon the applicant's fitness for the license.
 - H. Any other information before the Director, including substantially similar background investigations performed by other agencies or jurisdictions, that relate to the applicant's competency, financial capability, honesty, integrity, reputation, habits, or associations.

§5. Application – Gambling Services Vendor

1. An applicant for a license to act as a Gambling Services Vendor shall apply on forms specified by the Board. In addition to any information required by statute, application forms may require the applicant to provide the following:
 - A. The applicant's legal name, form of entity, the names, addresses, employer identification or social security numbers (if applicable) and dates of birth (if applicable) of its directors, officers, partners, owners, key executives and slot machine and casino operations employees.

- B. A description of the applicant's organizational structure. This will include an organizational chart listing key executives and positions being held for gaming operations along with their duties and responsibilities.
- C. With respect to any persons named in subparagraph (A) that are not individuals, the names, addresses, social security numbers, and dates of birth of all individuals who are directors, officers, owners, partners, key executives, or slot machine and casino operations employees of any such persons.
- D. The percentages of shares of stock, if any, held by each person named in subparagraph (A) or subparagraph (C) above. The Director may, at his or her discretion, cause periodic reexamination of the percentage of shares held by persons subject to such disclosures under these regulations.
- E. The names of all persons principally involved in the original creation of the applicant's enterprise.
- F. Responses to questions designed to elicit information necessary for the Board to evaluate the qualification and suitability of the applicant pursuant to 8 M.R.S.A. Chapter 31, Section 1016, subsection 2.
- G. Certified copies, including amendments, of the applicant's charter, bylaws, articles of incorporation, articles of organization, partnership agreement, including the amount and date of each capital contribution of any partner to the applicant, trust agreement, and other documents that document or explain the legal organization of the applicant.
- H. Certified copies of organizational minutes and/or other corporate records reflecting ownership and the election of officers.
- I. The information required by subparagraph (A) above as to any operator of any business conducted by such applicant and any other contractor (which is not a publicly traded entity) utilized by such applicant which has received compensation from such applicant in excess of \$100,000 for gambling-related services in any of the three (3) preceding fiscal years together with a copy of all agreements between such applicant and such operator or contractor and a statement of all compensation paid to such operator or contractor during said three-year period.
- J. Copies of the applicant's audited financial statements for the preceding three (3) fiscal years and a copy of internally prepared financial statements for the current fiscal year as at the close of the most recent fiscal quarter.
- K. If a corporation, biennial reports and SEC filings, if any, for past 3 years and meeting minutes from past 12 months.
- L. Copies of the applicant's State and Federal tax returns for a period of three (3) fiscal years.
- M. Copies of the declaration pages of all insurance policies insuring the applicant or the premises.

- N. A copy of the Certificate of Authority to do business in the state of Maine, if incorporated outside of Maine.
 - O. Copies of any Trade Name Registrations filed by the applicant.
 - P. The information required by subparagraph (A) above as to the ten (10) largest unsecured creditors which are not publicly traded entities or accounting firms or legal firms of the applicant who are owed more than \$25,000 by the applicant for a period in excess of sixty days.
 - Q. Any and all other information as the Director may require to determine the competence, honesty and integrity of the applicant as required by 8 M.R.S.A. Chapter 31, Section 1016.
2. The application, as well as other documents submitted to the Board by or on behalf of the applicant for purposes of determining the qualifications of the applicant, shall be sworn to or affirmed before a notary public. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.
 3. To the extent, if any, that information of a material nature in the application or the supplemental information provided by the applicant becomes outdated, inaccurate or incomplete, the applicant shall notify the Board in writing as soon as it is aware that the information is outdated, inaccurate or incomplete, and shall at that time supply the information necessary to make the application or supplementary information current, accurate and complete.
 4. The applicant shall cooperate fully with the Board and the Department in any background investigation of the applicant.
 5. The applicant, upon request of the Board or Department, shall make any and all of its books and records available for inspection by the Board or the Department.
 6. As soon as the Director has determined that the application is complete, it shall forward same to the Department which shall undertake and complete the background investigation of the applicant, its officers, directors, partners, owners and key executives. It will report its findings to the Board within six (6) months or such longer time as agreed by the applicant or as determined by the Board to be necessary for completion of the investigation due to circumstances documented by the Department.
 7. The Board shall weigh the following factors in evaluating the application:
 - A. Whether the applicant satisfies the criteria outlined in 8 M.R.S.A. Chapter 31.
 - B. The extent to which, if any, the applicant would be subject to the control or influence of its activities by any person having a financial interest pertaining to the applicant, including a mortgage or other lien against property of the applicant or, who in the opinion of the Board, might otherwise influence its activities. In

such case the Director shall consider the character, honesty and integrity of whoever has the ability to control or influence the activities of the applicant.

- C. The degree to which the applicant has demonstrated its ability to finance the proposed gambling services vendor operations, as well as the source of such financing.
- D. The degree to which the applicant has supplied accurate and complete information pursuant to the requirements of this rule.
- E. The extent to which the applicant has cooperated with the Board and the Department in connection with the background investigation.
- F. Whether the person, or any of its officers, directors, partners, owners, key executives, or gambling services vendor employees are known to associate with persons of nefarious backgrounds or disreputable character.
- G. With respect to any past conduct which may adversely reflect upon the applicant, the nature of the conduct, the time that has passed since the conduct, the frequency of the conduct and any extenuating circumstances that affect or reduce the impact of the conduct or otherwise reflect upon the applicant's fitness for the license.
- H. Any other information before the Director, including substantially similar background investigations performed by other agencies or jurisdictions, that relate to the applicant's competency, financial capability, honesty, integrity, reputation, habits, or associations.

§6. Application – Employees

1. An applicant for an employee license pursuant to 8 M.R.S.A. §1015 shall submit a license application on a form approved and supplied by the Board.
2. The application, as well as other documents submitted to the Board by or on behalf of the applicant for purposes of determining the qualifications of the applicant, shall be sworn to or affirmed before a notary public. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.
3. To the extent, if any, that information of a material nature in the application or the supplemental information provided by the applicant becomes outdated, inaccurate or incomplete, the applicant shall notify the Board in writing as soon as it is aware that the information is outdated, inaccurate or incomplete, and shall at that time supply the information necessary to make the application or supplementary information current, accurate and complete.
4. The applicant shall cooperate fully with the Board and the Department in any background investigation of the applicant.

5. A waiver may be granted in lieu of an employee license pursuant to 8 M.R.S.A. §1015. A licensed or applicant Slot Machine Operator, Casino Operator, Slot Machine Distributor, Table Game Distributor, or Gambling Services Vendor may apply for a waiver of the licensing requirement for one or more employees pursuant to 8 M.R.S.A. §1015(3). Such application must be in writing and document facts sufficient to demonstrate that the public interest is not served by licensing requirement. The Board shall consider the extent to which the employee has access to slot machine equipment, table game equipment, proceeds from slot machine activity or table game activity; or is engaged in security or surveillance at the slot machine facility or casino; or is engaged in other activities directly related to the gambling activity or proceeds. An employee's access or activity in these areas is an indication that the public interest would not be served by granting the requested waiver. The following duties are examples of duties that fall under the categories that would **not** qualify for waiver.
 - A. Perform, under the supervision of an audit department executive, the duties and responsibilities of the internal audit department, including, without limitation, the supervision of personnel in the internal audit department; the monitoring of compliance with regulations and internal controls; and the evaluation of the adequacy of accounting and administrative controls;
 - B. Perform, under the supervision of a controller, the duties and responsibilities of the accounting department including, without limitation, the supervision of personnel in the accounting department; overseeing the review, verification and recordation of revenue journal entries; and the processing or control of active accounting documents related to gaming activity;
 - C. Have access to active accounting documents related to gaming activity;
 - D. Conduct surveillance investigations and operations;
 - E. Repair and maintain slot machines, table games, associated equipment and bill changers;
 - F. Assist in the operation of slot machines, table games and bill changers, including, without limitation, persons who participate in manual jackpot payouts and fill payout reserve containers, or supervise such persons;
 - G. Identify patrons or groups of patrons to receive complimentary based on actual patron play, authorize such complimentary or determine the amount of such complimentary;
 - H. Analyze slot machine operations or casino operations data and make recommendations relating to, without limitation, marketing, complimentary, gaming, special events, promotions and player ratings;
 - I. Enter data in gaming-related computer systems or develop, maintain, install or operate gaming-related computer software systems;
 - J. Collect and record patron checks and personal checks which are dishonored and returned by a bank;

- K. Develop marketing programs to promote slot machine operations or casino operations, including, without limitation, coupon redemption and other complimentary distribution programs;
 - L. Distribute, redeem, account for, inventory, or assign for distribution complimentary coupons;
 - M. Process currency or cash equivalents;
 - N. Repair or maintain the closed-circuit television system equipment of the Slot Machine Facility or Casino;
 - O. Currently training to become a surveillance employee;
 - P. Provide physical security on the floor of the gambling facility or in a restricted area of the gambling facility;
 - Q. Control and maintain the slot machine and table game inventory, including replacement parts, equipment and tools used to maintain slot machines and table games;
 - R. Repair and maintain slot machines and bill changers;
 - S. Perform as the secretary to the supervisor of the surveillance department, internal audit department, accounting department or credit department;
 - T. Repair gaming equipment other than slot machines;
 - U. Perform responsibilities associated with the installation, maintenance or operation of computer hardware for racino computer systems;
 - V. Recruit customers as part of Junket Services performed for the Slot Machine Operator or Casino Operator;
 - W. Supervise, at a casino or slot facility, a person required to possess an employee license.
6. Examples of job duties that are likely to qualify for a license waiver are food service workers, parking attendants and other employees not related to gambling activities.
 7. Should the status of a waived employee change to that of an individual subject to licensing, the Board shall be notified and the individual shall submit a license application.
 8. Upon application of a person licensed in another state, the Board or its Director may issue a temporary license to that person for purposes of testing or setting up slot machines, table games, or associated equipment. A temporary license will be value for 30 calendar days from the date on which it is issued.

§7. Any application received without the required fee will be returned as incomplete due to nonpayment of the fee. Application fees are nonrefundable.

§8. An action of the Board regarding an applicant or licensee relates only to the applicant's or licensee's qualification for licensure under 8 M.R.S.A., Chapter 31, Section 1016 and these rules and does not indicate or suggest that the Board has considered or passed on the qualifications or application of the applicant or licensee for any other purpose.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE

February 21, 2005 – filing 2005-57

AMENDED:

April 11, 2007 – Section 4(H), filing 2007-127

May 16, 2011 – filing 2011-146

April 22, 2014 – filing 2014-073

July 16, 2019 – filing 2019

Chapter 3: CONTROL OF LICENSEES

- §1. Each licensed slot machine operator, casino operator, slot machine distributor, table game distributor, and gambling services vendor shall maintain, in a place secure from theft, loss, or destruction, adequate records of its business and accounting operations relating to the slot machine operations and the casino operations regulated by this rule. Each of the above licensees shall make the records available to the Board, Director, or Department pursuant to 8 M.R.S.A. §1041 and §1042. Records shall be maintained as follows:
1. The licensees shall hold the records for not less than 5 years. The records shall include, but not be limited to, all of the following:
 - A. All correspondence with, or reports to, the Board or any local, state or federal regulatory agency;
 - B. All correspondence concerning the acquisition, construction, maintenance, or business of a proposed or existing slot machine facility or casino;
 - C. A personnel file on each employee;
 - D. All accounting records, ledgers, subsidiary records, computer generated data and internal audit records pertaining to slot machine or table game activities.
 2. Notwithstanding the foregoing provisions of subsection 1 of this rule, a slot machine operator or casino operator will maintain original ticket vouchers for a period of 7 days, unless otherwise ordered by the Gambling Control Board. Any vouchers ordered held by the Gambling Control Board will be held for 7 years.
 3. Notwithstanding the foregoing provisions of subsection 1 of this rule, a licensed slot machine operator, casino operator, slot machine distributor, table game distributor, and gambling services vendor shall hold copies of all promotional and advertising material, records, or complimentary distributions for the slot machine facility or casino for at least one year.
 4. The slot machine facility or casino shall organize and index all required records in a manner that enables the Board to locate, inspect, review, and analyze the records with reasonable ease and efficiency. The slot machine facility or casino may maintain the records in either paper or electronic form.
 5. Nothing in this section of this rule shall be construed to require disclosure of documents subject to the attorney-client privilege if the licensee or applicant informs the Director of the existence of the document, a general description of its contents, and the basis for the privilege.

§2. A licensee shall disclose changes in information.

1. Except as otherwise provided in this rule, if an obligation has been placed upon a licensee to report or submit information to the Board, the reporting or submission may be accomplished by providing the information to the Director or the Board.
2. A licensee or an applicant for a license has a continuing duty to disclose promptly any material changes in information provided to the Board as soon as the applicant or licensee becomes aware of the change. The duty to disclose changes in information continues throughout any period of licensure granted by the Board. A licensee or applicant shall make sure that all required release of information forms submitted to the Board are current.
3. A slot machine operator, casino operator, slot machine distributor, table game distributor, or gambling services vendor shall immediately notify the Board of any proposed or effective change regarding the makeup of its owners, directors, officers, partners, or key executives.

§3. An applicant or licensee shall disclose representatives.

1. An applicant or licensee shall file with the Board a list of persons and positions authorized to act on the applicant's or licensee's behalf as to any matter before the Board. An attorney appearing on behalf of an applicant or licensee in a matter before the Board shall promptly file an appearance identifying his or her client and the matter in which the attorney will appear.
2. A person holding or applying for a slot machine operator license, casino operator license, slot machine distributor license, table game distributor license, or a gambling services vendor license shall establish and identify a registered agent within the State of Maine for the purpose of accepting service of process, notices, and other forms of communication for the person holding or applying for one of the licenses cited above.

§4. A licensed slot machine operator, casino operator, slot machine distributor, table game distributor, or gambling services vendor shall conduct a reasonable investigation of the background of employees whose duties relate to or involve the conduct of gambling operations in the State of Maine to reasonably ensure that the employee is eligible and suitable for the employment under the licensing standards and other requirements of 8 M.R.S.A. Chapter 31 and these rules. A licensed slot machine operator, casino operator, slot machine distributor, table game distributor, or gambling services vendor shall keep and maintain written records of investigations for all employees. The licensees shall make the written records available to the Board, upon request, within a reasonable time period prescribed by the Board. Licensure by the Board may not be relied on by the licensee as the sole criterion for hiring a job applicant.

§5. An applicant or licensee shall provide all information required by 8 M.R.S.A. Chapter 31 and these rules and satisfy all requests for information pertaining to licensing, in the form specified by the Board. An applicant or licensee shall waive liability as to the State, its instrumentalities and agents for any damages resulting from any disclosure or publication in any manner other than a

willful unlawful disclosure or publication of any material or information acquired during inquiries, investigations or hearings.

§6. Owners, directors, officers, key executives, and managerial employees of a casino or slot facility, and any employees licensed by the Board, shall not play or be permitted to play any gambling game at the casino or slot facility at which the person is employed or licensed except in the course of employee training, slot machine testing or table game testing being conducted by authorized personnel, or when that person is demonstrating to one or more patrons how to play a permitted slot machine game or table game.

1. Any employee for whom licensure has been waived pursuant to 8 M.R.S.A. §1015 is permitted to play slot machines or table games when not on duty. No such person shall be allowed to purchase or redeem tokens or tickets for any other person at the slot machine facility or casino operated by the licensee.

No Board member, Director of the Board, member of the Board staff or Department member assigned to the Gambling Control Unit may gamble in any casino or slot facility licensed by the Board except in the course of his or her duties.

§7. An applicant for or holder of a slot machine operator license, casino operator license, slot machine distributor license, table game distributor license, or a gambling services vendor license may not enter into or perform any contract or transaction in connection with operations related to the slot machine operator license, casino operator license, slot machine distributor license, table game distributor license, or gambling services vendor license for which application has been made or which the licensee holds unless the applicant or licensee transfers or receives consideration that is commercially reasonable.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 –filing 2005-58

AMENDED:

August 5, 2006 – Section 1(B through E), filing 2006-345

April 11, 2007 – Section 1(D) and Section 6, filing 2007-128

October 1, 2011 - filing 2011-322

June 23, 2014 - filing 2014-118

§1. Ownership Records

The slot machine operator licensee or casino operator licensee shall keep and provide to the Board upon request, all of the following records:

1. If the slot Machine Operator licensee, Casino Operator licensee, or any controlling person of the licensee, or an applicant for the slot machine operator license or casino operator license, is a publicly traded corporation then the following will be provided:
 - A. A list of those executive officers of the publicly traded corporation whose ongoing and regular responsibilities relate or are expected to relate directly to the operation or oversight of the slot machine facility or casino.
 - B. Annual reports for the three (3) most recent years
 - C. Audited financial statements, i.e., balance sheet, income statement, cash flow statement, for the last three (3) years. All relevant attachments are to be provided.
 - D. All reports required to be filed with the Securities and Exchange Commission including the last 10-K report and the last two 10-Q reports.
 - E. Any other reports of the licensee or its parent/holding company to its shareholders for the current fiscal year
2. If the slot machine operator licensee or casino operator licensee is a corporation, but is not a publicly traded corporation, then all of the following records:
 - A. A certified copy of the articles of incorporation and any amendments;
 - B. A certified copy of the bylaws and any amendments;
 - C. A certificate of good standing from the state of its incorporation;
 - D. If the corporation is operating as a foreign corporation in Maine, a certificate of authority from the Maine corporations and securities bureau authorizing it to do business in Maine;
 - E. A list of all current and former officers and directors for a period of two years before Maine licensure;
 - F. A certified copy of minutes of all meetings of the stockholders and directors for a period of two years before Maine licensure;

- G. A current list of all current stockholders, including the names of beneficial owners of shares held in street or other names;
 - H. The name of any entity and a current list of all owners or stockholders in that entity, including the names of beneficial owners of shares held in street or other names, in which the corporation has a direct, indirect, or attributed interest;
 - I. A copy of the stock certificate ledger or its electronic equivalent;
 - J. A complete record of all transfers of stock to the extent available to the licensee or applicant;
 - K. A schedule of amounts paid to the corporation for the issuance of stock and other capital contributions and the dates the amounts were paid;
 - L. A schedule of all dividends distributed by the corporation; and
 - M. A schedule of all direct or indirect salaries, wages, and other remuneration, including prerequisites, paid during the calendar or fiscal year by the corporation to all officers, directors, and stockholders that have an ownership interest, at any time during the calendar or fiscal year, that is more than 5% of the outstanding capital stock of any class of stock;
3. If the slot machine operator licensee or casino operator licensee is a limited liability company, then all of the following records:
- A. A certified copy of the articles of organization;
 - B. A certified copy of the operating agreement;
 - C. A list of all current and former managers, including names and addresses;
 - D. A list of the members, including all of the following information:
 - 1. Names;
 - 2. Addresses;
 - 3. The percentage of interest in net assets, profits, and distributions of cash held or attributable to each;
 - 4. The amount and date of each capital contribution of each member;
 - 5. The date the interest was acquired; and
 - 6. The method of determining a member's interest;
 - E. A schedule of all withdrawals of company funds or assets by members;
 - F. A schedule of direct or indirect salaries, wages, and other remuneration, including prerequisites, paid to each member during the calendar or fiscal year;

- G. A copy of the membership ledger or its electronic equivalent;
 - H. A complete record of all transfers of membership interests; and
 - I. A schedule of amounts paid to the company for the issuance of membership interests and other capital contributions and the dates the amounts were paid;
4. If the slot machine operator licensee or casino operator licensee is a partnership, then all of the following records:
- A. A certified copy of the partnership agreement;
 - B. A certificate of limited partnership of its domicile;
 - C. A list of the partners, including all of the following information:
 - 1. Names;
 - 2. Addresses;
 - 3. The percentage of interest in net assets, profits, and losses held by each partner;
 - 4. The amount and date of each capital contribution of each partner;
 - 5. The date the interest was acquired.
 - 6. The description of the form of the person's partnership interest, for example, limited partner.
 - D. A schedule of all withdrawals of partnership funds or assets; and
 - E. A schedule of direct or indirect salaries, wages, and other remuneration, including prerequisites, paid to each partner during the calendar or fiscal year;
5. If the slot machine operator licensee or casino operator licensee is a sole proprietorship, then all of the following records:
- A. A schedule showing the name and address of the proprietor and the amount and date of his or her original investment;
 - B. A schedule of the dates and amounts of subsequent additions to the original investment and any withdrawals; and
 - C. A schedule of direct or indirect salaries, wages, and other remuneration, including prerequisites, paid to the proprietor during the calendar or fiscal year.

§2. Accounting Records

1. The slot machine operator licensee or casino operator licensee shall maintain complete, accurate, legible, and permanent records of all transactions pertaining to its revenues and expenses, assets, liabilities, and equity in conformance with generally accepted accounting principles. The Board may direct the slot machine operator licensee or casino operator licensee to alter the manner in which the records are maintained if the licensee's records are not in accordance with generally accepted accounting principles or if the records are not in sufficient detail.
2. The accounting records shall be maintained using a double entry system of accounting with transactions recorded in accordance with generally accepted accounting principles and supported by detailed subsidiary records.
3. The detailed subsidiary records shall include, at a minimum, all of the following:
 - A. Detailed general ledger accounts identifying all revenue, expenses, assets, liabilities, and equity for the slot machine operator licensee or casino operator licensee;
 - B. A record of all investments, advances, loans, and accounts receivable balances due the establishment;
 - C. A record of all loans and other accounts payable by the slot machine operator licensee or casino operator licensee;
 - D. A record of all accounts receivable written off as uncollectible by the slot machine operator licensee or casino operator licensee;
 - E. Journal entries prepared by the slot machine operator licensee or casino operator licensee;
 - F. Tax work papers used in preparation of any state or federal tax return;
 - G. Records that identify all of the following on a per day basis or other accounting period approved by the Board
 1. The number of coins inserted by players or the coin equivalent if a bill acceptor is being used or tokens or tickets are used;
 2. The number of credits wagered;
 3. The number of credits paid out by printed tickets;
 4. The total number of credits, coins and tokens won;
 5. The number of times the logic door was accessed; and
 6. The number of times the cash door was accessed;

7. The calculated payout percentage of each slot machine game on the basis of credits won divided by credits played;
 8. The master game report for each table;
 9. The number of chips missing and value from each table;
 10. The Drop for each table;
 11. The Win for each table.
- H. Records required to fully comply with all applicable federal financial record-keeping requirements enumerated in 31 *Code of Federal Regulations*, part 103;
- I. Records required by the slot machine operator licensee's or casino operator licensee's internal control system;
- J. Work papers supporting the daily reconciliation of cash accountability; and
- K. Other records that the Board requires to be maintained.

§3. Standard Financial and Statistical Records

1. Each Operator, unless specifically exempted by the Board, shall file daily, weekly, monthly, and annual reports of financial and statistical data with the Board.
2. Nothing in this section shall be interpreted to limit the ability of the Board or Department to request reports from the facility-based monitoring system.
3. At a minimum, the reports shall contain the following information:

Daily

- A. Daily Operation Report which must include slot machine and table game win, handle, win percentage for the day, month to date, and for the comparable period last year.
- B. A validation drop vs. meter comparison report filed for each drop day that compares the actual count to system totals.
- C. Metered vs. actual jackpot comparison report with the dollar value totals for each;
- D. Event log of errors referenced and hand-paid jackpots for each slot machine.

Weekly

- A. Comparison reports for bills, tickets or vouchers accepted by the slot machine with dollar value totals for each type;
- B. Transfers of employees within the Operator's organization.

- C. Changes in officers, partners, directors, key employees, operations employees, and owners.
- D. Names of all new employees hired to work on the premises.
- E. Termination of any employee and the reason for such termination.

Monthly

- A. Slot machine win, handle, and win percentage by denomination for the previous month and for the comparable periods in the prior year.
- B. Table game win, handle, and win percentage for the previous month and for the comparable periods in the prior year.
- C. Management fees paid.
- D. All employee infractions of the internal controls, Board established Rules and Regulations and State Law. Each infraction shall be reported on a form approved by the board or its designee and shall include, at a minimum, the following information:
 - 1. Employee name.
 - 2. Date of infraction.
 - 3. Complete details of infraction.
 - 4. Action taken.
- E. Balance sheet and income statement prepared on a comparative basis for the current month and corresponding prior year period, in a form prescribed by the Board which will include table games and slot machine operations.

Annually

- A. Each Operator, unless specifically exempted by the Board, shall, at its own expense, cause its annual financial statements to be audited in accordance with generally accepted auditing standards by an independent certified public accountant licensed to practice in the State of Maine.
 - B. The annual financial statement shall be prepared on a comparative basis for the current and prior fiscal year, and shall present financial position and results of operations in conformity with generally accepted accounting principles.
 - C. Copies of the annual report as developed by the independent certified public accountant shall be submitted by the Operator to the Board.
4. Annual reports to the Board shall be based on the Operator's fiscal year. Quarterly reports shall be based on fiscal quarters, or as prescribed by the Board. Monthly reports shall be based on calendar months, or as prescribed by the Board. Weekly reports shall be based on a Monday through Sunday workweek.

5. The due dates for the reports shall be as prescribed in the Rules of the Gambling Control Board.
 - A. Required weekly reports will be submitted on Tuesday of each week.
 - B. Required monthly reports will be submitted on the 15th of the month.
 - C. Required annual reports will be submitted within 120 days of the close of the licensee's fiscal years.
6. Each Operator shall require its independent certified public accountant to render the following additional reports:
 - A. Report on material weaknesses in internal accounting control. Whenever in the opinion of the independent certified public accountant there exists no material weaknesses in internal accounting control, the report shall so state.
 - B. The Operator shall prepare a written response to the independent certified public accountant's reports required by 5(A) above. The response shall indicate, in detail, the corrective actions taken. Such response shall be submitted to the Board and the Department within 90 days from receipt of the independent certified public accountant's reports.
7. Two copies of the reports required by 5 above, and two copies of any other reports on internal accounting control, administrative controls, or other matters relative to the Operator's accounting or operating procedures rendered by the Operator's independent certified public accountant, shall be filed with the Board and the Department by the Operator by the 15th day of the third month following the end of the fiscal year.
8. If an independent certified public accountant who was previously engaged as the principal accountant to audit the Operator's financial statements resigns or is dismissed as the Operator's principal accountant, or another independent certified public accountant is engaged as principal accountant, the Operator shall file a report with the Board and the Department within 10 days following the end of the month in which such event occurs, setting forth the following:
 - A. The date of such resignation, dismissal, or engagement.
 - B. Whether in connection with the audits of the two most recent years preceding such resignation, dismissal, or engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure, which disagreements if not resolved to the satisfaction of the former accountant would have caused him to make reference in connection with his report to the subject matter of disagreement, including a description of each such disagreement. The disagreements to be reported include those resolved and those not resolved.
 - C. Whether the principal accountant's report on the financial statements for any of the past two years contained an adverse opinion or disclaimer of opinion or was qualified. The nature of such adverse opinion, disclaimer of opinion, or qualification shall be described.
 - D. The Operator shall request the former accountant to furnish to the Operator a letter addressed to the Board, with a copy furnished to the Department, stating whether he agrees with the statements made by the Operator. Such letter shall be filed with the Board as an exhibit to the report filed by the Operator.

§4. Special Audits and Licensee Annual Compliance Reports

1. To assure the integrity of gaming and compliance with 8 M.R.S.A.. Chapter 31 and these rules, the Board may require for cause a special audit of the slot machine operator or the casino operator to be conducted by State of Maine personnel or an independent certified public accountant who is, or whose firm is, licensed in Maine. The audit may not be performed by a firm who is also acting as a financial advisor for any governmental organization involved with or benefiting from the operation of the slot machine facility or casino. The Board shall establish the scope, procedures and reporting requirements of a special audit.
2. The slot machine operator licensee or casino operator licensee who is a public reporting company under the Securities and Exchange Act of 1933 or 1934, 15 U.S.C. §77 and 15 U.S.C. §78, shall submit a copy of all reports required by the Securities and Exchange Commission to the Director in the form filed with the SEC. The reports shall be due on the same filing dates as required by the Securities and Exchange Commission.
3. The slot machine operator licensee or casino operator licensee shall bear the expense of preparing any audit required by these rules and performed by an independent certified public accountant. Qualified personnel of the slot machine operator licensee or casino operator licensee shall prepare compliance reports and the slot machine operator licensee or casino operator licensee shall bear the expense of preparing the compliance reports.
4. The reporting year-end of the holder of the slot machine operator license or casino operator license shall be the licensee's fiscal year.

STATUTORY AUTHORITY: **8 M.R.S.A.**

§1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-59

AMENDED:

April 11, 1007 – Section 3, filing 2007-129

October 1, 2011 -filing 2011-323

June 23, 2014 – filing 2014-119

March 8, 2025 – filing 2025-049 to 054

16-633

DEPARTMENT OF PUBLIC SAFETY

GAMBLING CONTROL BOARD

Appendix A to Chapter 5, Internal Controls

STATE OF MAINE

MINIMUM INTERNAL CONTROL STANDARDS (MICS)

FOR SLOT MACHINE AND CASINO OPERATIONS

December 16, 2004

Amended Effective November 26, 2005 – filing 2005-479

Amended Effective August 5, 2006 – filing 2006-346

Amended Effective April 11, 2007 – filing 2007-130

Amended Effective January 2, 2012 – Filing 2011-481

Amended Effective September 15, 2014 – filing 2014-223

Amended Effective

Amended Effective July 22, 2019 – filing 2019-127

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I Definitions

The following words and terms, when used in the Minimum Internal Control Standards, shall have the following meanings unless the context indicates otherwise.

“Announced bet” refers to a bet where a player announces the intention to bet a certain way and actually puts the wager on the table.

“Ante” refers to a player's initial wager or predetermined contribution to the pot prior to the dealing of the first hand.

“Applicant” has the same meaning as set forth in 8 M.R.S.A. § 1001(1).

“Asset number” means a unique number permanently assigned to a slot machine or table game and its cash storage box for purposes of tracking that machine or table game and storage box while used by an operator.

“Associated equipment” has the same meaning as set forth in 8 M.R.S.A. § 1001(2).

“Bill validator” means any mechanical, electrical, or other device, contrivance, or machine designed to interface with a slot machine or electronic table game for the purpose of accepting currency or tickets equal to the amount inserted into the bill validator system for the registering of credits for subsequent play.

“Bird cage” is a clear hard plastic container used to carry chips to and from gaming tables.

“Board” has the same meaning as set forth in 8 M.R.S.A. § 1001(4).

“Cage or general cashier” is defined as any person who has custody of the cage inventory comprising currency, coin, chips, forms, documents, and records normally associated with the operation of a cage and other functions normally associated with a cashier.

“Cage supervisor” means any person whose job allows that person to supervise personnel and functions within the cashiers' cage.

“Call” refers to a wager made in an amount equal to the immediately preceding wager.

“Call bet” refers to an announced bet but no money is placed on the table. Call bets are not to be used in the State of Maine.

“Card room bank” refers to an imprest fund which is a part of and accountable to the licensee's casino cage or bankroll but which is maintained in the card room exclusively for the purposes providing cashier services to the card room.

“Card table bank” refers to an imprest inventory of cash and chips physically located in the table tray on the card table and controlled by the licensee through accountability established with the card room bank.

“Cash” means U.S. currency and/or coin.

“Cash equivalents” means:

- A. Certified checks, cashier's checks, treasurer's checks, traveler's checks, or money orders, any of which are made payable to the Slot Machine Operator, “bearer,” or “cash.”

- B. Certified checks, cashier's checks, treasurer's checks, or money orders, any of which are made payable to the presenting patron and endorsed in blank, provided, however, that no such instrument shall be accepted as a cash equivalent if the instrument was originally made payable to any person other than the presenting patron.

"Cash storage box" refers to a secure container in a slot machine or electronic table game that accepts and retains currency or tickets from the bill validator.

"Cashiers' cage" refers to a physical structure that houses the cage cashiers and serves as the central location for the following:

- A. The custody of the cage inventory comprising currency, chips, coin, forms, documents, and records normally associated with the operation of a cage.
- B. Such other functions normally associated with the operation of a cage.

"Casino" has the same meaning as set forth in 8 M.R.S.A. § 1001(5-A).

"Casino operator" has the same meaning as set forth in 8 M.R.S.A. § 1001 (5-B).

"Certification" refers to the authorization by the Board in accordance with its inspection and approval process of slot machines and slot games, such certification to relate to either hardware or software.

"Change person" means a person who possesses an imprest inventory of currency to be used for the even exchange with patrons of currency, chips, and tickets.

"Chapter" means any one of sections I through III of these Minimum Internal Control Standards.

"Check" refers to a player's decision to waive the right to initiate the wagering, but to retain the right to call after all the other players have either wagered or folded.

"Chip" means a non-metal or partly metal representative of value, redeemable for cash, and issued and sold by a casino operator for use at table games at a casino.

"Comp" means a complimentary service or item provided directly or indirectly by a slot machine operator to its patrons at no cost or at a reduced price.

"Control" has the same meaning as set forth in 8 M.R.S.A. § 1001(7).

"Count room" is a secure room or rooms for the counting of tickets, chips and/or currency.

"Credit" refers to the opportunity provided to a player to play a slot machine or redeem that opportunity for cash.

"Credit slip" refers to a form used to record the amount of money or chips removed from a table game (i.e., table tray), or the transfer of customer deposit withdrawal from a table game to the cashiers' cage.

"Dealer" means a trained and licensed employee who operates table games that may use electronics as part of the game's operation in connection with the collection and storage of game outcome, accounting and significant-event data.

"Dealer-operated electronic table game" or "dealer-operated ETG" refers to an electronic table game operated by a live dealer.

“Decal” refers to the stamp or marker that is displayed on a slot machine or table game which has been certified by the Board.

“Department” has the same meaning as set forth in 8 M.R.S.A. § 1001(8).

“Director” has the same meaning as set forth in 8 M.R.S.A. § 1001(9).

“Distribute” has the same meaning as set forth in 8 M.R.S.A. § 1001(10).

“Drop” means the amount of cash and tickets in a cash storage box, or money and chips contained in the table drop boxes if applicable.

“Drop box” refers to a locked container in a table that is permanently marked to indicate the game theme, table number and shift. All markings must be clearly visible. The container must be locked to the table, separately keyed from the container itself. All monies exchanged for chips at the table and other such items or documents as management may direct pertaining to transactions at the table must be put into the container.

“Electronic table game” or “ETG” refers to a table game that is played in an electronic or electromechanical format that replicates a table game either in full or in part. Electronic table games are table games and include electronic facsimiles as defined by 8 M.R.S.A. § 1001(13-A). Electronic table games include both dealer-operated electronic table games and independently operated table games.

“Emergency drop” means an unscheduled drop that is required due to an emergency situation.

“Emergency situation” means an unplanned event that could not have been readily anticipated, jeopardizes public safety and that renders a slot machine, table game or electronic table game inoperable for play.

“Employee numbers” means an operator-assigned number that identifies an employee and is used to sign all operational documents.

“EPROM” means erasable programmable read only memory of a slot machine.

“Facility Based Monitoring System (FBMS)” has the same meaning as set forth in 8 M.R.S.A. § 1001(13-B)

“Fill slip” refers to a form used to record the amount of money or chips furnished to a table game (i.e., table tray) from the cashiers’ cage.

“Gambling activity” has the same meaning as set forth in 8 M.R.S.A. § 1001(15).

“Gambling facility” has the same meaning as set forth in 8 M.R.S.A. § 1001(16).

“Gambling services” has the same meaning as set forth in 8 M.R.S.A. § 1001(17).

“Gambling services vendor” has the same meaning as set forth in 8 M.R.S.A. § 1001(18).

“Game” refers to any game played on a slot machine or table game, such as a variation of poker, blackjack, line-up or mechanical reel games.

“Games summary” refers to a form used to record, by shift and day, the individual table games winnings and/or losses. The form reflects the total count of opening and closing table tray inventories, fills and credits, drop, and win/loss per gaming table.

“Gaming employee” has the same meaning as set forth in 8 M.R.S.A. § 1001(20).

“Gross slot machine income” has the same meaning as set forth in 8 M.R.S.A. § 1001(21).

“Gross table game income” has the same meaning as set forth in 8 M.R.S.A. § 1001(21-A).

“Hand” refers to one game in a series, one deal in a card game, or the cards held by a player.

“Imprest” refers to an advance of money.

“Incompatible function” means a function, for accounting control purposes that places any person or department in a position to both perpetrate and conceal errors or irregularities in the normal course of that person’s duties. Anyone recording transactions and having access to assets ordinarily is in a position to perpetrate errors or irregularities. Persons shall be deemed to have incompatible functions if such persons are members of departments that have supervisors not independent of each other.

“Independently operated electronic table game” or “independently operated ETG” refers to an electronic table game that is fully automated and operates without a live dealer.

“Interface element” is any system component external to the operation of a slot machine that assists in the collection and processing of data sent to the FBMS, such as a slot machine interface board (SMIB).

“Internal controls” refers to the slot machine or casino operator’s system of internal procedures and administrative and accounting controls.

“Jackpot” means any money, merchandise, or thing of value to be paid to a patron as the result of a specific combination(s) of characters indicated on a slot machine

“Junket services” has the same meaning as set forth in 8 M.R.S.A. § 1001(26).

“Key employee” refers to an individual employee of an applicant or licensee who has the power to exercise considerable influence over significant decisions concerning the applicant's or licensee's business.

“Key executive” has the same meaning as set forth in 8 M.R.S.A. § 1001(27).

“Lammer button” (marker button) refers to a numbered, chip like implement placed on the gaming table indicating the amount of house chips that have been removed from a table tray during a table credit slip transaction.

“License” has the same meaning as set forth in 8 M.R.S.A. § 1001(28).

“Licensee” has the same meaning as set forth in 8 M.R.S.A §1001(29).

“Linked progressive” refers to a group of slot machines connected by a local or central controller that all contribute to the same progressive jackpot amount. When a progressive jackpot has been won, all slot machines that are connected to the same progressive will reset.

“Live gaming device” refers to a table game, where cards or dice are used to play the game.

“Location number” means the number assigned to an area of the floor that identifies the site where the slot machine or table game is positioned.

“Machine malfunction” means an occurrence during which an electronic or computer function of a slot machine does not operate in the manner in which it was programmed to operate. The definition does not include a mechanical malfunction, such as a paper jam.

“Main bank” refers to a physical structure within the cashiers’ cage that is designed and constructed to provide maximum security for the materials housed and the activities performed therein. It houses the cashiers and serves as the central location for the following:

- A.) The custody and storage of currency, coin, chips, forms, documents, and records normally generated or utilized by cage cashiers, or change people.
- B.) The exchange of currency, coin, chips, and coupons, for supporting documentation, including tickets.
- C.) The responsibility for the overall reconciliation of all documentation generated by cage cashiers and change people.
- D.) The receipt of coins, chips, and currency from the count rooms.
- E.) Such other functions normally associated with the operation of the main bank.

“M.E.A.L.” refers to the Machine Entry Authorization Log. When a machine door is opened for any reason, certain information is recorded on this log. All entries made in this log should be clearly legible.

“Non-routine event” refers to:

- A.) Any suspicious or possible criminal incident that occurs on the licensee’s property.
- B.) Any incident where a patron’s or employee’s safety is or could be endangered.
- C.) Any incident involving the protection of a patron or the operator’s property.
- D.) Any other type of incident that the Board or Department deems non-routine.

“Operate” has the same meaning as set forth in 8 M.R.S.A. § 1001(31).

“Operator” means a casino or slot machine operator (see definition of a “Slot machine and Casino operator”).

“Operator monitoring system” refers to the hardware, software, and network components which operate each electronic table game separately or link multiple devices together.

“Or above” refers to a higher or superior employment position (manager is above a supervisor).

“Owner” has the same meaning as set forth in 8 M.R.S.A. § 1001(32).

“Payback percentage” has the same meaning as set forth in 8 M.R.S.A. § 1001(34).

“Person” has the same meaning as set forth in 8 M.R.S.A. § 1001(35).

“Player” means an individual who plays a slot machine or table game.

“Pot” refers to the total amount anted and wagered by players during a hand.

“Premises” means the physical enclosed structure that connects to the casino floor, including but not limited to the employee back of house areas, supports areas, hotel, atriums, restaurants, lounges and does not include parking areas and garages.

“Progressive jackpot” means a system on one or more slot machines or table games, which, in addition to normal payouts, sets aside a percentage of each bet placed for the award of a progressive jackpot. The jackpot increments every time a bet is placed on any of the designated slot machines or table games and is paid out when a pre-assigned combination is displayed.

“Progressive controller” refers to hardware and software that control communications among devices that calculate the values of the progressive jackpots and display the information within a progressive gaming device link and on the associated progressive meter.

“Raise” refers to a wager made in an amount greater than the immediately preceding wager.

“Rake-off” refers to a percentage of the pot which may be taken by the licensee for maintaining or dealing the game. Rake-offs cannot exceed 10% of all sums anted and wagered in the hand.

“Sensitive keys” refers to the keys used to remove cash storage and drop boxes from slot machines, table games and card games; content keys used to gain access to the contents of cash storage and drop boxes and keys used for the carts to transport boxes to the count room.

“Serial number” means a unique number assigned to a slot machine or a component that may or may not be the manufacturer’s serial number for identification and control purposes.

“Slot attendant” means an employee of an operator who provides machine related customer service to a patron on the gaming floor.

“Slot machine” has the same meaning as set forth in 8 M.R.S.A. § 1001(39).

“Slot machine facility” has the same meaning as set forth in 8 M.R.S.A. § 1001(41).

“Slot machine operator” has the same meaning as set forth in 8 M.R.S.A. § 1001(42).

“Slot technician” means any person who performs service, maintenance, and repair operations on slot machines or table games.

“Soft count” refers to the procedure for counting the total amount of currency and tickets.

“Stake” refers to the funds with which a player enters a game.

“Stakes player” refers to a person financed by the licensee to participate in a game under an arrangement or understanding whereby such person is entitled to retain all or any portion of his winnings.

“Statistical drop” refers to the drop plus pit credit repaid with chips.

“Statistical win” refers to table games gross revenue.

“Support areas” refers to areas supporting the financial activity on the gaming floor such as cashier cages, banks, chip windows and count and storage rooms.

“Table game” has the same meaning as set forth in 8 M.R.S.A. § 1001(43-A) and includes an electronic table game.

“Table tray inventory” (bank) refers to the total of coins and chips in the table rack.

“Table tray” refers to a receptacle used to hold the card table inventory (bank).

“Ticket” refers to the receipt issued from a Ticket-In, Ticket-Out (TITO) slot machine for payment of credits. A ticket may be presented for redemption by or on behalf of a patron or may be used by a patron in lieu of cash for game play on a slot machine. Once redeemed by the slot machine operator, the ticket becomes supporting documentation for accounting purposes.

“Time” refers to the 24-hour military time.

“Time buy-in” refers to a charge to a player, determined on a time basis, by the licensee for the right to participate in a game.

“Uniform location agreement” has the same meaning as set forth in 8 M.R.S.A. § 1001(44) and as further defined by the rules of the Gambling Control Board.

“Verifier” refers to any licensed slot operations employee who witnesses and signs a document confirming an approved transaction as permitted in these Minimum Internal Control Standards.

“Vigorish” (commissions) refers to a commission (usually 5-10% of the wager) charged and retained by the casino for certain bets, including betting on the banker’s hand in baccarat and buy and lay bets in craps (similar to a rake in poker).

“Win” means the amount determined by subtracting the coin out from the coin in or by subtracting the ticket out and hand pays from the total of the ticket in and cash in.

II Miscellaneous controls

II-A Operator's system of internal controls

- A.) Each Operator shall submit to the Board and to the Department a description of its system of internal procedures and administrative and accounting controls. Such submission shall be made at least 60 days before gaming operations are to commence, unless otherwise directed by the Board. Each such submission shall contain narrative (and diagrammatic where appropriate) representations of the internal control system to be utilized by the Operator and shall include, without limitation, the following:
- 1) Administrative controls which include, without limitation, the procedures and records that are concerned with the decision-making processes leading to management's authorization of transactions.
 - 2) Accounting controls, which have as their primary objectives, the safeguarding of assets and the reliability of financial records and are consequently designed to provide reasonable assurance that:
 - a.) Transactions are executed in accordance with management's general and specific authorization;
 - b.) Transactions are recorded as necessary to permit preparation of financial statements in conformity with generally accepted accounting principles and to maintain accountability for assets;
 - c.) Access to assets is permitted only in accordance with management authorization; and
 - d.) The recorded accountability for assets is compared with existing assets at reasonable intervals and appropriate action is taken with respect to any differences.
- B.) The procedures contained within the Operator's internal controls submission shall be consistent with the minimum internal control standards ("MICS") set forth herein unless otherwise authorized in writing by the Board.
- C.) The Board shall review all submissions and, with the advice of the Department, shall determine whether it conforms to the requirements of the Maine Statute and the Board's rules and whether the system submitted provides adequate and effective controls for the operations of the Operator. If the Board finds any insufficiencies, it shall specify such insufficiencies in writing to the Operator, which shall make appropriate alterations. When the Board determines a submission to be adequate in all respects, it shall so notify the Operator. No Operator shall commence gaming operations unless and until its system of internal controls is approved by the Board.
- D.) Each Operator shall submit to the Board and the Department any proposed changes to its previously approved system of internal procedures and administrative and accounting controls. This submission shall include the following steps:
- 1) The requesting Operator shall complete the Internal Control Standards Change Request Form MGCB-4000 with a detailed reason for the change and shall include any available statistics (such as money, savings, revenue increases etc.). Additional pages shall be attached if necessary.
 - 2) The Operator shall attach to the form MGCB-4000 the unchanged original section to which changes are going to be made and the same section with the proposed changes. Any deletions from the original

document or last revised document shall be completed with a strikethrough and any additions shall be underlined.

- 3) The form MGCB-4000 and the actual change document shall be forwarded to the Director.
- 4) The Director and designated personnel shall review the request. After the review is completed, the Director shall communicate to the Operator, in writing, the result of the review and:
 - a.) Shall accept the change as submitted, or
 - b.) Reject the submission as not in the best interest of the State of Maine and the Board, or
 - c.) Propose a revision. In this case, the Director will communicate in writing to the Operator about further changes that will have to be made to the submission before presentation to the Board for final approval.
- 5) If the Operator accepts the Director's recommended changes, the Operator shall make the changes as suggested by the Director and re-submit the request for change document.
- 6) If the Operator does not accept the suggested changes, the Operator may request that its request for change document be presented to the Board for review or steps 4 and 5 shall be repeated until the Director is completely satisfied with presenting the internal control changes to the Board at the next regular meeting.
- 7) With Board approval, the Director shall send to the Operator an accepted version of the submitted request for change form MGCB 4000 with the date and Chair's signature signifying approval.
- 8) The Board will make every effort to make a determination concerning a submission for change no later than 60 days following receipt of the proposed change unless the Board and the Operator agree to extend the period for making such a determination. No Operator shall alter its internal controls unless and until such changes are approved in writing by the Board.

II-B Storage and destruction of books, records, and documents

A.) All original books, records, and documents pertaining to the Operator's operations shall be:

- 1) Prepared and maintained in a complete, accurate, and legible form;
- 2) Retained on site in an approved building or at another secure location approved by the Board or its designee;
- 3) Immediately available for inspection by the Board and the Department; and
- 4) Organized and indexed in such a manner so as to provide immediate accessibility to the Board and the Department; and destroyed only after:
 - a.) Expiration of the minimum retention period as specified in the Rules of the Gambling Control Board, unless otherwise directed by the Board in certain circumstances; and
 - b.) Written notice to the Board or its designee.

- B.) For the purposes of this section, “books, records, and documents” shall be defined as any book, record, or document pertaining to, prepared in, or generated by operations including, but not limited to, all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, email, written correspondence, and personnel records. This definition shall apply without regard to the medium through which the record is generated or maintained.
- C.) An Operator may petition the Board at any time for approval of a facility off the site of the approved building to be used to generate or store original books, records, and documents. Such petition shall include:
 - 1) A detailed description of the proposed off-site facility, including security and fire safety systems; and
 - 2) The procedures pursuant to which the Board and the Department will be able to gain access to the original books, records, and documents retained at the off-site facility.
- D.) An Operator shall notify the Board in writing at least 30 days prior to the scheduled destruction of any original book, record, or document. Such notice shall list each type of book, record, and document scheduled for destruction, including a description sufficient to identify the books, records, and documents included; the retention period; and the date of destruction. Each Operator shall retain this record of destruction.
- E.) Such original book, record, or document may thereafter be destroyed only upon notice from the Board or by order of the Board upon the petition of the Operator or by the Board on its own initiative.
- F.) The Operator may utilize the services of a disposal company for the destruction of any books, records, or documents.
- G.) Nothing herein shall be construed as relieving an Operator from meeting any obligation to prepare or maintain any book, record, or document required by any other federal, state, or local governmental body, authority, or agency.

II-C Surveillance

- A.) Each Operator shall install in its establishment a surveillance system according to specifications herein and shall provide access, on the Operator’s premises, to the system or its signal by the Board and/or the Department.
- B.) Every applicant for a gaming license shall submit to the Gambling Control Board or its designee, a surveillance system plan no later than ninety (90) days prior to the start of gaming operations and shall comply with the requirements set forth in this regulation no later than seven (7) days prior to the start of gaming operations.
- C.) The surveillance system plan must include a gaming floor plan that shows the placement of all surveillance equipment in relation to the locations required by this regulation to be covered, and a detailed description of the casino surveillance system and its equipment. In addition, the plan may include other information that evidences compliance with this regulation by the applicant.
- D.) Every licensee shall submit, prior to implementation, to the Gambling Control Board or its designee for approval, any proposed change to its surveillance system in any area required by this regulation.
- E.) Each Operator shall provide for the following:
 - 1) Operator Surveillance System - One monitoring room, surveillance equipment and personnel for monitoring the activities on the premises and any other areas as approved by the Board. The Operator

Surveillance System shall be capable of monitoring all gambling related activities and support areas on the premises. This system shall have over-ride capabilities over all other surveillance cameras on the Operator's property.

- 2) Regulatory Surveillance System – A second monitoring room and surveillance equipment for exclusive use by the Department. This system shall have all capabilities included in the Operator Surveillance System except that the Operator Surveillance System retains over-ride capability. It shall also meet the requirements of Chapter 17 of the Rules of the Gambling Control Board.

F.) The surveillance systems above shall at a minimum include-the following:

- 1) To insure that all movements are discernible upon review of recorded activity, the digital equipment shall record to a quality of 4 Common Intermediate Format and shall be capable of observing and recording at no less than 30 frames per second.
- 2) In all areas where gambling or gambling-related activity occurs, currency is stored or exchanged, and computers that support gambling or currency activities or gambling devices or software are stored, the surveillance system shall utilize 30 frames per second in light-sensitive cameras with zoom, scan, and tilt capabilities to effectively and clandestinely monitor in detail and from various vantage points.
- 3) In all other areas, the surveillance system may utilize less than 30 frames per second, but no less than 15 frames per second.
- 4) Digital recording units with real time and date insertion capabilities for recording what is being viewed by any camera of the system.
- 5) Audio capability in the soft count room.
- 6) Coverage of the entrance and room used to store the facility-based monitoring system.
- 7) Cameras equipped with lenses of sufficient magnification to allow the operator to clearly distinguish the value of chips, cards, dice and currency.

G.) Adequate lighting shall be present in all areas where surveillance is required to enable clear camera coverage. The coverage shall be of sufficient quality to produce clear digital images and still picture reproductions.

H.) The Operator shall be required to maintain a surveillance log of all mandatory surveillance activities as specified throughout the minimum internal controls and of all non-routine events. The log shall be maintained by monitor room personnel in the monitor room and shall include, at a minimum, the following:

- 1) Date and time of surveillance initiated;
- 2) Camera number(s);
- 3) Person initiating surveillance;
- 4) Reason for surveillance;
- 5) Time of termination of surveillance;
- 6) Summary of the results of the surveillance; and

- 7) Record of any equipment or camera malfunctions.
- I.) The surveillance log shall be available for inspection at any time by the Board or the Department.
- J.) By June 1, 2023, or an extended date with written approval by the Board, all surveillance recordings of the gaming floor and support areas where money, chips and other financial documents are counted shall be held for a minimum of 14 days. Surveillance recordings of all other areas shall be held for a minimum of 7 days.
- K.) All surveillance recordings that are determined by the Board or the Department to be of potential evidentiary value shall be stored until released by the Board or the Department.
- L.) All digital recordings of money handling areas such as cages and count rooms shall be done in real time and each camera shall be recorded on separate recorders or their equivalent.
- M.) Surveillance department employees assigned to monitor activities shall be independent of all other departments.
- N.) The Operator Surveillance monitoring room, as described in II-C, E. 1) above, shall be staffed, at a level set by the operator in their internal control standards and approved by the Board or its designee.
- O.) No surveillance department employee shall be permitted to transfer to any other department unless authorized by the Board.
- P.) Surveillance department employees shall be provided training by the Operator or Board approved training program. The training programs developed and/or used by the Operators shall be submitted to the Board.
- Q.) Entrances to the surveillance rooms shall not be visible or accessible from the gaming area.
- R.) Surveillance cameras shall not be moved after initial inspection by the Department without prior approval of the Board or its designee via written request. Scale drawings of camera locations shall be provided to the Board or its designee initially and with any proposed changes.
- S.) Any and all significant, non-routine events and unusual surveillance system failures shall be reported immediately to the Department's Inspector on duty by telephone or in person and if an inspector is not on duty to the Department's Inspector Supervisor and Director by email. Repairs to such failed systems shall be accomplished expeditiously.
- T.) Every licensee who operates table games or a card room shall install, maintain and operate at all times a surveillance system that shall monitor and record clear and unobstructed views of the following:
- 1) All table game and card room areas with sufficient clarity to permit identification of all dealers, patrons, spectators and pit personnel;
 - 2) All drop boxes and table numbers;
 - 3) Simultaneous coverage of both the table game area and the table game surface;
 - 4) Continuous, uninterrupted and simultaneous coverage of the table game surface, any secondary bonus event and the progressive meter of any table game with a progressive jackpot; and
 - 5) All card room or podium banks, including any drawers, cabinets and safes contained therein.

- U.) The surveillance system may view and record in black and white, except that any transactions occurring at the casino cage and views of all tables games must be viewed and recorded in color.

II-D Operator's organization

A.) Each Operator's system of internal controls shall include tables of organization. Each Operator shall be permitted, except as otherwise provided in this section, to tailor its organizational structure to meet the needs or policies of its own particular management philosophy. The proposed organizational structure of each Operator shall be approved by the Board if there is no conflict between the organizational structure and the criteria listed below, which criteria are designed to maintain the integrity of operations. Each Operator's tables of organization shall provide for:

- 1) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;
- 2) The segregation of incompatible functions so that no employee is in a position both to commit an error or to perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties;
- 3) Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times; and
- 4) Areas of responsibility which are not so extensive as to be impractical for one person to monitor.

B.) In addition to satisfying the requirements of A.) above, each Operator's system of internal controls shall include, at a minimum, the following departments and supervisory positions. Each of these departments and supervisors shall be required to cooperate with, yet perform independently of, all other departments and supervisors. Mandatory departments are as follows:

- 1) A surveillance department supervised by a key employee reporting to the general manager, owner, corporate officer or board of directors of the Operator. The surveillance department shall be responsible for, without limitation, the following:
 - a.) The clandestine surveillance of the operation of the casino gaming floor and support areas;
 - b.) The clandestine surveillance of the operation of the cashiers' cage;
 - c.) The audio-video recording of activities in the soft count room;
 - d.) The detection and recording of cheating, theft, embezzlement, and any other illegal activities in the Board's interest in public safety on the Operator's property and the notification of the appropriate supervisors and the Department upon the detection of listed activities;
 - e.) The digital recording of illegal and unusual activities monitored; and
 - f.) The digital recording of the presence of any person who is required to be excluded pursuant to voluntary and involuntary exclusions, once that person has been positively identified as an excluded person on the gaming floor.
- 2) A management information system ("MIS") department supervised by a key employee reporting to the general manager or head of accounting/finance. The MIS department shall be responsible for the

quality, reliability, and accuracy of all computer systems used by the Operator in the conduct of operations including, without limitation, specification of appropriate computer software, hardware, and procedures for security, physical integrity, audit, and maintenance of:

- a.) Access codes and other data-related security controls used to insure appropriately limited access to computers and the system-wide reliability of data;
 - b.) Computer tapes, disks, or other electronic storage media containing data relevant to operations; and
 - c.) Computer hardware, communications equipment, and software used in the conduct of operations.
- 3) A slot operations department supervised by a key employee reporting to the general manager or the equivalent. The slot operations department shall be responsible for the operation of the slot machines.
 - 4) A table game operations department supervised by a key employee reporting to the general manager or the equivalent. The table game operations department shall be responsible for the operation of table games.
 - 5) A security department supervised by a key employee reporting to the general manager or the equivalent. The security department shall be responsible for the overall security of the establishment including, without limitation, the following:
 - a.) The physical safety of patrons in the establishment;
 - b.) The physical safety of personnel employed by the establishment;
 - c.) The physical safeguarding of assets transported to and from the slot machines, table games and cashiers' cages as required;
 - d.) The protection of the patrons' and the establishment's property;
 - e.) The detention of persons in accordance with 8 M.R.S.A. § 1061;
 - f.) The control and maintenance of a system for the issuance of Temporary Access Badges; and
 - g.) The maintenance of a security log of all non-routine security department events and assignments. Each incident, without regard to materiality, shall be assigned a sequential number and, at a minimum, the following information shall be recorded in indelible ink in a bound notebook, on pages that are sequentially numbered and which cannot be removed from the book, or in an electronic format approved by the Board or their designee. The ability to alter the log will be restricted and the positions having such ability will be subject to board approval.
 1. The log number;
 2. The date and time of the incident;
 3. The nature of the incident;

4. The person involved in the incident, if the incident involves potentially criminal conduct the name, date of birth, address and phone number of the non-licensed persons involved will be listed;
 5. A narrative that will give the reader a clear understanding of what occurred;
 6. The security department employee assigned; and
 7. The action taken and the final resolution of the matter, if applicable.
- 6) An accounting department supervised by a key employee reporting to the general manager, owner or corporate officer of the Operator. The accounting department shall be responsible for, without limitation, the following:
- a.) Accounting controls;
 - b.) The preparation and control of records and data;
 - c.) The control of stored data, the supply of unused forms, and the accounting for and comparing of forms used in operations; and
 - d.) The operation of the count rooms.
- 7) A cashier cage supervised by a key employee reporting to the head of the accounting or finance department, who shall be responsible for:
- a.) The control and supervision of the cage cashiers;
 - b.) The custody of currency, coin, and documents and records normally associated with the operation of a cashiers' cage; and
 - c.) Such other functions normally associated with the operation of a cashiers' cage.
- C.) Operator's personnel shall be trained in all internal and accounting control practices and procedures relevant to each employee's individual function. Special instructional programs may be developed by the Operator or other Board approved entity in addition to any on-the-job instruction sufficient to enable all members of the departments required by this section to be thoroughly conversant and knowledgeable with the appropriate and required manner of performance of all transactions relating to their functions. A written description of all instructional and on-the-job training to be and being provided shall be made available to the Board for review upon request.
- D.) All licensed personnel must visibly display on their person their State of Maine gambling license while working on the gaming floor except in case of an emergency situation. Dealer licenses may be displayed in an easily visible location on the table where the dealer is currently working.
- E.) Licensed employees shall notify their Supervisor and the Department's on duty Inspector and if inspector is not on duty email information to Gambling.control@maine.gov of a lost or stolen or destroyed State of Maine gambling license. This notification will be made as soon as possible after the loss or destruction is recognized.

- F.) Surveillance personnel are exempt from displaying their State of Maine gambling license when conducting an investigation or observation on the gaming floor when anonymity is necessary to effectively accomplish the objective. All instances shall be documented in the surveillance daily log or incident report.

II-E Machine malfunction/patron disputes

- A.) Whenever there is a machine malfunction, the following action steps shall be taken by:

Floor Personnel

- 1) Protect the slot machine from any further play. This may include, without limitation, stationing an employee of the operator at the slot machine or placing tape on the slot machine to prevent play. The slot machine shall not be cleared until approved by the Department.
- 2) Visually examine the machine in question, compare it to adjacent machines and note any abnormalities that can be detected.
- 3) Prior to any physical examination, make sure that surveillance has the event on a digital recorder or take a photograph of the gaming machine clearly showing reel positions. The digital recording shall be held by surveillance until notified by the Department, or 60 days, whichever is shorter.

Slot Personnel

- 1) A Slot Supervisor or above must conduct an interview with patron(s), slot personnel, slot technicians, and witnesses and file reports referencing the incident.
- 2) The Slot Supervisor in 1) above must obtain copies of all internal slot accounting system reports that would be applicable to the investigation.
- 3) If there is evidence of a machine malfunction, the Operator shall notify the Department Inspectors on duty or if an inspector is not on duty email notification to gambling.control@maine.gov.

Forensic Laboratory

- 1) The Department may require a forensic examination of the slot machine, in which case the Operator shall not ram clear or shut down the machine until approved by the Department.
- 2) If the Department requires that the slot machine be shipped from the facility, the Operator will ensure that all shipping instructions are followed.

II-F Power outages

- A.) Each Operator shall submit its procedures regarding power outages within its internal controls for Board approval. Included in the submission shall be the procedures to protect cash and other assets and the process to inform the Department Inspector on duty or if an inspector is not on duty email notification to gambling.control@maine.gov of the power outages and the start and restoration times.
- B.) If activity within the gambling facility cannot be captured by surveillance and the Facility Based Monitoring System, the gambling facility shall be shut down.

II-G Key control

- A.) Each Operator shall develop and utilize a lock and key control system that limits or restricts access to secure compartments and sensitive areas as identified in Title 8 M.R.S., chapter 31 and/or Board Rules. Locks and keys shall be received, secured and maintained by the Operator's security department. Duplicate copies shall be maintained by the security and finance departments. Locks and keys to secured compartments and sensitive areas shall be purchased from a Board licensed gambling service vendor and installed by a licensed master locksmith or similarly qualified employee of the Operator.
- B.) The Operator will maintain a list of all keys under the Operator's control, listed by end use and quantity, and a list of positions authorized to sign out these keys. The lists must be audited annually and updated whenever changes occur.
- C.) The Operator must maintain a separate list that identifies persons authorized by the Operator to possess keys providing access to the following compartments or sensitive areas:
- 1) Slot cash storage box release keys;
 - 2) Slot cash storage box content keys;
 - 3) Table game drop box release keys;
 - 4) Table game drop box content keys;
 - 5) Table tray release keys;
 - 6) Table game pit podium keys;
 - 7) Card and dice storage;
 - 8) Drop cart keys to transport boxes to count rooms;
 - 9) Count rooms;
 - 10) Areas in which slot cash storage boxes are located, if located outside the count room;
 - 11) Currency, redemption (kiosk) cans and chip cabinets or drawers;
 - 12) Each separately keyed compartment of a slot machine or electronic table game; and
 - 13) Any other keys as directed by the Board.
- D.) Keys identified in C) above that leave the Operator's premises shall be reported to the Board or its designee, which may result in the re-keying of the areas or devices affected for integrity purposes as directed by the Board.
- E.) Keys shall be accessed or distributed by electronic or manual means. If electronic means are used, a backup manual procedure shall be established should the electronic means become disabled.

F.) Each Operator shall implement a Key Control Log system. The system shall document access to any secure key listed in C.) above and any additional keys that the Operator directs the security department to control. The Operator must document the following information:

- 1) The pre-designated key number;
- 2) The date and time the key was signed out;
- 3) The name and employee number of the employee signing out the key;
- 4) The name and employee number of the security person escorting the employee with the key to the secure area as a second signature signing out the key, as required;
- 5) The name and employee number of the security person issuing the key, if manual;
- 6) The names and employee numbers of the employee and security person returning the key, if manual; and
- 7) The date and time the key was returned or signed back in.

G.) Each Operator shall establish procedures and report to the Department whenever any one of the following measures takes place regarding keys listed in C) above:

- 1) Keys are missing, lost or stolen;
- 2) Replacement keys are issued; and
- 3) Keys are destroyed.

II-H Signatures

A.) Employee signatures shall:

- 1) Be, at a minimum, the signer's signature and an Operator assigned employee number.
- 2) Be immediately adjacent to or above the clearly and legibly printed, or preprinted title of the signer.
- 3) Signify that the signer has prepared forms, records, and documents and/or authorized, observed, and/or participated in a transaction to a sufficient extent to attest to the accuracy of the information recorded thereon, in conformity with this regulation and the Operator's system of internal accounting control.
- 4) "Electronic signatures may be utilized on forms when entered in conjunction with unique passwords and must include the signer's signature and an operator assigned employee number."

B.) Signature records shall be prepared for each person who is authorized to sign records and documents and shall include specimens of signatures and titles of signer and the date the signature was obtained. Such signature records shall be maintained on a dated signature card filed alphabetically by last name. The signature records shall be adjusted every six months to reflect the current status of personnel.

C.) Signature records shall be securely stored in the accounting and human resources departments.

D.) This section shall apply to any signature required in an Operator's approved system of internal controls.

II-I Currency transaction reporting

A.) Each Operator shall properly report all transactions required to be reported under the Bank Secrecy Act (31 U.S.C. § 5311, et seq.) (the "Act") and its regulations (31 C.F.R. Part 1021), and regulations promulgated by the Internal Revenue Service. To accomplish these objectives, an Operator must, at a minimum:

- 1) Establish a system of internal policies, procedures and controls tailored to assure ongoing compliance;
- 2) Employ a compliance officer to oversee the compliance of policies, procedures and controls;
- 3) Train licensed personnel who have direct interaction with patrons or who handle or review patron transactions subject to the Bank Secrecy Act, including:
 - a.) Slot machine and table game employees;
 - b.) Cage employees;
 - c.) Surveillance employees;
 - d.) Accounting and audit employees; and
 - e.) Senior management;
- 4) Conduct an internal and/or external independent audit to test for compliance and provide copies of the results of the audit to the Board on at least an annual basis; and
- 5) Employ the use of automated programs to aid in assuring compliance when automated processing systems are in use.

B.) To ensure compliance with this section, each Operator shall submit to the Board each year:

- 1) A copy of the results of an independent audit to test for compliance and a report from the Operator's compliance officer that addresses any exceptions encountered and management responses within 30 days of receipt of the final report;
- 2) Personnel training completed; and
- 3) Any changes made to the Operator's policies, procedures or controls to meet the requirements of this section.

III Specific controls

III-A Legal age requirements

A.) At each public entry point, and posted in prominent locations throughout the facility, the following statement will be posted: "Maine law requires a person to be 21 years of age or older in order to play slot machines or table games." The statement shall be clearly readable by any patron entering the facility. The Operator shall be responsible for the statement being displayed at all times.

- B.) Each Operator, as part of its internal controls, shall indicate the forms of identification that it accepts as verification that someone is of legal age to be on the gaming floor.

III-B Facility Based Monitoring System Functionality.

A.) A facility based monitoring system shall provide for the following security and audit requirements:

- 1) A program that enables on-line searching of the event log for the present storage cycle and for the previous 30 days through archived data or restoration from backup memory devices. The program shall have the ability to perform a search based on the following:
 - a.) Date and time range;
 - b.) Unique hardware components that interface with the facility based monitoring system; and
 - c.) Event number or identifier.
- 2) A master "slot file" that is an operating database for every slot machine in operation and includes the following information:
 - a.) Unique interface element or location identification number;
 - b.) Asset number;
 - c.) Theoretical payout percentage of the slot machine; and
 - d.) Control program identification numbers within the slot machine.
- 3) A database that maintains events generated by a slot machine including the following:
 - a.) Date and time which the event occurred;
 - b.) Identity of the slot machine that generated the event; and
 - c.) A unique number/code that defines the event.
- 4) Password access or logon. There shall be a provision for system administrator notification and user lockout or audit trail entry after five (5) or fewer unsuccessful login attempts; and
- 5) Prohibit alteration of any log information communicated from the slot machine.

III-C Facility Based Monitoring System and Computer Diagnostics.

- A.) The facility based monitoring system's slot machine communication protocol shall have the ability to immediately act upon commands received from the facility based monitoring system (FBMS), which provide:
- 1) The ability to suspend play on a slot machine;

- 2) Daily reports of events; and
- 3) Reports providing:
 - a.) All accounting data contained in the FBMS;
 - b.) Information on individual events and transactions contained in the FBMS; and
 - c.) The history of a specific slot machine transaction contained in the FBMS.

B.) The FBMS shall:

- 1) Capture all information required for tickets enumerated in III-M Ticket-in, Ticket-out (TITO) slot machines, and
- 2) Not permit a configuration setting change that causes an obstruction or interruption to the electronic accounting meters, affect the integrity of the slot machine, or communications without a RAM clear.

C.) An interface element is any system component external to the operation of a slot machine that assists in the collection and processing of data sent to the FBMS, such as a slot machine interface board (SMIB). All interface elements shall:

- 1) Be locked in the machine or system;
- 2) Maintain separate electronic meters that shall allow for review on demand at the interface element level;
- 3) Retain the required information after a power loss for at least 72 hours;
- 4) Provide a means to preserve all meter information and event information until it is communicated to the FBMS; and
- 5) Allow for the association of a slot machine asset number used in conjunction with a slot machine file on the FBMS. The slot machine asset number shall be used by the FBMS to:
 - a.) Track all information regarding an individual slot machine; and
 - b.) Identify only one slot machine in the FBMS.

D.) An interface element that serves as a data collector for the FBMS shall:

- 1) Provide an error detection and correction scheme to ensure an accuracy of 99 percent or better of messages received; and
- 2) Secure all accounting data communications in accordance with the facility's internal controls.

E.) Each system critical to the operation of the slot machine's interface element and the FBMS shall be tested to verify that it performs within its manufactured design specifications. Each system shall be tested:

- 1) Under controlled laboratory conditions prior to installation at a casino or slot machine licensed facility; and
 - 2) At the time of transition from central site monitoring to facility-based monitoring to ensure proper configuration of the equipment and installation of the security applications.
- F.) The FBMS shall maintain an internal master clock that reflects time in 24-hour format and data that shall be used to provide:
- 1) Time stamp of events;
 - 2) Reference clock for reporting; and
 - 3) Updated clocks in the system servers, networked systems, or distributed systems.
- G.) The FBMS shall create an audit log for any alterations of any accounting or event log information. The audit log must include at least:
- 1) The name of the data element altered;
 - 2) The value of the data element:
 - a.) Prior to data alteration; and
 - b.) After data alteration.
 - a. The time and date of alteration for each data element alteration event; and
 - b. The identification of the individual who performed the alteration.
- H.) The FBMS shall provide:
- 1) Redundant copies of each log file or system database or both; and
 - 2) Open support for backups and restoration of each log file or system database.
- I.) The data contained in the FBMS shall be backed-up daily in a digital format. The back-up data records shall be sufficient to reconstruct the entire day's activity.
- 1) A readily accessible copy of the back-up data records shall be stored for a minimum of 30 days secured in an industry standard two-hour fire and water resistant storage device approved by the Board initially for either on or off-site. Unless there is any allegation of a violation made by the Board, director, department, licensed facility employee, or patron, the licensed facility shall maintain the relevant data records until advised in writing by the director that the record may be deleted.
 - 2) The casino or slot machine licensee shall provide the department with the contact information, address, and telephone number of each time a new off-site location is used or an off-site location is changed.

J.) The FBMS shall only be reloaded using data contained in the most recent complete back-up data records that contains at least:

- 1) An events log;
- 2) All accounting information;
- 3) All auditing information; and
- 4) Specific site information such as device file or employee file.

K.) The FBMS shall:

- 1) Implement self-monitoring for all interface elements;
- 2) Keep a log of all error conditions;
- 3) Monitor the operation of each slot machine in real-time;
- 4) Retrieve all financial accounting information for each slot machine on a daily basis;
- 5) Report all events in real-time; and
- 6) Employ security systems, support measures, or networks to ensure that there is no alteration of any information as it is being communicated from a slot machine to the FBMS.

L.) A slot machine or progressive slot machine shall not be enabled to play following the receipt of any critical malfunction until the control program is authenticated.

M.) The FBMS shall collect and store the following information from each slot machine:

- 1) Total credits-in;
- 2) Total credits-out;
- 3) Total value of all bills, tickets, and vouchers collected by the slot machine;
- 4) Total value of all handpays;
- 5) Cancelled unpaid credits;
- 6) Total monetary value of all bills accepted;
- 7) Total number of each type of bill accepted by denomination;
- 8) Games played;
- 9) Cabinet door openings;

- 10) Drop door openings;
 - 11) Total monetary value of all tickets accepted; and
 - 12) Total monetary value of all tickets produced.
- N.) The FBMS shall recognize an electronic identification card, or equivalent, which ~~card~~ identification shall:
- 1) Only be issued to specifically designated licensed employees;
 - 2) Be inserted into the slot machine utilized prior to the opening of a slot machine door; and
 - 3) Only be utilized after surveillance has been notified of and approves the CPU door opening.

III-D Slot Machine

III-D-1 Slot Machine and Components

- A.) An Operator shall only offer slot machines that transmit or track financial data using a game services protocol, such as the Slot Accounting System (SAS) and progressive systems, which, when communicating from machine to machine, may use any generally accepted communication protocol certified by a Board approved independent testing laboratory.
- B.) Prior to the delivery of a slot machine or progressive system for play in Maine, the Director must receive written certification from a Board-approved independent testing laboratory that all criteria for operation contained in Title 8, Chapter 31 and Board rules are met.
- C.) The manufacturer of any slot machine, slot machine game or progressive system to be offered for play in Maine is responsible for all compliance testing and the cost thereof.
- D.) Slot machines and progressive systems shall be capable of resuming game play without operator intervention and shall withstand the following tests where applicable:
 - 1) Random Number Generator Test;
 - 2) Electro-Magnetic Interference Test;
 - 3) Electro-Static Interference Test;
 - 4) Radio Frequency Interference (RFI) Test;
 - 5) Magnetic Interference Test; and
 - 6) Liquid Spills Test.

- E.) A slot machine shall have an identification badge permanently affixed to the exterior of the slot machine cabinet by the manufacturer, which shall include:
- 1) The name of the manufacturer;
 - 2) A unique serial number;
 - 3) The slot machine model number; and
 - 4) The date of manufacture.
- F.) Slot machine components, including progressive systems and any software requiring certification by an independent testing laboratory, shall have an identification affixed to the exterior of the component by the manufacturer, where applicable, which shall be the date of manufacture and either:
- 1) The name of the manufacturer;
 - 2) A unique serial number; or
 - 3) A part number unique to that type of component if applicable.
- G.) All slot machines shall have Asset and location numbers affixed to the outside of the machine and of sufficient height and size to be clearly visible and readable by the surveillance system.
- H.) All slot machine external doors shall be locked.
- I.) The opening and closing of all slot machine external doors that provide access to the machine's interface elements shall be:
- 1) Monitored by door access sensors, which shall immediately:
 - a.) Detect when a door is opened or moved from its fully closed and locked position;
 - b.) Report the door opened event to the slot machine by way of an error; and
 - c.) Notify the surveillance department of the door opening, which shall record all activities at that slot machine until such time as the incident has been satisfactorily resolved.
 - 2) Logged in a machine entry authorization log (meal book) or Board approved device except during slot machine drops by the count team.
- I.) The slot machine shall have a light or audible alarm, or both, that automatically illuminate and sound when:
- a.) A player attempts to redeem credits that the slot machine cannot automatically pay;
 - b.) An error condition has occurred; or
 - c.) A player has initiated a "Call Attendant" condition.

- J.) The power switch for a slot machine shall be:
- 1) Clearly labeled; and
 - 2) Located within the interior of the slot machine.
- K.) The operation of a slot machine, slot machine component, slot machine game, or progressive system:
- 1) Shall not be altered by surges or reductions of $\pm 10\%$ of the power supply voltage; and
 - 2) May be reset if there is no:
 - a.) Damage to the equipment; or
 - b.) Loss or corruption of data.
- L.) Each individual slot machine shall be controlled by one or more microprocessors, which shall be physically located within the slot machine's locked logic compartment and have a key different from the key used for the slot machine main door.
- M.) Ticket printers shall be in a locked area of the slot machine and provide an alert when the ticket printer:
- 1) Is out of paper;
 - 2) Is low on paper;
 - 3) Is disconnected; or
 - 4) Has a printer jam or failure.
- N.) The slot machine shall enter a lock-up condition if:
- 1) The sum of the award from the single play of a game is equal to or greater than the IRS taxable threshold for slot machine winnings, at which time a manual jackpot payment shall be made;
 - 2) The integrity of the machine is compromised; or
 - 3) A component critical to the proper operation of the machine has failed.
- O.) The lock-up condition shall require an attendant to:
- 1) Complete any required manual jackpot payment consistent with Board rules; or
 - 2) Clear the error on the slot machine before play may resume on the slot machine.
- P.) A slot machine shall have an electronic identification card reader or Board-approved equivalent which shall be used to communicate with the FBMS.
- Q.) Any adjustments made to a slot machine's gaming options, slot machine components, or a progressive

system during a RAM clear must be completed pursuant to Board rule.

- R.) Games that have software and/or software components, shall meet the following requirements:
 - 1) Any software or software components shall:
 - a.) Not be introduced into a facility before department approval,
 - b.) Not be duplicated by the facility,
 - c.) Be stored within a locked cabinet located at the licensee's facility.
- S.) Actual game title software and logic software shall be secured within a locked cabinet and:
 - 1) Such software must be tracked using a log that includes:
 - a.) Date and time inventory is changed,
 - b.) Software version,
 - c.) Manufacturer name,
 - d.) Count of total on-hand inventory that includes software added and removed; and
 - e.) License number and signature of the licensee employee adding or removing software from inventory.
- T.) Must be scheduled with the department in the presence of a department inspector for destruction when it reaches obsolete or revoked status; and,
- U.) Must be for those slot machine game titles that require complete software reload and contain both game title and RAM clear software on the same piece of storage media. This type of game/RAM clear software shall be stored in the same cabinet as the other RAM clear software to be utilized when needed for RAM clear purposes only.

III-D-2 Slot Machine Logic Compartment

- A.) The logic compartment is a locked compartment contained within each slot machine cabinet which shall:
 - 1) Have its own locked door;
 - 2) Be separate from any external door lock; and,
 - 3) Contain, at a minimum, the central processing unit or units that control the slot machine.
- B.) A slot machine, slot machine game or progressive game or system may not be offered for play until:
 - 1) A licensed independent testing laboratory has certified that it meets all requirements of Board

rules;

- 2) The department inspector has verified the identity of the slot machine software program and confirmed that it has been certified by an independent testing laboratory;
 - 3) The department inspector has secured the logic compartment with a key assigned to department inspectors only or with the use of evidence tape, or both; or
 - 4) The Board approves an alternate procedures for verification of software when requested by a licensee.
- C.) The department may apply evidence tape to any slot machine components that could affect the outcome of the game, including progressive systems where applicable and as required by this chapter.
- D.) Any occupational licensee who observes that a piece of evidence tape has been tampered with in any way shall notify facility surveillance, which shall:
- 1) Notify the department inspector on site or department supervisor by phone or email;
 - 2) Ensure the slot machine is not offered for play until the completion of an investigation by the Operator; and
 - 3) Notify the department supervisor regarding the results of the investigation.

III-D-3 Monitors, Touchscreens and Devices used for Displaying Game Outcomes

- A.) Electro-mechanically controlled display devices shall have a closed loop of control so as to enable the software to detect a malfunction or an attempt to interfere with the correct operation of that device. If a reel or wheel is not in the position it is supposed to be in, an error condition shall be generated.
- B.) Mechanical assemblies shall have a mechanism that ensures the correct mounting of the assembly's artwork.
- C.) Displays shall be constructed in such a way that winning symbol combinations match up with pay lines or other indicators.
- D.) Games that have video monitors shall meet the following requirements:
- 1) The Licensee shall maintain any touch screen monitors to ensure the accuracy of the calibration of the machine;
 - 2) A touch screen shall be capable of being re-calibrated by the Licensee's Slot Department staff without access to the slot machine cabinet other than opening the main door;
 - 3) There shall be no hidden or undocumented buttons or touch points anywhere on a touch screen; and
 - 4) The slot machine shall be capable of displaying all possible outcomes of play of the machine during testing.

III-D-4 Slot Machine Technical Requirements

- A.) All program storage media, both writable or non-writable, including EPROMs, Digital Versatile Disc (DVD), Compact Disk – Read Only Memory (CD-ROM), and any other type of program storage media shall:
- 1) Be marked with information to identify the software and revision level;
 - 2) Only be accessible with access to the locked logic compartment; and,
 - 3) Have a method that shall require display of the program storage media identification information on the slot machine if the program is copied to and executed from Random Access Memory (RAM).
- B.) Read Only Memory (ROM) program storage media shall not be re-writable and shall be finalized and closed to prevent further writing.
- C.) For non-EPROM based media, the control program shall authenticate all files that are critical to the accurate operation of the slot machine (“critical files”) by employing a hashing algorithm which produces a “message digest” output of a minimum of 128 bits.
- D.) For EPROM based media, the control program shall test for possible corruption. The control program may use a Checksum or a Cyclic Redundancy Check (CRC) minimum of 16-bit or equivalent for that test.
- E.) The slot machine shall authenticate all critical files against the stored message digest(s), as required in subsection (3), above. In the event of a failed authentication after the slot machine has been powered up, the slot machine shall:
- 1) Immediately enter an error condition;
 - 2) Illuminate its tower light when one is present; and,
 - 3) Cease operation.
- F.) Slot machine authentication failure shall:
- 1) Require a supervisor’s authorization;
 - 2) Be recorded in a machine error accounting log that shall:
 - a) Be maintained in each slot machine under that slot machine’s serial number,
 - b) Be maintained as a permanent record of program changes and error corrections for the specifically numbered slot machine,
 - c) Include the details of each failed authentication and corrective action; and,
 - d) Include the date and time of a failure, and date and time of the corrective action.
- G.) For writable program storage the following requirements apply to the programs residing in the slot machine that are capable of being erased and reprogrammed without being removed from the slot machine, bill changer,

or other equipment or related devices:

- 1) Re-writable program storage shall only be written to in cases where the media contains only data, files, and programs that are not critical to the basic operation of the game, such as marketing information.
- 2) Notwithstanding the foregoing, such device may write to media containing critical data, files, and programs provided that the gaming equipment:
 - a) Properly maintains a log of all information added, deleted, and modified that is stored on the media,
 - b) Maintains a control program that verifies the validity of all data, files, and programs which reside on the media using the methods listed in subsection (3), non-EPROM specific requirements,
 - c) Contains appropriate security to prevent unauthorized modifications; and,
 - d) Prohibits game play while the media containing the critical data, files, and programs are in a modifiable state.

H.) Slot machine component integrity checks shall:

- 1) Occur:
 - a) The first-time program files are loaded for use; and,
 - b) During the use of components critical to the slot machine's operation.
- 2) Not occur:
 - a) For RAM; and,
 - b) Program storage device space that is not critical to the slot machine security.

I.) Critical files shall be authenticated during each slot machine start-up and restart.

J.) The authentication methodology shall detect 99.99 percent of all possible failures. All critical memory shall:

- 1) Have the ability to retain data for a minimum of thirty (30) days after power is removed from the slot machine. If a rechargeable battery is used, the battery used to retain power shall recharge itself to its full potential in a maximum of twenty-four (24) hours. The shelf life of the battery used shall be at least five (5) years;
- 2) Be cleared only in accordance with the RAM clear procedures prescribed within the slot machine licensee's internal controls which shall include:
 - a) Completion of all data required in Form MGCB-2500 , Slot Machine Activity,
 - b) Notification to surveillance to record the RAM clear procedure in its entirety, which surveillance shall include information in a daily log consisting of the date, time, machine location, asset numbers, and licensed employee name(s) who are performing the RAM clear,
 - c) Insertion of an electronic access identification card assigned to the slot licensed employee performing the RAM clear procedures; and,
 - d) Submission of completed Form MGCB-2500 and FBMS printout showing the time and date of each RAM clear performed no later than 12:00 noon on the first business day following all RAM clear procedures performed.

- 3) Provide a RAM error message, if the control program detects an unrecoverable memory error; and,
- 4) Not be cleared automatically, but shall require a full RAM clear that is performed by a licensee's technician who is qualified to perform the task.

K.) A RAM clear shall only be authorized for the following:

- 1) A slot machine malfunction that results in an unrecoverable memory error;
- 2) An EPROM chip failure;
- 3) A modification to the slot machine's program; and,
- 4) Troubleshooting the system for possible RAM failure.

L.) Following the initiation of a RAM clear procedure, the licensee's control program shall execute a routine that initializes all data in RAM to the default state, except those portions of RAM that are critical to the operation of the slot machine. The default reel position or game display after a RAM clear shall not indicate the top award on any selectable line. The default game display, upon entering game play mode, shall also not display the top award.

M.) Slot machines shall be capable of detecting and displaying error conditions and illuminating the tower light for each slot machine in those cases where such a light is available. Upon detection of error conditions, a slot machine shall disable play, and the slot machine and/or the facility based monitoring system (FBMS) shall maintain an internal record if the error is for:

- 1) Sustained loss of communication with the FBMS;
- 2) Low RAM battery, for batteries external to the RAM itself, or low power source;
- 3) Currency-in jam;
- 4) Program error or authentication mismatch;
- 5) Door open, including bill acceptor;
- 6) Reel spin errors:
 - a) The specific reel number shall be identified in the error code,
 - b) The final positioning of the reel, if the final indexed position error exceeds one-half of the width of the smallest symbol on the reel strip; and,
 - c) Malfunctions such as a reel which is jammed, or is not spinning freely, or any attempt to manipulate their final resting position,
- 7) Power reset;
- 8) Out-of-paper;

- 9) Printer jam;
- 10) Printer failure; and,
- 11) Printer disconnected.

N.) The slot machine licensee shall:

- 1) Establish procedures within its internal controls to ensure that:
 - a) The FBMS shall alert the licensed facility's supervisor-level employee who has responsibility for overseeing the operations of the FBMS when communication has been lost between a slot machine and the FBMS.
 - b) If communication to a slot machine is lost:
 - i. Within 24 hours of the loss of communication:
 - (1) The facility shall restore communication between the slot machine and the FBMS, or
 - (2) The licensed facility's supervisor-level employee who has responsibility for overseeing the operations of the FBMS shall terminate play on each slot machine with which communication has not been restored no later than 24 hours from the time communication was originally lost.
- 2) Maintain either a manual or FBMS record of all communication failures, which contains the date and time of the communication failure and resolution of that failure.

O.) A slot machine that has authentication or RAM or ROM errors shall:

- 1) Cease operation;
- 2) Automatically set to the disabled mode of operation; and,
- 3) Automatically light its tower or similar light, if the machine has such.

P.) A description of slot machine error codes and their meanings shall be readily available in electronic format. However, this subsection does not apply to video-based games that shall display text messages for error conditions on the game console.

Q.) The software shall be able to recover to the state it was in immediately prior to the occurrence of a program interruption. Communications to an external device shall not begin until the program resumption routine is completed, and:

- 1) Upon restoration of power to the slot machine:
 - a) The previous error message shall be displayed and the slot machine shall remain locked-up if a

slot machine is powered down while in an error condition, or

- b) The previous error message shall not be displayed if:
 - i. The power down is used as part of the error reset procedure, or
 - ii. Upon power up or door closure, the slot machine checks for the error condition and detects that the error condition no longer exists.
- 2) Upon resumption of the licensee's control program, the following procedures shall be performed:
 - a) Licensee control programs shall test themselves for possible corruption due to failure of the program storage media; and,
 - b) Mechanical displays shall re-spin automatically to display the last valid game's result when the play mode is re-entered, and the reel positions have been altered.

R.) The slot machine's main door shall affect game play in the following ways:

- 1) When the slot machine's main door is opened, the slot machine shall:
 - a) Cease further game play,
 - b) Enter an error condition,
 - c) Display an error message,
 - d) Disable bill acceptance; and,
 - e) Illuminate the tower light when one is available.
- 2) When the slot machine's main door is closed, the slot machine shall:
 - a) Return to its original state in the game; and,
 - b) Display an error message, until the next game has ended.
- 3) The software shall detect any access to the following doors or secure areas:
 - a) External doors,
 - b) Drop box door; and,
 - c) Bill acceptor door.

S.) Each slot machine and/or bill acceptor shall detect and display an error condition and the bill acceptor shall be disabled for the following conditions:

- 1) Bill stacker full;

- 2) Bill jams;
- 3) Bill acceptor door open; and,
- 4) Bill stacker door open or bill stacker removed.

III-D-5 Meter Specifications

A.) The required electronic accounting meters are as follows:

- 1) The amounts wagered or cash in meter shall cumulatively count the total amounts wagered during game play, except credits that are won during the game that are subsequently risked in a double-up mode;
- 2) The number reflecting the amounts won or the award reflected on the credit out meter shall cumulatively count all amounts the player has won at the end of the game that were not paid by an attendant, including amounts paid by a ticket printer. The credit out meter shall not increment for bills inserted and cashed out to allow the slot machine to be used as a change machine. In those cases where amounts awarded are included on separate meters, the metering requirements for the credit out meter can be met by summing the number reflected on the credit out and machine paid external bonus payout meter;
- 3) The drop meter shall maintain a cumulative count of the credit value of all bills and tickets inserted into the bill acceptor processed for play;
- 4) The handpays meter shall reflect the cumulative amounts paid by an attendant;
- 5) The cancelled credit meter shall reflect the cumulative amounts paid by an attendant that are in excess of the credit limit and residual credits that are collected; and,
- 6) Printer games do not require a cancelled credit meter unless a “printer limit” option exists on the game.

B.) The required electronic occurrence meters are as follows:

- 1) The games-played meter shall display the cumulative number of games played since the last RAM clear;
- 2) A slot machine shall display the number of times the slot machine main door was opened since the last RAM clear; and,
- 3) The slot machine shall show the time of the most recent bill acceptor door opening since the last RAM clear.

D.) Each individual slot machine available for play shall have at least amount bet and amount won meters in either credits or dollars.

E.) For each type of slot machine that offers a double-up option, there shall be two meters to indicate the amount doubled and the amount won, which shall increment every time a double-up play occurs.

F.) All electronic meters required by this section, except those described in subsection (5), shall communicate their information to the facility based monitoring system.

III-D-6 Meter Readings

- A.) Accounting department employees shall report:
- B.) whenever there is a variance of more than two percent or more than \$100 between the slot machine's internal electronic meters and the meters of the facility based monitoring system, the Operator shall investigate the cause of the variance and prepare and file an incident report documenting the variance with the controller, the head of surveillance, and the department. The incident report shall include:
- 1) The date of the meter reading;
 - 2) The date the report was filed;
 - 3) The amount of the variance, by denomination, which shall be by total value;
 - 4) The asset number of the machine involved;
 - 5) The amount of the variance by bills, tickets, and/or vouchers;
 - 6) An indication as to the cause of the variance with documentation attached to support the explanation; and
 - 7) The signature and license number of the preparer.

III-D-7 Transaction Log, Accountability of Bills/Tickets, Bill Acceptor Recall, and Number of Last Plays Required.

- A.) All slot machines shall have the ability to display a complete transaction history for the most recent transactions with a cashless wagering system including at least the previous thirty-four (34) transactions prior to the most recent transaction that incremented any of the accounting meters.
- B.) A slot machine shall maintain electronic metering to be able to report the following:
- 1) Total monetary value of all bills, tickets, or vouchers accepted;
 - 2) Total number of all bills, tickets, or vouchers accepted; and,
 - 3) A breakdown of the following items accepted by the bill acceptor:
 - a) For bills, the game shall report the number of bills accepted for each bill denomination; and,
 - b) For all tickets or vouchers the game shall have a separate meter that reports the number of such items accepted.
- C.) A slot machine shall retain in its memory and be capable of displaying the denomination of the last five (5) items referenced in paragraph (2)(c), accepted by the bill acceptor.
- D.) Information on at least the last ten (10) games shall be retrievable by the operation of an external key-switch, or another secure method that is not available to the player. The slot machine shall provide all information required to fully reconstruct the last ten (10) plays. The information shall include:
- 1) The value of initial credits;
 - 2) The value of credits bet;
 - 3) The value of credits won;
 - 4) The value of credits paid;

- 5) Each final game outcome including all player choices and bonus features; and,
 - 6) The results of double-up options.
- E.) The last game recall shall reflect bonus rounds in their entirety. If a bonus round lasts a specific number of events, each with separate outcomes, each of the specific events shall be displayed with its corresponding outcome, if the outcome resulted in an award. The recall shall reflect events that are screen position dependent, if the outcome resulted in an award. There shall be a minimum of fifty (50) games recallable for slot machines that have the potential for infinite free games.

III-D-8 Security Requirements, System Access and Firewalls

- A.) The firewall application shall maintain an audit log and disable all communications and generate an error event if the audit log becomes full. An audit log shall contain the following information:
- 1) All changes to configuration of the firewall;
 - 2) All successful and unsuccessful connection attempts through the firewall; and
 - 3) The source and destination IP addresses, username and action taken.
- B.) Except as provided in this section, the facility based monitoring system shall not allow for remote access. An Operator shall provide in its system of internal controls a method of providing limited remote access to the facility based monitoring system for a business and/or person licensed by the Board for performance of maintenance or diagnostics of the facility based monitoring system that cannot be performed by Operator's onsite personnel. The system of internal controls for such remote access shall provide for the following:
- 1) Each individual engaging in remote access must hold a license and have a unique system account login.
 - 2) Notification by email to the Director before remote access begins and notification to the Director when the remote access is completed;
 - 3) Maintenance of a log of each time remote access is provided, enabled, disabled or modified with a separate entry for each of the following and maintained for a period of 1 year from the date of remote access:
 - a.) The specific reason for which remote access was provided to a person or entity;
 - b.) The name and employee license number of the person who authorized remote access;
 - c.) The date and time that remote access is established; and
 - d.) The date and time that remote access is terminated.

III-D-9 Ticket-in, Ticket-out (TITO) slot machines

- A.) Each Operator that operates TITO machines shall be equipped with an accounting system that is capable of monitoring and recording all machine transactions including the printing of physical tickets or issuance of

virtual tickets. The TITO machines shall be equipped with a printer for printed tickets and their bill acceptor assembly or barcode reader shall also have the capability of receiving and validating tickets.

- B.) When a ticket is inserted into a slot machine of a different denomination from which the original ticket was generated, the appropriate amount of credits up to the last available unit of current denomination shall be credited on the machine's credit meter. Any remaining amount shall be returned to the patron as a ticket.
- C.) Certain terminals located on the gaming floor shall also be connected to the TITO accounting system and shall be capable of redeeming ticket.
- D.) Tickets shall be capable of being redeemed, or wagered, in any TITO ready slot machine by inserting it into the machine's bill acceptor assembly or by using a barcode reader to scan the barcode on the ticket. Tickets inserted into the bill acceptor or scanned by the barcode reader and validated by the FBMS shall be considered redeemed at the time of insertion into the bill acceptor or scanning by the bar code reader and the credits from the tickets shall be displayed on the machine.
- E.) Once a ticket has been redeemed, the TITO accounting system shall not allow it to be redeemed a second time.
- F.) Signs shall be posted on the gaming floor notifying patrons that tickets may be redeemed at the cage or may be reinserted into the bill acceptor assembly or scanned by a barcode reader at a TITO enabled slot machine.
- G.) Tickets issued at an Operator location shall only be redeemed at that facility.
- H.) No ticket shall be accepted as payment for any goods or services.
- I.) All tickets shall be dated and valid for one (1) year from the date indicated on the ticket.
- J.) No payment for a ticket shall be made unless the ticket meets the following requirements:
 - 1) Every ticket contains the following information clearly visible on the printed or virtual ticket:
 - a. The slot machine licensee's name or site identifier;
 - b. The issuing machine's asset number or cashier/change booth location number;
 - c. The date and time of ticket issuance in a 24 hour format;
 - d. The dollar value of the ticket written in both words and in numerals;
 - e. The issued ticket's sequence number;
 - f. The issued ticket's validation number, unless the ticket is printed due to a loss of communication with the ticket validation system, or a bar code or other machine readable code representing the ticket's validation number;
 - g. The type of transaction in which the ticket was issued or other method or differentiating ticket types; and
 - i. A clear indication of the expiration period from the date of issue, or the precise date and time the on which the ticket will expire in a 24 hour format based upon the local date/time format.

- 2) Each presented ticket must be fully legible, valid, printed on paper approved by the Board, containing the information as required above in subparagraph (J)(1);
- 3) It must not be mutilated, altered, unreadable, or tampered with in any manner, or previously paid;
- 4) It not be counterfeit in whole or in part; and
- 5) It must be presented by a person who is legally or otherwise authorized to play the machine that issued the ticket.

K.) Any adjustment made to any ticket or voucher shall require two approval signatures, of which at least one of the signatures shall be by a supervisor, and all changes shall be contained in a log indicating:

- 1) The names and occupational license numbers of the employees of the slot machine licensee who approved the adjustment;
- 2) What adjustment was made to the ticket or voucher;
- 3) When the adjustment was made;
- 4) The item value before and after the change; and
- 5) The reason the adjustment was made.

L.) Any device that holds ticket information in its memory shall not allow the removal of that information unless it has first transferred that information to the database of the facility based monitoring system.

M.) Provisions shall be made in the slot machine licensee's internal controls for an alternate method to pay credits in the event of the loss of communication with the ticket validation system.

III-D-10 Access to and keys

- A.) Upon arrival at the Operator's facility, all slot machine locks shall be replaced with in-house locks.
- B.) Keys to each slot machine, with the exception of the key(s) to the area where the cash storage box is located, shall be maintained in a secure place and controlled by Security. The key(s) to the area where the cash storage box is located shall be controlled by an electronic two-party authentication system or a manual two-signature system. One of those signatures must be that of a member of the security department.
- C.) Whenever it is required that a slot machine be opened for service, certain information shall be recorded on a "Machine Entry Authorization Log" ("MEAL"). The information shall include, at a minimum, the date, time, purpose of opening the machine or device, and signature or electronic recording on a device approved by the Board of authorized employees opening the machine or device. The Machine Entry Authorization Log may be maintained in the slot machine and shall be accounted for by an asset number.

III-D-11 Identification and signs

- A.) Unless otherwise authorized by the Board, each slot machine shall have the following identifying features:

- 1) A mechanical, electrical, or electronic device that automatically precludes a player from operating the slot machine after a jackpot requiring a manual payout. An attendant is required to reactivate the machine;
 - 2) A light on the pedestal above the slot machine that automatically illuminates when the door to the machine, or any connected device which may affect the operation of the machine, is opened; and
 - 3) Asset and location numbers affixed to the outside of the machine and of sufficient height and size to be clearly visible and readable by the surveillance system.
- C.) If the slot machine offers a payout of merchandise or some other thing of value, the word “Jackpot” shall be displayed on the machine itself. A sign, as approved by the Board, shall be displayed at a location near the machine. The sign shall contain a description of the merchandise or thing of value, including its cash equivalent value (unless the payout is an annuity jackpot), the dates the merchandise or thing of value will be offered if the Operator establishes a time limit for offering the merchandise or thing of value, and the availability or unavailability to the patron of the optional cash equivalent value.

III-D-12 Location and movements

- A.) No slot machine shall be moved from its approved installed position without the prior written approval of the Department.
- B.) Once a slot machine has been placed in the slot machine facility, movements of these machines from or to a location is recorded by a slot operations department member in a Slot Control Log which shall include the following:
- 1) The serial number;
 - 2) The asset number of the slot machine;
 - 3) The date and time of the movement of the machine;
 - 4) The location from which the machine was moved; and
 - 5) The location to which the machine was moved.
- C.) Prior to removing a slot machine from the gaming floor, the cash storage box, if applicable, shall be removed and transported to the count room and all meters read and recorded.
- D.) No relocated slot machine shall become operational unless approved by the Department.

III-D-13 Cash storage boxes

- A.) Each bill validator shall have contained in it a container known as a “cash storage box” in which shall be deposited all cash and tickets inserted into the bill acceptor. Each cash storage box shall:
- 1) Have at least one lock securing the compartment that holds the cash storage box that is keyed separately from the slot machine door key and the cash storage box content key;
 - 2) Have an opening through which currency and tickets can be inserted into the cash storage box;

- 3) Have a mechanical arrangement or device that prohibits removal of currency or tickets from the opening at any time; and
- 4) Have an asset or a serial number that is permanently imprinted, affixed or impressed on the outside of the cash storage box, which is sufficient in size to be clearly visible and readable by the surveillance system. This number should correspond to the asset number of the slot machine or have an electronic means to track the box to the machine, to which the bill acceptor has been attached, however, emergency cash storage boxes may be maintained without such number, provided the word “emergency” is permanently imprinted, affixed, or impressed thereon, and when put into use, are temporarily marked with the asset number of the slot machine to which the cash storage box is attached.

B.) The key(s) to the lock securing the contents of a cash storage box shall be maintained and controlled by the accounting or the security department. The accounting/security department shall establish an electronic or manual sign-out procedure for all keys removed.

III-E Jackpots

III-E-1 Payouts not paid directly from the slot machine

A.) An operator shall include in its system of internal controls with specificity the following approved by the Board:

- 1) Description and procedures for automated, manual, overrides and voided jackpot slips;
- 2) Required information from each form used in 1) above;
- 3) Procedures for payouts not paid directly from slot machines, to include manual and automated payouts in increments of \$1,200.00 to \$4,999.99, \$5,000.00 to \$9,999.99 and \$10,000.00 or more;
- 4) Procedures for payments to players with a previous win in the same gaming day;
- 5) Procedures to ensure appropriate government forms are completed;
- 6) Procedures to ensure surveillance coverage is kept of all jackpots over \$1,200.00 are saved for a minimum of 14 days; and
- 7) Procedures to ensure the logging of events and the availability of records to permit an effective audit of the conduct of jackpot payouts and the reporting of revenue.

III-E -2 Payouts of merchandise or other things of value

A.) This section shall apply to all jackpot payouts of merchandise or other things of value.

B.) The cash equivalent of all merchandise or things of value offered as part of a payout shall be included in the total of winnings paid to patrons for purposes of determining gross revenue. The cash equivalent value of such merchandise or thing of value will be recorded at an amount based upon the actual cost to the Operator of acquiring such merchandise or thing of value.

- C.) Prior to the initial offering or any substitution, the Operator shall provide documentation to the Board relating to the acquisition and valuation of any merchandise or thing of value to be offered as a payout. The documentation shall include the following:
- 1) A detailed description of the merchandise or thing of value;
 - 2) A copy of the invoice from the vendor for the merchandise or thing of value;
 - 3) Any time limitation on the offering;
 - 4) Language to be included on the posted sign;
 - 5) Starting date for the offering; and
 - 6) Asset numbers of the slot machines that will offer the merchandise or thing of value as prizes.
- D.) A quarterly report shall be filed with the Board, on a form prescribed by the Board, which shall, at a minimum, provide the current quarter and year-to-date itemized listing of the cash equivalent value, number of payouts, dates won, and descriptions of the merchandise or things of value paid to patrons.
- E.) Whenever a patron wins a jackpot which includes any merchandise or thing of value, an accounting representative with no incompatible functions shall prepare a Jackpot Payout Slip. Jackpot Payout Slips shall be serially numbered forms, each series of which shall be used in sequential order, and the series of numbers of all Jackpot Payout Slips received by an Operator shall be accounted for by employees independent of the cashiers' cage and the slot operations department. All original and duplicate void Jackpot Payout Slips shall be marked "Void" and shall require the signature of the preparer.
- F.) On the original and all copies of the Jackpot Payout Slip, or in stored data, the preparer shall record, at a minimum, the following information:
- 1) The asset number of the slot machine on which the jackpot was registered;
 - 2) The number of credits played;
 - 3) The date and time when the jackpot occurred;
 - 4) A description of the merchandise or thing of value won and its cash equivalent value;
 - 5) The selection of merchandise or its cash equivalent value as made by the patron;
 - 6) The time of the Jackpot Payout Slip's preparation; and
 - 7) The signature or, if computer prepared, identification code of the preparer.
- G.) Signatures attesting to the accuracy of the information contained on the Jackpot Payout Slip shall be, at a minimum, of the following personnel:
- 1) The original:
 - a.) An accounting representative with no incompatible functions upon preparation; and

- b.) A slot supervisor or above.
 - 2) The duplicate:
 - a.) An accounting representative with no incompatible functions upon preparation; and
 - b.) A slot supervisor or above; and
 - c.) A security department member.
 - 3) Upon meeting the signature requirements as described in G. 1) and 2) above, the slot department shall maintain and control the duplicate and subsequently place it in a locked accounting box which will be located on the premises and will be accessible only by accounting. The accounting department shall maintain and control the original.
- H.) At the end of each gaming day, at a minimum, the original and duplicate of the Jackpot Payout Slip shall be forwarded as follows:
 - 1) The original shall be used by the accounting department for agreement with the triplicate copy or stored data.
 - 2) The duplicate shall be picked up by the accounting department for agreement with the triplicate copy or stored data.
- I.) Except as otherwise provided in 2.) below, any merchandise or thing of value to which a patron is entitled as a result of a payout shall be given to the patron. Documentation supporting the receipt by the patron of such merchandise, thing of value or, in accordance with 2.) below, cash equivalent value shall be prepared by a representative of the Operator having no incompatible functions and shall agree to the triplicate copy of the Jackpot Payout Slip or stored data.
- J.) An Operator may, at any time, establish a time limit of not less than 30 days for the offering of a jackpot of merchandise or other thing of value by providing notice of the time limit.
- K.) The Operator may permit winning patrons to request and receive the exact cash equivalent value of the merchandise or thing of value in lieu of the merchandise or thing of value. If an Operator chooses to offer patrons this option, the Operator shall so state on a sign visible to all.
- L.) Any advertising involving payouts of any merchandise or thing of value by the Operator shall include an accurate description of the merchandise or thing of value, the dates the merchandise or thing of value will be offered if the Operator establishes a time limit for offering the merchandise or thing of value pursuant to K.) above, and the cash equivalent value of the merchandise or thing of value.
- M.) For establishments in which Jackpot Payout Slips are manually prepared, each series of Jackpot Payout Slips shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous unbroken form in the dispenser. Access to the triplicate copy shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Jackpot Payout Slips, placing Jackpot Payout Slips in the dispensers, and removing from the

dispensers each day the triplicate copy remaining therein. These employees shall have no incompatible functions.

- N.) For establishments in which Jackpot Payout Slips are computer prepared, each series of Jackpot Payout Slips shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and duplicate and store, in machine readable form, all information printed on the original and duplicate; and discharge the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Jackpot Payout Slip.

III-E-3 Inspection of slot machine jackpots

- A.) Prior to the payment of any slot jackpot which has a total value in cash and/or merchandise of at least \$25,000, or any jackpot where there is evidence of a malfunction, the Operator will notify the department. Upon notification of a jackpot or malfunction, the Department shall respond at its earliest convenience to conduct an inspection and/or investigation. The Operator may award payment of the jackpot to the winning patron at its discretion. The Operator will provide the Department with:

- 1) A photocopy of the patron's W-2G;
- 2) A photocopy of the Jackpot Payout Slip;
- 3) The photo identification used by the winning patron;
- 4) A surveillance photo of the patron; and
- 5) A photo of the winning combination display.

- B.) Failure of the Department to object to the payment of the jackpot upon completion of the inspection shall not constitute waiver or estoppel of any charge, issue, or claim raised in any criminal or regulatory complaint subsequently filed against any person in connection with the winning or payment of that jackpot.

III-E-4 Progressive Jackpots

- A.) Banks of progressive slot machines will have an overhead progressive meter(s). This requirement may be waived for individual progressive slot machines if there is a progressive meter installed in the slot machine, and the meter is visible to the player.
- B.) The Operator will be liable for payment of a Progressive Jackpot and will maintain a sufficient bankroll for such payment.
- C.) All progressive controllers must be certified for use in Maine according to Chapter 19.
- D.) The reset or base value and the rate of increment of a progressive jackpot game must be filed with the Board prior to implementation. A reset or base value of all progressive jackpots must be equal to or exceed the equivalent non-progressive jackpot payouts for each individual machine linked to that jackpot.
- E.) All progressive controllers will be in a secured area by physical key, access control or by use of security tape to detect any unauthorized access to the controller approved by the Board or its designee.

- F.) Access to adjust settings or reset progressive controllers will be controlled by a secure access method which will also be available to the Department.
- G.) All Operators' controllers or access thereto must always also be kept under continual surveillance coverage. Surveillance footage of controllers and access thereto must be maintained for a period of no less than 14 days.
- H.) All linked progressive controllers will be inspected by a Board inspector to verify operation and check incrementation rates, reset values, and rules of the progressive before the controller is secured and brought up initially for play.
- I.) Once a controller is approved for play, any adjustments to rate, seed amount, current progressive amount, hidden amounts, etc. will be adjusted after approval by the Board or its designee and in the presence of a Board inspector.
- J.) Through the use of security tape or surveillance coverage, if a controller is ever found unsecured or tampered with, the progressive controller and linked machines shall be disabled and secured until an investigation is completed by the Department.
- K.) The Board may request that the controller and linked progressive machines be fully tested by an independent testing laboratory before being released for play.
- L.) An Operator may impose a limit on the progressive jackpot payout of a slot machine if the limit imposed is filed with the Board prior to the progressive being placed into play. The Operator must prominently display a notice informing the public of the limit.
- M.) No progressive meter may be altered unless one of the following circumstances occurs:
 - 1) The amount shown on the progressive meter is paid to a player as a jackpot;
 - 2) It is necessary to change the progressive indicator because of game malfunction; or
 - 3) The jackpot is being moved to other progressive(s).

Incremental percentage rates may be used, including an overflow for the reserve pool.

- G.) All progressive controllers shall have the ability to record the following information for each progressive amount:
 - 1) The current prize amount;
 - 2) The number of progressive wins;
 - 3) The history of at least the last five progressive awards;
 - 4) The starting award value;
 - 5) The jackpot award value limit, if applicable;

- 6) The initial incremental percentage rate at which an award is increased;
- 7) The secondary incremental percentage rate at which an award is increased after the jackpot limit is reached;
- 8) The overflow incremental percentage increment rate for the reserve pool, if applicable;
- 9) The base reset amount after the progressive jackpot is awarded; and
- 10) The slot machines participating in the progressive jackpot.

H.) Any modification of a progressive controller or reset of a progressive jackpot amount shall require:

- 1) Prior written notification to the Board or its designee; and
- 2) The presence of a Board inspector.

All linked progressive jackpots over the IRA threshold shall be reported to the Department via audit reports. All linked progressive jackpots above \$25,000.00 shall be reported to the Department as soon after the jackpot is won as reasonably possible via email to gambling.control@maine.gov.

All progressive jackpot amounts shall be equal to or greater than the reset amount of each progressive slot machine.

All progressives' records must be maintained on a daily basis the date, time, progressive (name/number), progressive type, bank(s)/slot machine(s), and progressive amounts. The records and documents must be retained for a period of five years unless permission to destroy them earlier is given in writing by the Board.

III-F Cashiers' cages

- A.) Each establishment shall have on or immediately adjacent to the gaming floor a physical structure known as a cashiers' cage satisfying the definition in Section I.
- B.) Each establishment shall have within the cashier cage or in such other area as approved by the Board a main bank satisfying the definition of "main bank" in Section I.
- C.) The cage shall be designed and constructed to provide maximum security and shall contain the following features:
 - 1) Fully enclosed except for openings through which materials such as cash, records, and documents can be passed to service the public.
 - 2) Manually triggered silent alarm systems connected, at a minimum, directly to the monitoring rooms of the surveillance department.
 - 3) Double door entry and exit system that will not permit a person to pass through the second door until the first door is securely locked. In addition:

- a.) The first door adjacent to the floor of the double door entry and exit system shall be controlled by the security or surveillance department. The second door of the double door entry and exit system shall be controlled by the cashiers' cage or the security department.
 - b.) The system shall be monitored by the surveillance department and shall include both visual and audio monitoring.
 - c.) Any entrance to the cage that is not a double door entry and exit system shall be an alarmed emergency exit door only.
- 4) Separate locks on each door of the double door entry and exit system, the keys to which shall be different from each other, or magnetic locks on each door of the double door entry and exit system, the release buttons to which shall be different from each other.
- D.) Any licensed employee, who has a legitimate purpose for doing so, may enter the cashiers' cage. Any non-licensed employee or non-employee who is authorized to enter the cashiers' cage must be accompanied by a security officer or player services supervisor. Authorization may come from a cashiers' cage supervisor or above.

III-F -1 Accounting controls for the cashiers' cage

- A.) The assets for which the cage cashiers are responsible shall be maintained with an imprest amount. At the end of each shift, the cashiers assigned to the outgoing shift shall record on a Cashiers' Count Sheet the face value of each cage inventory item counted and the total of the opening and closing cage inventories and shall reconcile the total closing inventory with the total opening inventory.
- B.) At the opening of every shift, in addition to the imprest funds normally maintained by the cage cashiers, each Operator shall have on hand in the cage or readily available thereto, a reserve cash bankroll necessary for normal operations.
- C.) All currency and coin counting machines shall be tested weekly for accuracy and the results of the tests shall be documented.
- D.) The cashiers' cage shall be physically segregated by personnel and function as follows:
 - 1) Cage cashiers shall operate with individual imprest inventories of cash and such cashiers' functions shall be, but are not limited to:
 - a.) Receiving and paying out cash and cash equivalents, tickets and checks (excluding child support, public assistance, welfare and unemployment checks, and any others specified by the Board).
 - 2) Cashiers' functions shall be, but are not limited to, the following:
 - a.) Receive cash, cash equivalents, original copies of Jackpot Payout Slips and checks (excluding child support, public assistance, welfare and unemployment checks, and any others specified by the Board).
 - b.) Receive currency, coin and chips from cage cashiers in exchange for proper documentation.

- c.) Provide cage cashiers with currency, coin and chips in exchange for proper documentation, including tickets.
- d.) Receive currency, coin and chips from the currency count rooms.
- e.) Prepare the overall cage reconciliation and accounting records.
- f.) Prepare the daily bank deposit for cash, coin, and checks.
- g.) Receive from cage cashiers' documentation with signatures thereon, required to be prepared for the effective segregation of functions in the cashiers' cage.
- h.) Be responsible for the reserve cash bankroll.

E.) Signatures attesting to the accuracy of the information contained on the Cashiers' Count Sheet shall be, at a minimum, of the following cashiers after preparation of the Cashiers' Count Sheet:

- 1) The cage cashiers assigned to the incoming and outgoing shifts; or
- 2) The cashier supervisors or above assigned to the incoming and outgoing shifts.

F.) At the end of each gaming day, at a minimum, a copy of the Cashiers' Count Sheets and related documentation shall be forwarded to the accounting department for reconciliation of activity during the shift the cashier worked.

G.) The above reconciliation may be performed by a cashier supervisor or above prior to forwarding to the accounting department.

III-F -2 Expired unclaimed prizes and tickets

A.) No ticket or jackpot claim shall be redeemed by an Operator more than one year from the date of issuance of the ticket or the date of occurrence of the jackpot. This one-year redemption policy shall be prominently displayed on the premises of an Operator.

B.) An Operator shall report expired unclaimed jackpots and tickets on a daily basis to the Board on form MGCB 2300. Daily amounts added minus those redeemed by the Operator shall be a part of the financial reporting of revenue for that day.

C.) An Operator shall maintain an Expired Unclaimed Jackpot Report and an Expired Ticket Report setting forth the aggregate value of unclaimed prizes and tickets for the past five years. In addition, the report shall contain, at a minimum, the following information on unclaimed prizes and tickets over \$1 in value:

- 1) Customer name (if known);
- 2) Date won/issued;
- 3) Amount won/issued (and expired);
- 4) Asset Number; and

- 5) Ticket Number.

III-G Removal of drop boxes and cash storage boxes

- A.) For each slot machine game or electronic table on the gaming floor, the cash storage box shall be removed at least once a week on specific days and at times designated by the Operator for each table game the drop box will be removed at least daily. The Operator shall complete both drops on a schedule which shall be filed with the Board and the Department. No drop box or cash storage box shall be emptied or removed from its compartment at other than the times specified on such schedule except under emergency situations. The Operator shall keep the Department Inspector Supervisor notified of any changes in the schedule. Prior to emptying or removing any drop box or cash storage box, an Operator shall notify the surveillance department of the transportation route that will be utilized.
- B.) When a cash storage box is removed to investigate any problem or malfunction, the removal shall be witnessed by at least three employees consisting of a security department member, a surveillance department member and a slot operations employee. In the event of a patron dispute, the Operator shall move the cash storage box to a location approved by the Board or its designee in order to open the box using a cash storage box content key to resolve the dispute. All movements of the cash storage box shall be monitored by surveillance and escorted by security.
- C.) Procedures and requirements for removing cash storage boxes from the gaming floor shall be the following:
 - 1) The cash storage box shall be removed from its compartment; an empty cash storage box shall be placed in the compartment; and after which the compartment door shall be closed and locked.
 - 2) All cash storage boxes that are removed from a slot machine or electronic table game shall be transported and secured in the count room for the counting of their contents by a drop team consisting of a minimum of three individuals with one security department member assigned to the cart and two other licensed employees from the accounting department that would not create an incompatible function. The security department member must be physically present during any such removal, and the removal shall be continuously monitored and recorded by surveillance.
 - 3) All persons participating in the cash storage box removal procedure, except for security department employees and representatives of the Board and Department, shall wear as outer garments one-piece coveralls with no pockets and with openings only for the arms, feet, and neck.
- D.) Procedures and requirements for removing drop boxes from table games shall be the following:
 - 1) The removal of a drop box shall be performed by a drop team consisting of a minimum of three individuals with two security department members, one of which shall be assigned to the drop cart, and one table game supervisor or above.
 - 2) Surveillance must continuously record at all times the removal and placement of drop boxes from the table games onto the drop carts and the transportation of the drop cart to the count room.

III-H Unsecured currency

- A.) Whenever currency is found inside a bill acceptor but outside the cash storage box (“unsecured currency”), a slot department representative in the presence of security shall immediately complete an unsecured currency envelope.
- B.) Whenever currency is found inside a drop box compartment but outside the drop box (“unsecured currency”), a table games department representative in the presence of security shall immediately complete an unsecured currency envelope.
- C.) An unsecured currency envelope shall contain the following information:
 - 1) The asset number of the cash storage box or the table game number of the drop box in which the unsecured currency was found;
 - 2) The date on which the unsecured currency was found; and
 - 3) The total dollar amount of the unsecured currency.
- D.) The slot department or table games department representative and the security department member shall then sign the envelope as evidence of the total dollar amount being transported, seal the envelope and transport the envelope directly to the count room or other secured area approved by the Board.
- E.) At the end of the gaming day, the count team shall count all cash contained in unsecured currency envelopes relevant to areas collected during the drop. The cash counted from each asset shall be recorded as drop. The envelope prepared pursuant to the above shall be forwarded to the accounting department along with the recording documentation.
- F.) When unsecured currency is found during the collection of cash storage or drop boxes, the completion of the envelope shall be performed by a count team member and a security department member. The envelope shall be transported with the cash storage or drop boxes to the count room. The unsecured currency shall be counted and recorded with the contents removed from the corresponding cash storage or drop box. The envelope shall be forwarded to the accounting department with the recording documentation.
- G.) If the count team has an unsecured currency envelope in its possession and the corresponding cash storage or drop box is not being counted that day, the envelope shall be placed in a clear Plexiglas box, which shall be kept locked in the count room or other secured area approved by the Board. The key to this box shall be maintained in a double lock box in the cashiers’ cage or other secured area approved by the Board and shall be signed out by soft count personnel each day during the duration of the count. A count team member shall check the box each day and remove the unsecured currency envelopes for the corresponding cash storage or drop boxes being counted that day.

III-I Count procedures

III-I -1 Count room characteristics

- A.) Each Operator shall have a room or rooms specifically designated for counting the contents of drop boxes and cash storage boxes. These rooms shall be known as “count rooms.”

- B.) Count rooms shall be used exclusively for slot or casino operations unless otherwise authorized by the Board.
- C.) Count rooms shall be designed and constructed to provide maximum security for the materials housed therein and for the activities conducted therein. They shall include, at a minimum, the following:
 - 1) A metal door with a one-way security glass so that one can see out of the count room but not in or by other means such as surveillance. The door shall be equipped with at least one lock securing the interior of the count room, the key to which shall be different from the keys to the locks securing the contents of the drop box and cash storage box. The key shall be maintained and controlled by cage personnel and/or security; and
 - 2) An alarm device connected to the entrance of the count room in such a manner as to cause a signaling to the monitors of the surveillance system whenever the door to the count room is opened.
- D.) Located within a count room shall be:
 - 1) A table whose surface is constructed of clear glass or similar transparent material for the emptying, counting, and recording of the contents of cash storage or drop boxes which shall be known as the “count table.” The surface of this table must remain transparent at all times and is subject to periodic approval and review by the Board and/or the Department;
 - 2) A device or methodology by which the content key to the cash storage box or drop box is attached to the above table such that a cash storage box or drop box has to be brought to the table in order to be opened; and
 - 3) Surveillance camera and microphone wired to monitoring rooms capable of, but not limited to, the following:
 - a.) Effective and detailed audio-video monitoring and recording of the entire count process and any other activities in the count room; and
 - b.) Effective, detailed video-monitoring of the interior of the count room, including storage cabinets or trolleys used to store drop boxes and cash storage boxes.

III-I -2 Opening, counting, and recording contents of cash storage boxes and drop boxes

- A.) The contents of the cash storage boxes and drop boxes shall be counted and recorded in the count room in conformity with this section.
- B.) Each Operator shall place on file with the Board and the Department the specific times during which the contents of cash storage boxes and drop boxes are to be counted and recorded. Counting and recording of cash storage boxes, at a minimum, shall be once a week. Counting and recording of drop boxes, at a minimum, shall be once a week, counting and recording each day separately.
- C.) The opening, counting, and recording of the contents of cash storage boxes and drop boxes shall be performed in the presence of at least two employees with no incompatible functions (“count team”).

D.) All persons present in the count room during the counting process, except representatives of the Board and the Department, shall wear as outer garments, one-piece coveralls with no pockets and with openings only for the arms, feet, and neck.

E.) No person shall:

- 1) Carry a pocketbook or other container unless it is transparent.
- 2) Remove that person's hands from or return them to a position on or above the count table unless the backs and palms of the hands are first held straight out and exposed to the view of other members of the count team and the surveillance camera.

F.) Immediately prior to opening the cash storage boxes or drop boxes, the doors to the count room shall be securely locked and, except for the entrance of a cage cashier at the conclusion of the count and/or members of the Board or Department, no person shall be permitted to enter or leave the count room, except during a normal work break or in an emergency, until the entire counting, recording, and verification process is completed. During a work break or in the event of an emergency, or to permit cash storage boxes or drop boxes to be secured in the count room for the count of the contents, the counting and recording process shall be discontinued unless the appropriate number of personnel as described in C) above is present. Surveillance must be notified prior to any person entering or exiting the count room.

In the event that the count (drop) cannot be completed in a timely manner, such as equipment failure or other circumstances beyond the control of the Operator, or in the event that excess cash has accumulated during a count, a partial count will be accepted by the main bank. The normal end of count procedures set forth above will be followed. In addition, surveillance will be notified, the partial count will be clearly segregated on the count table, verified by the count team, verified by the cage cashier and properly documented.

G.) Immediately prior to the commencement of the count, one count team member shall notify surveillance that the count is about to begin, after which surveillance shall make an audio-video recording, with the time and date inserted thereon, of the entire counting process which shall be retained by the surveillance department for at least fourteen days from the date of recordation unless otherwise directed by the Board or the Department.

H.) Procedures and requirements for conducting the count shall be the following:

- 1) As each cash storage box or drop box is placed on the count table, one count team member shall verbalize, in a tone of voice to be heard by all persons present and to be recorded by the audio recording device, the asset number marked thereon for cash storage boxes or drop box.
- 2) The contents of each cash storage box or drop box shall be emptied on the count table.
- 3) The inside of the cash storage box or drop box shall be in full view of a surveillance camera and shall be shown to at least one other count team member to assure all contents of the cash storage box or drop box have been removed, after which the cash storage box or drop box shall be locked and placed in the cart for cash storage boxes or drop boxes.
- 4) The contents of each cash storage box or drop box shall be segregated by a count team member into separate stacks on the count table by tickets and by denominations of currency

except that the Board may permit the utilization of a machine to automatically separate tickets from currency and sort currency by denomination.

- 5) Each denomination of currency shall be counted separately by one count team member who shall place individual bills of the same denomination on the count table in full view of a surveillance camera after which the currency shall be counted by a second count team member who is unaware of the result of the original count and who, after completing this count, shall confirm the accuracy of the total, either orally or in writing, with that reached by the first count team member. The Board may permit an Operator to perform an aggregate count by denomination of all currency collected in substitution of the second count if the Board is satisfied that the original count is being performed automatically by a machine that counts and automatically records the amount of currency and that the accuracy of the machine has been suitably tested and proven prior to each count.
- 6) The number of tickets contained in the cash storage box shall be counted by a count team member manually or by placing the tickets into a device approved by the Board. The number of tickets counted must be compared to the number of tickets on the Cash Storage Box Report.
- 7) As the contents of each cash storage box are counted, or at the completion of the count, one count team member shall record on the Cash Storage Box Report or supporting documentation the following information:
 - a.) The asset number of the slot machine to which the cash storage box contents correspond;
 - b.) The amount of each denomination of currency counted;
 - c.) The amount of all denominations of currency counted;
 - d.) The total number and dollar amount of tickets; and
 - e.) Any additional information as may be required on the Cash Storage Box Report by the Board.
- 8) As the contents of each table game drop box are counted, one count team member shall record on the count documentation, in ink or by computer, the type of game, table number, shift (if applicable), and the following information:
 - a.) The amount of each denomination of currency counted;
 - b.) The amount of all denominations of currency counted;
 - c.) The amount of chips counted;
 - d.) The total amount counted;
 - e.) The amount of the opener;
 - f.) The amount of the closer;

- g.) The serial number and amount of each fill;
- h.) The amount of all fills;
- i.) The serial number and amount of each credit;
- j.) The amount of all credit;
- k.) The win or loss; and
- l.) The amount of coupons authorizing chip purchases.
- m.) If the licensee's system of internal controls provides for the recording on the master game report or supporting documents of fills, front money deposits, and table inventory slips prior to commencement of the count, a count team member shall compare for agreement the totals of the amounts recorded thereon to the fills, credits, and table inventory slips removed from the drop boxes.

9) After preparation of the Drop Box Report, each count team member shall sign the reports attesting to the accuracy of the information recorded thereon.

I.) At the conclusion of the count:

- 1) The cage cashier will enter the count room, bulk count all strapped currency, count all the loose (unstrapped) currency and test count at least one strap of each denomination of cash. The cage cashier will compare this total with the count team's total prior to having access to the Count Transfer Sheets and in the presence of a count team member; attest to the amount of cash received by signing the Count Transfer Sheets; and then will transport all monies directly to the main bank.
- 2) The Count Transfer Sheets, after signing, as well as all tickets removed during the count, will be transported directly to the accounting department. The accounting department will record the figures from the Count Transfer Sheets and calculate the total drop for that gaming day.

III-I -3 Usage and initialization of currency counting machines

A.) The Board shall permit the utilization of currency counting machines. The Operator will submit a plan to the Board to verify that all currency counting machines to be used during the "soft count" are accurate prior to any count. At a minimum, this process shall involve two members of the "count team." One member of the team will be designated as "lead" or similar title. The "lead" member will be responsible for the verification process and will attest in writing as to the results.

III-J Chips

III-J -1 Approval of chips and tokens; applications and procedures

A.) A licensee shall not issue any chips for use in its gaming establishment or sell or redeem any such chips unless the chips have been approved in writing by the Gambling Control Board or its designee. A licensee shall not issue any chips for use in its gaming establishment or sell or redeem any such chips that are modifications of chips previously approved by the Gambling Control Board or its

designee unless the modifications have been approved in writing by the Gambling Control Board or its designee.

- B.) Applications for approval of chips and modifications to previously approved chips must be made, processed, and determined in such manner and using forms MGCB-3000. Each application must include, in addition to such other items or information as the Gambling Control Board or its designee may require:
- 1) The names of the licensee and person requesting approval;
 - 2) An exact drawing, in color or in black-and-white, of each side and the edge of the proposed chip drawn to actual size or drawn to larger than actual size and in scale, and showing the measurements of the proposed chip in each dimension;
 - 3) Written specifications for the proposed chips;
 - 4) The name and address of the manufacturer;
 - 5) The licensee's intended use for the proposed chips; and
 - 6) Two Sample chip(s) in final, manufactured form. The Board shall retain sample chips.
- C.) If, after receiving and reviewing the items and information described in subsection B.), the Gambling Control Board or its designee is satisfied that the proposed chips conform with the requirements of this regulation, the Gambling Control Board or its designee shall approve the proposed chips and notify the licensee in writing. As a condition of approval of chips issued for use at a specific table, the Gambling Control Board or its designee may prohibit the licensee from using the chips other than at the specified game.

III-J -2 Specifications for chips

- A.) Chips must be designed, manufactured, and constructed in compliance with all applicable statutes, regulations, and policies of the United States, and this state, so as to prevent counterfeiting of the chips to the extent reasonably possible. Chips must not deceptively resemble any current or past coinage of the United States or any other nation.
- B.) In addition to such other specifications as the Gambling Control Board or its designee may approve:
- 1) The name of the issuing gaming establishment must be inscribed on one side of each chip, and the city or other locality and the state where the establishment is located must be inscribed on at least one side of each chip;
 - 2) The value of the chip must be inscribed on one side of each chip, other than chips used exclusively at roulette;
 - 3) The manufacturer's name or a distinctive logo or other mark identifying the manufacturer must be inscribed on at least one side of each chip; and
 - 4) Each chip must be designed so that when stacked with chips of other denominations and viewed on closed-circuit, black-and-white television, the denominations of the chip can be distinguished from that of the other chips in the stack.

- C.) The names of the city or other locality and the state where the establishment is located must be inscribed on at least one side of each chip unless the Gambling Control Board or its designee finds, after application by a licensee, that such an inscription is not necessary because:
- 1) The name of the issuing establishment is unique to one readily identifiable establishment in all gaming jurisdictions; and
 - 2) The inclusion of the city or other locality and the state is not necessary or beneficial for any regulatory purpose relating to the applicant.
- D.) Any application submitted pursuant to subsection III-H-1. must be signed by the general manager of the applicant and be on form MGCB-3000.

III-J-3 Reception and inspection of chips

- A.) The Operator will inspect all chips upon receipt from the manufacturer or distributor to ensure, at a minimum, that:
- 1) The quantity and denomination of the chips that are actually received from the manufacturer or distributor agree with the quantity and denomination of such the chips listed on the shipping documents.
 - 2) There are no physical defects in the chips that were received.
- B.) The inspection required by A.) above will be conducted by at least three people (“inspection team”) and the Department inspector on duty. Each inspection team will consist of at least one representative from each of the following departments under surveillance:
- 1) Accounting;
 - 2) Cashier’s Cage; and
 - 3) Security.
- C.) The inspection team will report to the Department inspector promptly after an inspection required by B.) the following:
- 1) The shipment contains defective chips, or
 - 2) The quantity and denomination of the chips actually received do not agree with quantity and denomination listed on the shipping documents.
- D.) After the receipt and inspection of the chips, the cage cashier from the inspection team will record on the Chips Receipt Log the following information:
- 1) Date of receipt;
 - 2) Description and denomination of the chips received;
 - 3) Number of the chips shipped from the manufacturer or distributor (invoice);

- 4) The actual amount by denomination of the chips received;
- 5) Any variance between the number of the chips on the invoice and the actual number of the chips received;
- 6) Total dollar amount received;
- 7) Signature and license number of the cage cashier representative;
- 8) Signature and license number of the accounting department representative; and
- 9) Signature and license number of the security department representative.

E.) The cage cashier will then add the additional chips delivered to the chip inventory log.

F.) The Operator shall supply two chips of each denomination to the Board or its designee prior to their usage.

III-J -4 Use of chips

A.) A licensee that uses chips at its gaming establishment shall:

- 1) Comply with all applicable statutes, regulations, and policies of this state and of the United States pertaining to chips;
- 2) Sell chips only to patrons of its gaming establishment and only at their request;
- 3) Promptly redeem its own chips from its patrons;
- 4) Post conspicuous signs at its establishment notifying patrons that the use of the licensee's chips may not be used outside the licensee's establishment for any monetary purpose whatsoever;
- 5) Take reasonable steps, including examining chips and segregating those issued by other licensees to prevent sales to its patrons of chips and tokens issued by another licensee; and
- 6) Not accept chips as payment for any goods or services offered at the licensee's gaming establishment with the exception of the specific use for which the chips were issued and payment of tips and gratuities for food and beverages on the gaming floor. The licensee shall not give chips as change in any other transaction.

B.) A licensee shall not redeem its chips if presented by a person who the licensee knows or reasonably should know is not a patron of its gaming establishment, except that a licensee shall promptly redeem its chips if presented by:

- 1) Another licensee who represents that it redeemed the chips from its patrons and received them unknowingly, inadvertently, or unavoidably; or
- 2) An employee of the licensee who presents the chips in the normal course of employment.

C.) A licensee shall not knowingly sell, use, permit the use of, accept, or redeem chips issued by another licensee, except as follows:

- 1) A licensee may redeem chips issued by another licensee if:
 - a.) The chips are presented by a patron for redemption at the cashiers' cage of the licensee's gaming establishment; or
 - b.) The chips are presented by a patron at a table game and the licensee redeems the chips with chips of its own, places the redeemed chips in the table's drop box, and separates and properly accounts for the redeemed chips during the count performed pursuant to the licensee's system of internal controls.

D.) Chips whose use is restricted to uses other than at table games or other than at specified table games may be redeemed by the issuing licensee at table games or non-specified table games if the chips are presented by a patron, and the licensee redeems the chips with chips issued for use at the game, places the redeemed chips in the table's drop box, and separates and properly accounts for the redeemed chips during the count performed pursuant to the licensee's system of internal controls.

III-J -5 Redemption of chips

A.) A licensee that permanently removes from use or replaces approved chips at its gaming establishment, or that ceases operating its gaming establishment whether because of closure or sale of the establishment or any other reason, must prepare a plan for redeeming discontinued chips that remain outstanding at the time of discontinuance. The licensee must submit the plan in writing to the Gambling Control Board or its designee not later than thirty (30) days before the proposed removal, replacement, sale, or closure, unless the closure or other cause for discontinuance of the chips cannot reasonably be anticipated, in which event the licensee must submit the plan as soon as reasonably practicable. The Gambling Control Board or its designee may approve the plan or require reasonable modifications as a condition of approval. Upon approval of the plan, the licensee shall implement the plan as approved.

B.) In addition to such other reasonable provision as the Gambling Control Board or its designee may approve or require, the plan must provide for:

- 1) Redemption of outstanding, discontinued chips in accordance with this regulation for at least 120 days after the removal or replacement of the chips or for at least 120 days after operations cease as the case may be, or for such longer or shorter period as the Gambling Control Board or its designee may for good cause approve or require;
- 2) Redemption of the chips at the premises of the gaming establishment or at such other location as the Gambling Control Board or its designee may approve;
- 3) Publication of notice of the discontinuance of the chips, the redemption and the pertinent times and locations in at least two newspapers of general circulation in this state at least twice during each week of the redemption period, subject to the Gambling Control Board or its designee's approval of the form of the notice, the newspapers selected for publication and the specific days of publication;
- 4) Conspicuous posting of the notice described in paragraph (3) at the gaming establishment or other redemption location; and

- 5) Destruction or such other disposition of the discontinued chips as the Gambling Control Board or its designee may approve or require.

III-J -6 Destruction of chips

- A.) The destruction of chips, if carried out by the Operator, will take place in the presence of at least three (3) representatives of the following departments and a department inspector;
 - 1) Security;
 - 2) Accounting; and
 - 3) Cashier's Cage.
- B.) The Operator has the option of using a vendor for the destruction of chips on the Operator's premises in front of those representatives in A.) above.
- C.) If the Operator decides to use a licensed vendor for the destruction of chips, the Operator shall maintain a document that confirms the receipt and the destruction of the chips from the vendor. This document shall be readily available for inspection by the Board and the Department.
- D.) The amount and description of all chips destroyed by the Operator or vendor will be recorded in the Chip Destruction Log. The Chip Destruction Log will contain:
 - 1) Date of destruction;
 - 2) Denomination of the chips being destroyed;
 - 3) Total number of chips being destroyed by denomination;
 - 4) Total dollar amount of the chips being destroyed by denomination;
 - 5) Total dollar amount of all chips being destroyed;
 - 6) Signature and employee number of the Cashiers' Cage representative;
 - 7) Signature and employee number of the accounting department representative; and
 - 8) Signature and employee number of the security department representative.

III-J -7 Counterfeit chips

- A.) As used in this section, "counterfeit chips" mean any chip-like objects that have not been approved pursuant to this regulation, but not including coins of the United States or any other nation.
- B.) The Operator must turn over any and all counterfeit chips to the Department's Inspector Supervisor with an Operator's security and/or surveillance department report containing, at a minimum:
 - 1) Date and time the chips were discovered;

- 2) The names of the individuals who discovered them;
- 3) The denomination of the chips;
- 4) Number of chips by denomination;
- 5) Total amount of all chips;
- 6) The names of the individuals who presented the chips for play or redemption, if known; and
- 7) The names of any other interested parties to the transaction.

III-J- 8 Promotional and tournament chips

- A.) As used in this section, “promotional chip” means a chip object issued by a licensee for use in promotions or tournaments at the licensee's gaming establishment.
- B.) Promotional chips must be designed, manufactured, approved, and used in accordance with the provisions of this regulation applicable to chips, except as follows:
 - 1) Promotional chips must be distinguishable from other chips as determined by the Gambling Control Board or its designee.
 - 2) Each side of each promotional chip must conspicuously bear the inscription “No Cash Value”;
 - 3) Promotional chips must not be used, and licensees shall not permit their use, in transactions other than the promotions or tournaments for which they are issued; and
 - 4) The provisions of section III-H-6 of this regulation shall not apply to promotional chips.

III-J -9 Inventory of chips

- A.) Chips shall be taken from or returned to the reserve chip inventory in the presence of at least two (2) individuals. The denominations, number and amount of chips so taken or returned shall be recorded in the chip inventory ledger together with the date and signatures of the individuals carrying out this process.
- B.) Each licensee shall, on a monthly basis, compute and record the unredeemed liability for each denomination of chips and record the result of such inventory in the chip inventory ledger. On a monthly basis, each licensee shall conduct an inventory of chips in reserve and record the result of such inventory in the chip inventory ledger. If the reserve chips are stored in a locked compartment that is sealed and tamper resistant, a physical inventory must be conducted annually, unless the compartment is opened, at which time an inventory must be conducted.
- C.) During nongaming hours all chips in the possession of the licensee shall be stored in the main bank or chip bank, or in a locked compartment in a cashiers’ cage, except that chips may be locked in a transparent compartment on gaming tables under continuous surveillance coverage.

III-K Table games

A.) Access to playing cards, dice and other instruments used in the playing of table games

- 1) New and used playing cards to be issued to a table shall be maintained in a secure location to prevent unauthorized access and reduce the possibility of tampering. Used playing cards that are not to be re-used shall be properly canceled and removed from service.
- 2) All dice or playing cards that are not being utilized at a live gaming device shall be kept in locked compartments.
- 3) Dice and playing cards shall not be left at a live gaming device while unattended.
- 4) Casino licensees shall maintain an inventory of all dice and playing cards on forms prescribed by the Board. The inventory shall contain all of the following information:
 - a.) The date on which dice and playing cards are received;
 - b.) The quantity of the dice and playing cards received;
 - c.) The name, business address, and business telephone number of the manufacturer from which the dice or playing cards are received;
 - d.) The quantity of dice and playing cards that are placed into play each day;
 - e.) The quantity of dice and playing cards that are removed from play due to suspected tampering and the date of the removal; and
 - f.) The quantity of dice and playing cards that are removed from play and canceled each day.
- 5) A casino licensee shall conduct a physical inventory of the dice and playing cards every 3 months. A casino licensee shall record the results of the physical inventory on forms prescribed by the Board. A casino licensee shall reconcile inventory maintained in sub rule (III-I-A-4) of this rule with the results of the physical inventory. A casino licensee shall immediately report any discrepancies in the inventory forms and the physical inventory to the Board.

B.) Playing card specifications

- 1) All playing cards utilized by a casino licensee shall be in compliance with all of the following specifications:
 - a.) Unless otherwise provided in this part or in the rules of the game document, all decks of cards shall be 1 complete standard deck of 52 cards in 4 suits. The 4 suits shall be hearts, diamonds, clubs, and spades. Each suit shall consist of all of the following numerical cards:
 1. Two to 10.
 2. A jack.

3. A queen.
 4. A king.
 5. An ace.
- b.) The backs of each card in a deck shall be identical, and no card shall contain any marking, symbol, or design that will enable a person to know the identity of any element printed on the face of the card or that will differentiate the back of that card from any other card in the deck.
 - c.) All edges shall be perfectly square with each side at a precise 90-degree angle to each adjacent side of the card.
 - d.) The radius of all 4 corners shall be exactly the same.
 - e.) The name, trade name, or logo of the casino licensee or casino license applicant shall be imprinted on the back side of each playing card twice in a mirror image. The mirror imaged name, trade name, or logo of the casino licensee or casino license applicant shall be spaced a minimum of 3/4 of an inch apart.
 - f.) If playing cards have a white border, then the border shall be a minimum of 3/16 of an inch on each side of the card.
 - g.) In the hearts suit, the hearts shall be a burgundy red color.
 - h.) In the diamonds suit, the diamond pips shall be a burgundy red color.
 - i.) In the spades suit, the spades shall be a black color
 - j.) In the clubs suit, the trefoil-shaped figure shall be a black color.
 - k.) All finished card decks are to be packaged using a cellophane or shrink wrap in single deck boxes that have a tamper-resistant security seal and a tear band.
 - l.) The manufacturer's identification name shall be placed on each deck box.
 - m.) The manufacturer's identification name shall be placed on each box containing individual decks of playing cards.

C.) Dice specifications.

- 1) All dice utilized by a casino licensee shall be in compliance with all of the following specifications:
 - a.) Each die must be formed in the shape of a perfect cube and of a size no smaller than 0.750 inches on each side nor larger than 0.775 inches on each side.
 - b.) The name, trade name, or logo of the casino licensee shall be imprinted on or in each die utilized by the casino licensee or casino license applicant.

- c.) Each die must be transparent and made exclusively of cellulose, except for the following:
 - 1. Spots.
 - 2. Name, trade name, or logo of the casino licensee.
 - 3. Serial number or letters, or both.
- d.) The surface of each side of the die shall be perfectly flat, and the spots contained in each side of the die shall be perfectly flush with the area surrounding the spots.
- e.) The edges and corners of each die shall be perfectly square and form 90-degree angles with each adjacent side.
- f.) The texture and finish of each side shall be exactly identical to the texture and finish of all other sides.
- g.) The weight of each die shall be equally distributed throughout the cube, and no side of the cube may be heavier or lighter than any other side of the cube.
- h.) Each die must have 6 sides bearing white circular spots from 1 to 6, respectively, with the diameter of each spot equal to the diameter of every other spot on the die.
- i.) Each die must have spots arranged so that all of the following provisions are satisfied:
 - 1. The side containing 1 spot is directly opposite the side containing 6 spots.
 - 2. The side containing 2 spots is directly opposite the side containing 5 spots.
 - 3. The side containing 3 spots is directly opposite the side containing 4 spots.
- j.) Each spot shall be placed on the die by drilling, or the equivalent, into the surface of the cube and filling the drilled-out portion with a compound that is equal in weight to the weight of the cellulose drilled out and that forms a permanent bond with the cellulose cube.

D.) Inspection of cards

- 1) When playing cards are accepted for play at a live gaming device, the licensee accepting the playing cards shall inspect the playing cards to ensure the playing cards comply with this rule.
- 2) On at least a daily basis, playing cards shall be inspected by sorting the cards sequentially by suit and inspecting the sides of the cards for crimps, bends, cuts, shaving, or any other defect that would affect the integrity or fairness of the game.

E.) Inspection of dice.

- 1) Before dice are placed into play at a live gaming device, the pit boss, or the pit boss's equivalent, shall inspect the dice to ensure the dice comply with this rule.
- 2) Dice shall be inspected by all of the following methods on a flat surface that allows the inspection of the dice to be monitored by the surveillance system:
 - a.) A micrometer or any other approved instrument that performs the same function.
 - b.) A balancing caliper.
 - c.) A steel set square and magnet.
- 3) A casino licensee shall store the micrometer or other approved instrument, the balancing caliper, and the steel set square and magnet in a secure place that is not accessible by the public.

F.) Removal of cards or dice from play.

- 1) A casino licensee shall remove any dice or playing cards if there is an indication of any of the following:
 - a.) The dice or playing cards have been tampered with.
 - b.) The dice or playing cards are flawed.
 - c.) The dice or playing cards are defective, and the defect may affect the integrity or fairness of the game.
- 2) If there is an indication that dice or playing cards have been tampered with, then the pit boss, or the pit boss's equivalent, shall place the dice or playing cards in an envelope, seal the envelope, and give the envelope to the Department. The pit boss, or the pit boss's equivalent, shall note all of the following information on the outside of the envelope:
 - a.) The date and time the dice or playing cards were removed from play.
 - b.) The live gaming device from which the dice or playing cards were removed from play.
 - c.) The characteristics that indicate that the dice or playing cards were tampered with.
 - d.) The name of all licensees at the live gaming device from which the dice or playing cards were removed, and the name of the pit boss, or the pit boss's equivalent, who removed the dice or playing cards from play.
- 3) Except for dice that are removed from play due to the possibility of tampering, all dice shall be canceled when removed from play. Dice may be canceled by any of the following means:
 - a.) Drilling a circular hole that is not less than 1/4 of an inch in diameter through the center of each die.
 - b.) Destroying the die by shredding.

- c.) Canceling the die in any other manner approved by the Board or its designee.
- 4) Except for playing cards that are removed from play due to the possibility of tampering, all playing cards shall be canceled by 1 of the following methods:
 - a.) Drilling a circular hole that is no less than 1/4 of an inch in diameter through the center of each card in the deck.
 - b.) Shaving not less than 2 corners of each playing card so that each side is no longer at 90-degree angles with each adjacent side.
 - c.) The cards are destroyed by shredding.
 - d.) Canceling the cards by any other method approved by the Board or its designee.
- 5) This rule shall not prevent a licensee from removing cards and dice from a game at any time in its discretion.

G.) Table limits

- 1) The rules of the game submitted by the casino licensee or casino license applicant shall require that table limits for each table will be clearly posted for the public.
- 2) A casino licensee may amend the minimum and maximum wager at a table if the new maximum wager is not above the house maximum wager for the game. A casino licensee may amend the minimum and maximum wagers of a table if both of the following actions are taken:
 - a.) A sign is posted at the gaming table advising patrons of the new minimum and maximum wagers in effect for the table.
 - b.) Patrons at the table are advised of the change.
- 3) A casino licensee may raise the house limit for individual patrons by following procedures for raising the limits that have been submitted with the rules of the game and approved in accordance with these rules.

III-K -1 Handling of cash and chips

- A.) All games shall be conducted only with the use of chips that have been approved by the Board or its designee or with lawful currency or coinage of the United States of America. All table game payouts by licensees shall be made in the form of chips and/or coins only. Each employee in gaming operations, owner or licensee who receives currency of the United States (other than tips or gratuities) from a patron in the gaming area of a gaming establishment must promptly place the currency in the table game drop box or, in the case of a cashier, in the cash drawer.
- B.) When a patron redeems chips, the gaming establishment shall immediately return the full value of the chips to the patron in the form of cash or check.

C.) All chips shall be the standard colors commonly accepted for each denomination within the industry. Those colors are:

- 1) One dollar (\$1.00), white;
- 2) Two dollars and fifty cents (\$2.50), pink;
- 3) Five dollars (\$5.00), red;
- 4) Ten dollars (\$10.00), blue;
- 5) Twenty dollars (\$20.00), yellow;
- 6) Twenty-five dollars (\$25.00), green;
- 7) One hundred dollars (\$100.00), black;
- 8) Five hundred dollars (\$500.00), purple; and
- 9) One thousand dollars (\$1,000), chips will be orange.

D.) All Operators shall create internal controls related to the acceptance and distribution of tips and gratuities for approval by the Board.

III-K -2 Fill and credit slips

A.) All fill slips and credit slips shall be serially numbered forms and shall be in triplicate in a continuous series utilizing the property identification logo, so that no facility may ever utilize the same documents.

B.) Only one series of each type may be used at a time.

C.) For Operators at which fills, or credits are manually prepared, each series must be inserted in a consecutive order in a locked machine that will permit the original and duplicate to be utilized in accordance with the detailed rules for each type of slip set forth and will only permit the third copy to be retained intact in a continuous unbroken form by a member of the accounting department.

D.) The third series, after use, must not be available to personnel in table game or cashiers' cage operations who have access to the original and duplicate of the series, and must be retained in a secure place in the accounting department. All series numbers must be accounted for.

E.) All voided slips shall be marked "VOID" and shall require the signatures and employee number of two employees voiding the slip. One of those employees must be a cashier supervisor.

F.) Information on the fill or credit slip must include:

- 1) The time and date of the fill or credit;
- 2) The game and table number to which the gaming chips are to be distributed or returned;

- 3) The denomination of gaming chips to be distributed to the gaming tables or being returned;
and
- 4) The total amount of each denomination of gaming chips.

G.) For Operators at which fills or credits are computer prepared, each series shall be a two (2) part form and shall be inserted in a printer that will simultaneously print an original and a duplicate and store, in machine readable form, all information printed on the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation.

III-K-3 Procedure for distributing gaming chips to and from game tables (fills and credits)

A.) An operator shall include in its system of internal controls with specificity, the following to be approved by the Board:

- 1) Description and procedures for table fills and credits;
- 2) Procedures to ensure appropriate government forms are completed;
- 3) Procedures to ensure surveillance coverage is kept of all table fills and credits; and
- 4) Procedures to ensure the logging of events and the availability of records to permit an effective audit of the conduct of table fills and credits for the proper reporting of revenue.

III-K-4 Procedure for incorrect fills

A.) The Operator must utilize the following procedures when the fill has an incorrect denomination, total amount or table assignment and the incorrect fill is discovered before the original fill slip is dropped in the table drop box.

B.) The security officer must return the fill to the cashiers' cage.

C.) The cage cashier counts, verifies and accepts the return of the fill.

D.) The cage cashier and cage supervisor must:

- 1) Mark all voided fill slips "VOID";
- 2) Sign and note employee number on the voided fill slip; and
- 3) Forward the voided fill slip to accounting to provide a means of reconciliation of fill slips.

E.) The Operator must utilize the following procedures when the fill has an incorrect denomination, total amount or table assignment and the incorrect fill is discovered after the original fill slip has already been dropped in the table drop box.

F.) Regardless of how an incorrect fill is found after the original fill slip is dropped into the table drop box, the table games supervisor shall complete a notification of error slip and drop that slip into table drop box to alert the count team and accounting of the error.

- G.) The table games supervisor must notify surveillance about the error, record the error and report the error to the Department inspector on duty and if inspector is not on duty email information to Gambling.control@maine.gov.

III-K-5 Procedure for closing gaming tables

- A.) At the end of the gaming day, the dealer or boxperson must count the gaming chips and coins in the table tray.
- B.) The table games supervisor or above must:
- 1) Observe the count of the gaming chips and coins; and
 - 2) Record the gaming chips and coins counted on a table inventory slip, which must be a three-part form. On the original copy of the slip (“closer”) and the duplicate of the slip (“opener”), the table games supervisor must record:
 - a. The date and identification of the shift ended;
 - b. The game and table number;
 - c. The total value of each denomination of gaming chips and coins remaining on the table; and
 - d. The total value of all denominations of gaming chips and coins remaining at the table.
- C.) The dealer or boxperson and table games supervisor or above must:
- 1) Sign the inventory slip attesting to the accuracy of the information recorded for closing the table.
 - 2) The dealer or boxperson then must deposit the closer in the drop box and place the opener in the table tray before placing the cover on the tray and securing the chips.

III-K-6 Procedure for opening gaming tables

- A.) When the table is going to be opened for play, the dealer shall count the chips and coin in the tray and attest by signature on the opener that the inventory is correct. The dealer then must place the opener in the drop box.
- B.) If a discrepancy exists between the opener and the table inventory, the table games supervisor shall notify surveillance and complete a discrepancy or similar report.

III-L Electronic Table Games (ETGs)

- A.) The operator monitoring system or independently operated ETG shall be under access or dual-key control by the Operator’s accounting or finance department and another authorized department as set forth in the Operator’s system of internal controls approved by the Board.

- B.) An operator shall include in its system of internal controls for either an operator monitoring system or independently operated ETG the following:
- 1) Procedures to ensure the physical security of the computer or server and related hardware, software and other devices;
 - 2) Procedures to ensure the integrity and security of all sensitive data and software;
 - 3) Procedures to ensure that access to sensitive data and software is limited to appropriate licensed personnel only;
 - 4) Procedures to accept and record table game player incentives as described in Chapter 29 §2 of the Rules of the Gambling Control Board; and
 - 5) Procedures to ensure the logging of events and the availability of records to permit an effective audit of the conduct of the ETG system and the reporting of revenue.

III-L -1 Independently operated ETGs

- A.) An independently operated ETG shall have software or hardware installed that distinguishes it from a slot machine.
- B.) An independently operated ETG shall have the capability to accept currency or gaming vouchers and to issue a gaming voucher to a player for any winnings.
- C.) An independently operated ETG shall be equipped with all meters to support reporting in III-J(B)(5) above.

III-L -2 Dealer operated ETGs

- A.) A dealer operated ETG shall have the ability to authenticate the transmission of data between the various components of the ETG system.
- B.) A dealer operated ETG must send or display a notification to the surveillance department whenever a door or cabinet at an ETG is open and whenever there is a malfunction in the operation of the ETG system, or any component thereof, including whenever a printer or currency jam occurs.

III-M Poker games

III-M -1 Minimum standards of internal controls for poker games

- A.) Poker rooms for the play of poker games approved by the Board shall be located separately from slot machine and casino table games areas.
- B.) A table games supervisor or above shall be present at all times the poker room is operating.
- C.) Poker table tray inventory must be used only for the purposes of making change or handling player buy-ins. The poker room bank is to be used only for the purchase and redemption of chips by players.
- D.) Transfers between the poker room bank and the casino cage are to be properly authorized and documented by the poker room supervisor, cage cashier and a security department member.

- E.) When the poker table bank is to be replenished with chips from the poker room bank, the chips to be transferred must be counted down by the dealer in public view on the poker table and verified by the poker room supervisor and the dealer under surveillance coverage.
- F.) Rake-off, which is a percentage of the pot taken by the licensee for maintaining or dealing a game, shall only be pulled from the pot by the dealer in an obvious manner after call or at the completion of the hand.
- G.) The rake-off shall be placed in a designated rake circle and shall remain there until a winner is declared and paid. The rake-off shall then be deposited into the drop box. The amount of any rake-off must be conspicuously posted at or near the table.
- H.) Time buy-ins, which are charges to a player determined on a time basis by the licensee for the right to participate in a game, or any other fees charged to a patron shall be immediately placed in the drop box.
- I.) Playing cards, both used and unused, are to be maintained in a secure location to prevent unauthorized access.
- J.) The amount of the poker room bank is to be counted, recorded and reconciled on, at least, a daily basis. At the end of the shift the amount of the table bank is counted, recorded, and reconciled by at least two employees with such count being attested to by signatures on the check-out form.
- K.) The procedure for the collection of poker drop boxes and the count of the contents thereof will comply with all procedures applicable to the table game drop boxes. The poker drop boxes shall be removed on the same schedule with the table games and the contents therein counted on the same schedule. Removal of the boxes at any other time is prohibited, except in the event of an emergency.

III-M -2 Poker game drop box procedures

- A.) Each poker table shall have one poker game drop box with the drop slot located at least four inches in front of the table tray and to the right thereof, unless the table is equipped with a drop slot located at least two inches to the right of and even with the top right-hand corner of the table tray, with a cover over the drop slot, which when activated will cause the rake to drop directly into the drop box.
- B.) The poker game drop box shall be a locked container marked with a permanent number corresponding to a permanent number on the card table and permanently marked to indicate game and shift, all of which markings shall be clearly visible at a distance of 20 feet. The locked container shall be locked to the poker table and shall be separately keyed from the container itself.
- C.) All poker game drop boxes shall be removed from their respective card tables at the times previously submitted in writing to and approved by the Inspector Supervisor. The removal of poker drop boxes shall be without any interruptions so that an observer may be able to observe the markings on the boxes.
- D.) The boxes must be transported directly to the room designated for counting where they shall be stored in a secure place or immediately counted.

- E.) In the event of electronic or mechanical malfunction, or any other situation which prevents the placement of money in the drop box, the licensee may perform an emergency drop on the malfunctioning device and will email information to Gambling.control@maine.gov.
- F.) . Such emergency drop must be recorded on the casino surveillance systems.

III-M-3 Transactions between poker table bank and poker room bank

- A.) When the poker table bank is to be replenished with chips from the poker room bank, all cash or chips to be transferred must be counted down by the dealer in public view on the poker table and verified by the poker room supervisor and the dealer under surveillance coverage.
- B.) The transfer shall be preceded by the placement of appropriately designated marker buttons on the poker table of a value equivalent to the cash or chips to be transferred to the poker room bank. Such marker buttons may only be removed by the dealer after the transaction has been completed.
- C.) Those licensees wishing to utilize the casino cage in lieu of a poker room bank may do so upon written approval of the Board or its designee.

III-M-4 Limitations on the use of poker room banks and poker table banks

- A.) Poker room banks shall be used exclusively for the purchase and redemption of chips by players.
- B.) Poker table banks shall be used only for the purposes of making change or handling player buy-ins.

16 DEPARTMENT OF PUBLIC SAFETY

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Chapter 5: INTERNAL CONTROLS

- §1. The operator must adopt internal controls that meet or exceed the standards outlined in the Minimum Internal Control Standards (MICS) approved and adopted by the Board.
- §2. This rule incorporates by reference the *State of Maine Minimum Internal Control Standards*, (MICS) 2024 edition. A copy of the MICS follows this rule as Appendix A. Copies of this standard are available through the Maine Dept. of Public Safety Gambling Control Board, 45 Commerce Drive, Augusta, ME 04330.
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STATUTORY AUTHORITY: **8 M.R.S.A. §1003**

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March 8, 2025 – filing 2025-049 to 054

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Chapter 6: TICKET REDEMPTION

- §1.** Slot Machine Operators and Casino Operators shall redeem tickets presented by a player in accordance with procedures proposed by the Operator and approved by the Director prior to the opening of the premises for slot machine play. Nothing in this subsection shall prohibit the use of coin-in/coin-out machines.
- §2.** Tickets may be redeemed by a player at the designated places on the premises where the slot machine issuing the ticket is located. No ticket or jackpot claim shall be redeemed by an Operator more than one year from the date of issuance of the ticket or the date of the occurrence of the jackpot.
- §3.** No payment for credits awarded on a slot machine may be made unless the ticket meets the following requirements:
1. For printed tickets, the ticket presented is a fully legible, valid ticket, printed on paper approved by the board, containing all the information required by the Board's Rules in Appendix A to Chapter 5, Section III-D-9(J)(1);
 2. It is not mutilated, altered, unreadable, or tampered with in any manner, or previously paid; and
 3. It is not counterfeit in whole or in part.
- §4.** The management of each licensed Slot Machine Operator or Casino Operator shall designate employees authorized to redeem tickets during the hours of operation. Credits shall be immediately paid in cash or by check, electronic funds transfer (EFT), or automatic funds transfer (AFT) when a player presents a ticket for payment meeting the requirements of this section. No credits may be paid in tokens, chips or merchandise.
- §5.** Automated ticket redemption systems such as self-service kiosks are permissible, and shall:
1. Only to be used for the purpose of accepting, validating and providing payment for tickets inserted, or converting bills into smaller denominations. Automated ticket redemption machines shall not incorporate other functions.
 2. Automated ticket redemption machines shall be capable of detecting the following error conditions:
 - A. Power loss or power reset;
 - B. Interpretation of communication with the automated ticket redemption machine;
 - C. Cash dispenser empty or timed out;

- D. RAM error;
 - E. Low RAM battery;
 - F. Ticket in jam;
 - G. Door open;
 - H. Bill acceptor stacker full;
 - I. Bill acceptor door open;
 - J. Bill stacker door open or bill stacker removed; and,
 - K. Printer errors.
3. Error conditions listed in subparagraphs (2)(A)-(G) and (2)(K), shall require a licensed employee identified in the licensee's internal controls to intervene and clear the error from the automated ticket redemption machine prior to the resumption of operation.
4. There shall be a maximum ticket value of \$2,999.99 that can be paid by an automated ticket redemption machine, per individual ticket.
5. The automated ticket redemption machine shall maintain the following meters:
- A. A "total in" meter that accumulates the total value of tickets or vouchers accepted by the automated ticket redemption machine; and,
 - B. A "total out" meter(s) for payments issued by the machine;
 - C. Separate "out meters" shall report the value of all bills dispensed by denomination.
6. A log shall be maintained in critical memory or on a paper log housed within the individual automated ticket redemption machine that consists of the following:
- A. An event log which shall record the following information about the ticket redeemed:
 - (1) Date/time of redemption,
 - (2) Amount of ticket; and
 - (3) At least last 4-digits of validation number.
 - B. The automated ticket redemption machine shall maintain the most recent 35 events in the event log.
7. Tickets may only be accepted by the automated ticket redemption machine when:
- (1) All communication links are intact;

- (2) Tickets inserted into or scanned at an automated ticket redemption machine shall be rejected in the event of a communication failure; and,
 - (3) Payment shall only be made when the ticket is collected and physically housed within the bill stacker, or when the ticket's barcode is scanned and redeemed.
- §6. Operators may only redeem tickets for credits awarded on slot machines located on its premises. The Board and the State of Maine are not liable for the payment of any credits on any tickets.
- §7. All tickets redeemed by a licensed Slot Machine Operator or Casino Operator shall be marked, defaced, or electronically cancelled in a manner that prevents any subsequent presentation and payment.

STATUTORY AUTHORITY: **8 M.R.S.A. §1003**

EFFECTIVE DATE:

February 21, 2005 – filing 2005-61 as “Ticket Redemption and Forfeited Winnings”

AMENDED:

November 26, 2005 – Section 4, filing 2005-480

August 5, 2006 – Section 2, filing 2006-347

April 11, 2007 – Section 6, filing 2007-131

October 1, 2011 – filing 2011-324

April 22, 2014 – filing 2014-074, title changed to “Ticket Redemption”

March 8, 2025 – filing 2025-049 to 054

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Chapter 7: COLLECTION OF PAYMENTS

§1. All fees, fines, charges, taxes, and penalties required by 8 M.R.S.A. Chapter 31 and rules adopted pursuant to Chapter 31, shall be submitted to the Board or as directed by the Board as they are due. Payment shall be in the form of certified check, cashier’s check or money order made out to the “Treasurer State of Maine/Gambling Control Board.” In lieu of these payment forms, the Board or State may accept an electronic wire transfer to a designated account.

§2. Each day at a pre-set time following closure of slot machine operations, the casino operator licensed to operate slot machines and table games at a commercial track licensed to operate a slot machine facility on January 1, shall, through the Central Site Monitoring System (CSMS), ascertain the daily gross slot machine income for the period that just closed. Prior to the start of operations on each Wednesday, the Operator shall, using the CSMS, generate a summary gross slot machine income report for the previous week. The total contained in the report shall be reconciled with the individual daily totals. The Operator shall, before the close of business on Wednesday, submit the weekly amounts to the Board in two payments as follows:

1. 1% of the gross slot machine income shall constitute one payment; and
2. 39% of the net slot machine income shall constitute the second payment.

Should any dispute arise concerning the payment amounts, the CSMS figure shall control.

§3. Each day at a pre-set time following closure of slot machine operations, the Casino Operator shall through the Central Site Monitoring System (CSMS), ascertain the daily gross slot machine income for the period that just closed. Prior to the start of operations on each Wednesday, the Casino Operator shall, using the CSMS, generate a summary gross slot machine income report for the previous week. The total contained in the report shall be reconciled with the individual daily totals. The Casino Operator shall, before the close of business on Wednesday, submit the weekly amounts to the Board in one payment as follows:

46% of the net slot machine income.

§4. Each day at a pre-set time following the closure of table game operations the Casino Operator shall ascertain the daily table game income for the period that just closed. Before the close of business on Wednesday the Casino Operator shall submit the weekly totals and amount to the Board in one payment as follows:

16% of the net table game income shall constitute one payment.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-62

AMENDED:

August 5, 2006 – Section 2, filing 2006-348

October 1, 2011 – filing 2011-325

April 22, 2014 – filing 2014-075

Chapter 8: SLOT MACHINES AND TABLE GAMES: LOCATION AND HOURS OF OPERATION

- §1.** All slot machines and table games located at a Slot Machine Operator's premises or Casino Operator's premises shall be placed as follows:
1. Slot machines and table games must be located in an area which is at all times monitored by the Slot Machine Operator or Casino Operator, manager or an employee of the licensed operator to prevent access or play of slot machines and table games by persons under the age of 21. A person 18 to 20 years of age may be present if that person is a licensed employee pursuant to 8 M.R.S.A. §1015.
 2. Initial locations for slot machines and table games within the slot machine facility or casino must be approved by the Board or its designee. Any changes thereto shall require prior approval of the Board or its designee.
 3. Any relocation of slot machines and table games within the slot machine facility or casino requires prior approval by the Board or its designee.
 4. The slot machine and table game locations shall be continuously monitored through the use of a closed circuit television system capable of digitally recording activity for a continuous twenty-four hour period.
 5. The licensed operator shall submit for Board approval a floor plan of the area or areas where slot machines and table games are to be operated showing machine locations and security camera mount locations consistent with any rule.
 6. No ATM or cash advance machine shall be located on the gaming floor. For the purposes of this rule, the gaming floor shall include that area from which people under 21 can be excluded.
- §2.** The hours available for slot machine and table game operation are:
1. There are no restrictions on the hours of operation.
 2. Security personnel shall be present during all hours of operation at each slot machine or casino facility consistent with the Slot Machine or casino Operator's Security Plan as approved by the Board.
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STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-63

AMENDED:

September 28, 2005 – filing 2005-384

August 5, 2006 – Section 1(D), filing 2006-349

April 11, 2007 – Section 1(F), filing 2007-132

February 22, 2009 – Section 2, filing 2009-74

October 1, 2011 – filing 2011-326

April 22, 2014 – filing 2014-076

§1. Uniform Location Agreement. Each slot machine or table game transferred between 1) a slot machine distributor and a slot machine operator; or 2) between a slot machine distributor or table game distributor and a casino operator shall be covered by a Uniform Location Agreement (ULA). Information required in the ULA for each slot machine or table game shall include, but not be limited to:

- A. The name and full address of the slot machine operator or casino operator.
- B. The name and full address of the slot machine distributor or table game distributor.
- C. The serial number of each slot machine or table game (if applicable) received.
- D. The model number and description of each slot machine or table game (if applicable) received.
- E. The manufacturer of each slot machine or table game (if applicable) received.
- F. Sale or lease terms for the machine or table game (if applicable).

§2. A Slot Machine Operator or Casino Operator shall submit a proposed "ULA" to the Director at least ten (10) business days prior to the date on which the Slot Machine Operator or Casino Operator intends to execute the agreement.

The Director shall review and, if appropriate, approve the form and substance of a Uniform Location Agreement. No such agreement shall be effective or acted upon by the Slot Machine Operator, Casino Operator, Slot Machine Distributor or Table Game Distributor unless the Director has provided written approval of the agreement.

§3. Other Agreements/Contracts. A Slot Machine Operator or Casino Operator shall submit to the Board, within thirty (30) days of the execution of the agreement, all other contracts and agreements the Slot Machine Operator or Casino Operator establishes with a Slot Machine Distributor or Table Game Distributor, licensed gambling services vendor, or a key executive.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-64

AMENDED:

October 1, 2011 – filing 2011-327

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Chapter 10: SLOT MACHINE MAINTENANCE

- §1. No slot machine may be placed in operation in Maine until a licensed Slot Machine Operator or Casino Operator has provided its personnel with sufficient and appropriate training in the service and repair of each of its approved slot machine models.
- §2. A Machine Entry Authorization Log (MEAL) shall be kept within the main cabinet access area in each slot machine. Every person who gains entry into a slot machine shall complete a MEAL log in accordance with the requirement of Chapter 5 appendix A section III-B-2(C). Machine Entry Authorization Log forms shall be retained by slot machine operators for a period of three years from the date of the last entry. The Machine Entry Authorization Logs shall be made available upon request for inspection by the Board or Department staff. The slot machine or casino operator shall provide suitable MEAL books as approved by the board or its designee.
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STATUTORY AUTHORITY: **8 M.R.S.A.**

§1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-65
August 5, 2006 – Section 2, filing 2006-350

AMENDED:

October 1, 2011 –filing 2011-328
September 15, 2014 – filing 2014-224
March 8, 2025 – filing 2025-049 to 054

Chapter 11: TRANSPORTATION OF SLOT MACHINES AND TABLE GAMES

§1. Transporting Slot Machines or Table Games into Maine

1. No slot machine or table game distributor shall ship or transport a slot machine or table game into Maine without first obtaining a written authorization for such transport from the Director on forms MGCB-2200 and 2201. Transporting or shipping into Maine means the starting point is outside the State and terminates in the State.
2. Any slot machine or table game distributor authorized to ship a slot machine or table game into Maine shall provide the Board in writing at least two weeks prior to the time of shipment the following information:
 - A. The full name, address, and license number of the person shipping the slot machines or table games;
 - B. The method of shipment and the name of the carrier;
 - C. The full name, address, and license number of the person to whom the slot machines or table games are being sent and the destination of said terminals, if different from the address;
 - D. The number of slot machines or table games in the shipment;
 - E. The serial number of each slot machine or table games in the shipment;
 - F. The model number and description of each slot machine or table games in the shipment; and
 - G. The expected arrival date of the slot machines or table games at their respective destination within Maine.
3. For purposes of this rule, the term “shipping seal” shall mean a material of some description (generally a large paper patch with adhesive backing) applied across a closed door or closed container top. The shipping seal shall be applied in such a fashion that should the door or container be opened; the shipping seal must be broken or damaged. A broken shipping seal shall indicate the door or container has been opened.
4. All slot machine and slot machine components shall be transported in container compartment, or freight trailer that has been secured and bears a shipping seal.
5. All slot machine software components shall be delivered separately or encased in a separate compartment within a larger freight compartment or freight trailer. Each

compartment shall bear a shipping seal. The required shipping seal shall be applied at the shipper's point of origin. Alternatively, the software component may be shipped intact within a locked slot machine logic compartment so long as the key to such lock is shipped to the Department in advance of delivery.

6. All shipment containers must have a shipping seal applied at the shipper's point of origin. The shipping seal shall remain intact until inspected and accepted by the Department inspectors, at which time the seal shall be broken by Department inspectors.
7. Where equipment is shipped in vehicle freight trailers (when an entire freight trailer is used for shipment), the shipper shall affix a shipping seal across the center of each of the trailer's exterior doors so that should the door be opened, the shipping seal would be broken. Additionally, the shipper shall also apply a shipping seal to each individual packing box comprising the shipment. Shipping seals applied by the shipper must not be broken or removed until delivery and inspection by Department inspectors.
8. For those shipments not using an entire vehicle or freight trailer, shippers shall apply a shipping seal to each individual package, and the shipment seals shall not be broken or removed until delivery and inspection by Department inspectors at the approved destination in Maine.
9. If shipping seals described above are broken, removed, or show signs of tampering, upon inspection at the delivery site, the Director or his or her designee shall instruct the facility and shipper as to the course of action to be taken. The course of action may involve:
 - A. Retesting and verification of the slot machine or slot machine component, or
 - B. Immediate refusal of the entire shipment and the return of the entire shipment to the originating shipment location.

§2. Receipt of Slot Machines or Table Games

1. The slot machine or casino operator or slot machine or casino distributor who receives a slot machine or table game shall, upon receipt of said slot machine or table game, provide the Board with the following information:
 - A. The full name, address and license number of the person receiving the slot machines or table games;
 - B. The full name, address and license number of the person from whom the slot machines or table games were received;
 - C. The quantity of slot machines or table games received and serial number of each;
 - D. The model number and description of each slot machine or table game received;

- E. The manufacturer of each slot machine or table game received;
 - F. The location where each slot machine or table game will be placed, and the license number of the establishment; and
 - G. The expected date and time of slot machine or table game installation.
- 2. If the slot machine or table game will not be placed in operation, the slot machine or casino operator or slot machine or table game distributor, as appropriate, shall notify the Board of the address where machine or table is warehoused or otherwise kept. At the time such slot machine or table game is removed from inventory and transported to another location within the State, the slot machine or casino operator or slot machine or table game distributor, as appropriate, shall notify the Department of the transport and provide the information required in §2(1)(A)-(G).
 - 3. A Department inspector shall verify with use of approved independent laboratory standards and applications, or the verify+ Kobetron verification of game-related storage media and software to obtain confirmation that all games comply with requirements for games in the state of Maine.
 - 4. If the test results from the verification device reflect that:
 - A. The slot machine or table game and the slot machine or table game in the slot machine or table game is a version the Department has authorized for play in the State of Maine, the slot machine licensee may offer the slot machine or table game to the public for play, or
 - B. If the slot machine or table game is not an authorized version for play in the State of Maine, then the slot machine or table game shall not be offered to the public for play. The slot machine or table game shall not be offered to the public for play until:
 - (1) The slot machine or table game has been certified for use in the State of Maine by an independent test laboratory approved by the Board.
 - (2) The slot machine or table game has been configured with slot machine or table games and slot machine or table game components that have been certified for use in the State of Maine according to Chapter 20 of Board rule, or
 - (3) An investigation into the broken or tampered slot machine or table game locks or evidence tape has been completed,

§3. Transporting Slot Machines or Table Games within Maine

- 1. Transporting of slot machines or table games within the State of Maine shall be accomplished with the concurrence of the Board by the slot machine or table game distributor or agent or entity approved by the

Board. Slot machine or casino operators are not authorized to transport slot machines or table games at any time without the prior written permission of the Board or designee. Any distributor or entity approved by the Board transporting a slot machine or table game from one location to another within the State shall notify the Board in writing at least two weeks prior to the transportation of said slot machine and shall provide the following information to the Board:

- A. The full name, address and, when applicable, license number of the person transporting the slot machine or table game;
 - B. The reason for transporting the slot machine or table game;
 - C. The method of shipment or movement and the name of the carrier or carriers;
 - D. The full name, address and license number of the person where the slot machine or table game is currently located;
 - E. The full name, and address of the person to whom the slot machine or table game is being sent and the destination of the slot machine or table game, if different from the address;
 - F. The quantity of slot machines or table games received, and the serial number and model numbers of each;
 - G. The slot machine or table game license registration number, if affixed;
 - H. The manufacturer of the slot machine or table game; and
 - I. The expected date and time of slot machine or table game installation or destruction.
2. This requirement does not apply to the movement of slot machines or table games within the same facility, including the transportation of slot machines or table games by a licensed operator within the State of Maine for the purpose of off-site storage. When slot machines or table games are being moved to off-site storage, the operator must provide written notice to the Board or its designee at least 48 hours prior to the transportation and include the following information:
- A. The address of the approved location of storage;
 - B. The quantity of slot machines or table games being transported, and the serial number and model numbers of each;
 - C. The slot machine or table game license registration number, if affixed;
 - D. The manufacturer of the slot machine or table game;

- E. The expected date of transportation, and
- F. The method of shipment or movement and the name of the carrier or carriers.

Following the submission of this information, slot machine operators or casino operators are not authorized to transport the slot machines or table games without written permission of the Board or its designee.

- 3. The slot or casino operator will ensure that all slot machines or table games that are to be destroyed will be rendered unusable for any gambling-related activity.

§4. Transporting Slot Machines or Table Games out of Maine

- 1. Any distributor or entity approved by the Board shipping slot machines or table games out of the State shall notify the Board in writing prior to the shipment and shall provide the following information to the Board:
 - A. The full name, address and license number of the person shipping the slot machines or table games;
 - B. The method of shipment and the name of the carrier;
 - C. The full name and address of the person to whom the slot machines or table games are being sent and the destination of the slot machines or table games if different from the address;
 - D. The number of slot machines or table games in the shipment;
 - E. The serial number of each slot machine or table game being shipped;
 - F. The model number and description of the slot machine or table game being shipped;
 - G. The slot machine or table game registration number, if affixed;
 - H. The name of the manufacturer of the slot machine or table game being shipped; and
 - I. The expected date and time of the removal of the slot machine or table game from any authorized location in this State and the expected date and time of delivery to the new location.
 - J. The reason for transporting the machine.

§5. Registration Decal

- 1. Slot machine or table game distributors must make slot machines or table games and

associated equipment available for inspection by Department inspectors.

2. Each slot machine or table game placed in operation in Maine shall have a registration decal approved by the Board, with the slot machine or table game registration control number placed thereon, affixed to the machine or table prior to the slot machine or table game becoming operational. The placement of the decal represents that the slot machine or table game has been registered, inspected, and approved for operation in Maine. Only authorized Department staff may affix a registration decal. Once a registration decal has been affixed by authorized Department staff, no person other than authorized Department staff may remove a registration decal.

No slot machine or table game may be transported out of the State or transported within the State in order to be destroyed until authorized Department personnel have removed the decal containing the slot machine's or table game's registration control number.

3. When a machine or table game is sent for destruction the EPROM computer chips will be removed and returned to the Gambling Control Board or its designee for destruction.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-66

AMENDED:

November 26, 2005 – Section 3, filing 2005-481

April 11, 2007 – Section 1(H), filing 2007-133

October 1, 2011 – filing 2011-329

September 15, 2014 – filing 2014-225

March 8, 2025 – filing 2025-049 to 054

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Chapter 12: FINGERPRINTING PROCEDURE

- §1.** The license applicant or licensee will contact the Department to make arrangements for fingerprint processing.
- §2.** Fees are required to be paid for state and federal processing of fingerprint cards and criminal history record inquiries. Payment of fees will be made to the Gambling Control Board or to an entity as directed by the Board.
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STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-67

Chapter 13: EXCLUSION

§ 1. Persons are to be excluded from the casino or slot machine facility pursuant to the following standards and procedures. 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.

§ 2. **Request for self-exclusion**

1. Any person may request self-exclusion pursuant to these regulations by:
 - A. Appearing in person at an office of the State of Maine Gambling Control Board, a licensed casino or slot facility, or an affiliate office of the Problem Gambling Services Provider of the Maine Center for Disease Control and Prevention; or
 - B. Requesting a virtual, online self-exclusion meeting with the Problem Gambling Services Provider which can be found on the self-exclusion link of the Gambling Control Unit website.
2. The requestor shall:
 - A. Present government-issued identification containing:
 - (1) Their signature; and
 - (2) A photograph or a general physical description;
 - B. Be photographed;
 - C. Submit a completed Request for Self-Exclusion form.
3. The request for self-exclusion shall be made on a form prescribed by the Board.

The form must be available at all licensed casinos or slot facilities, and the affiliate offices of the Problem Gambling Services Provider of the Maine Center for Disease Control and Prevention, and the Office of the Gambling Control Board.

 - A. The Request for Self-Exclusion form must include:
 - (1) The following identifying information concerning the person submitting the self-exclusion request:
 - (a) Name, including any aliases or nicknames;
 - (b) Date of birth;
 - (c) Address of current residence;

- (d) Current telephone number;
- (e) Social Security number, if such information is voluntarily provided by the person requesting self-exclusion;
- (f) A physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;

(2) The length of the self-exclusion period requested by the person:

The length of a self-exclusion period must be for one of the following designated time frames: one year, three years, five years, or lifetime. Once a time frame is selected, the person requesting exclusion will serve the entire duration of the exclusion period except, in the case of lifetime exclusion, the person may petition the Board for removal from the self-exclusion list after five years.

(3) A signed release that includes, at a minimum, the following:

- (a) Acknowledgement that the request for self-exclusion has been made voluntarily;
- (b) Certification that the information provided on the form is true and accurate;
- (c) Acknowledgement that the individual requesting self-exclusion is a problem gambler; and
- (d) Agreement to release, indemnify, hold harmless and forever discharge the State, the Board, and licensed slot facilities and casinos from any claims, damages, losses, expenses or liability arising out of, by reason of or relating to the self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of or by reason of any act or omission relating to the request for self-exclusion, including:
 - (i) Its processing or enforcement;
 - (ii) The failure of a slot facility or casino to withhold gaming privileges from or restore gaming privileges to a self-excluded person;
 - (iii) Otherwise permitting or not permitting a self-excluded person to engage in gaming activity in a licensed facility while on the list of self-excluded persons.

- (e) Acknowledgement that any self-excluded person violating the terms of his or her self-exclusion agreement during the self-excluded period may be subject to (1) conviction for criminal trespass, and/or (2) placement by the Board on the involuntary exclusion list as set out in Section 5 of these regulations.
- B. The request for self-exclusion may be made only by the individual to whom exclusion would apply and not by any other person.

§ 3. Self-exclusion list

1. The Gambling Control Board will maintain the official self-exclusion list and notify each casino or slot facility of any addition to or deletion from the list by electronic mail and on a monthly basis will provide the entire list.
 - A. The notice provided to the casinos or slot facilities by the Board will include the following information concerning a person who has been added to or deleted from the list:
 - (1) All of the identifying information required by Section 2 (2)(A)(I) to be included on the Request for Self-Exclusion form,
 - (2) The length of the of the self-exclusion period including expiration date, and
 - (3) A copy of the photograph taken by the Board pursuant to Section (2)(1)(B).
 - B. A casino or slot facility must maintain its own copy of the self-exclusion list and establish procedures to ensure that its copy of the self-exclusion list is updated and that all appropriate employees and agents of the casino or slot facility are notified of any addition to or deletion from the list within two (2) business days after the day the notice is received by the casino or slot facility.
2. Information furnished to or obtained by the Board pursuant to this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter or as required by statute.
3. Casinos or slot facilities, and the employees or agents thereof, may not disclose the self-exclusion list or any information about a person who has requested self-exclusion except as necessary to comply with this chapter or as otherwise required by law. Notwithstanding the foregoing, such information may be disclosed to employees and agents of the casino or slot facility whose duties and functions require access to the information, to law enforcement, and to affiliated gaming establishments in other jurisdictions.

4. Casinos or slot facilities with affiliated gaming establishments in other jurisdictions may choose to share the self-exclusion list with and invoke it in those establishments, in accordance with applicable laws and regulations in those jurisdictions, and without violation of the confidentiality requirements of these regulations.
5. Casino or slot facility with its own self-exclusion list that predates the Board's self-exclusion list will provide the Board with a copy of the casino's or slot facility's self-exclusion list upon request by the Board.

§ 4. Exception to the prohibition on being on the gaming floor for individuals on the self-exclusion list

The prohibition against allowing self-excluded persons to be on the premises of a slot facility or casino does not apply to a slot facility or casino employee who is on the self-exclusion list if all of the following apply:

1. The individual is carrying out the duties of slot facility or casino employment;
2. The human resources department of the casino or slot facility has requested and received written permission from the Board on behalf of the employee;
3. Access to the gaming floor is limited to the time necessary to complete the individual's assigned duties; and
4. The individual does not otherwise engage in any gaming activities.

§ 5. Involuntary Exclusion

1. The Gambling Control Board will maintain the official involuntary exclusion list and notify each casino or slot facility of any addition to or deletion from the list by electronic mail and on a monthly basis will provide the entire list.
 - A. The notice provided to the casinos or slot facilities by the Board will include the following information concerning a person who has been added to or deleted from the list:
 - (1) All of the identifying information required by subsection 3 of this Section.
2. The Board shall maintain an involuntary exclusion list as follows:
 - A. The Board's Involuntary Exclusion List shall ~~may~~ exclude the following persons from the casino or slot facility:
 - (1) Career or professional offenders whose presence in the facility would be inimical to the interest of the State, including persons whose gambling licenses have been revoked or are currently under suspension as a result of disciplinary action in this State or another gambling jurisdiction; and persons convicted of gambling-related

offenses, including violations of Title 8 M.R.S.A. Chapter 31; Title 17, Chapters 13-A or 62; Title 17-A, Chapter 39; other gambling-related offenses in violation of Maine law; and substantially similar offenses in other jurisdictions;

- (2) Persons subject to an order of a court regarding a casino or gambling-related incident or an order of a regulatory agency excluding such persons from gambling facilities;
- (3) Persons who have been convicted of a crime involving dishonesty or false statement;
- (4) Persons who pose a threat to the safety of the patrons or employees of the gaming facility; and
- (5) Persons whose conduct or documented history of conduct involves the undue disruption of the gaming operations of the facility, i.e. criminal mischief, disorderly conduct, harassment, cheating, etc.

B. Persons shall be entered on the Board's involuntary exclusion list pursuant to the following procedures:

- (1) Upon receipt of information that a person meets criteria for exclusion identified at Section 5(1)(A) of this Chapter, the Board, or as delegated, the Director, shall notify the person in writing of placement of the person's name on the Board's involuntary exclusion list and the reasons for that decision;
- (2) The person may, within 30 days of receipt of this notice, appeal that determination to the Board pursuant to 8 M.R.S.A. §1051(4);
- (3) The request for appeal must be made in writing and outline the factual and legal basis for the appeal;
- (4) If no request for appeal is received, the decision is final, and the Board or Director shall notify licensed operators of the person's placement on the list.

C. The Board or Director may limit the duration of the exclusion.

3. Involuntary exclusion lists shall contain the following information:

- A. The excluded person's full name, and known aliases or nicknames;
- B. Date of birth;
- C. A physical description of the person including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;

- D. The effective date the person's name was placed on the exclusion list and the duration of exclusion, if established
- E. The basis for the exclusion; and
- F. A photograph of the person, if available.

§ 6. Duties of licensed slot facilities and casinos

1. Each casino or slot facility must:
 - A. Have and make available to all patrons the Request for Self-Exclusion form and information regarding how to access virtual Self-Exclusion options as approved by the Board;
 - B. Designate a person or persons to be the contact person for the Board for purposes of self-exclusion procedures, including receipt and maintenance of the self-exclusion list, submission of the casino or slot facility's procedures, and all other communications between the Board and the casino or slot facility for self-exclusion purposes. The casino must provide the name and contact information of the designated person or persons to the Executive Director and promptly notify the Executive Director of any changes;
 - C. Post or provide at each entrance and exit to the gaming premises, and in conspicuous places in or near gaming and cage areas and cash dispensing machines located on the gaming premises, written materials concerning the nature and symptoms of problem gambling and concerning the procedure for self-exclusion, including where to obtain the Request for Self-Exclusion form, virtual Self-Exclusion resources, and the toll free number of the Problem Gambling Helpline or a similar entity approved by the Board that provides information and referral services for problem gamblers; and
 - D. Comply with the provisions of section 2 of this chapter.
2. Each casino or slot facility shall implement training procedures for all new employees, and annual re-training for all employees who directly interact with gaming patrons in gaming areas, regarding problem gambling. That training shall, at a minimum, consist of information concerning the nature of problem gambling, the procedures for requesting self-exclusion, and the ways to assist patrons in obtaining information about problem gambling programs. This section shall not be construed to impose a duty upon employees of casinos or slot facilities to identify problem gamblers nor to impose any liability for failure to do so. Each casino or slot facility shall designate personnel responsible for maintaining the training program.
3. Each casino or slot facility shall submit their training programs to the Maine Gambling Control Board for approval every two years.

4. Each casino or slot facility shall establish and follow procedures and systems that are designed, to the greatest extent practicable, to:
 - A. Permit appropriate employees to identify an excluded person when present in a casino or slot facility and upon identification immediately notify the following persons:
 - (1) Those employees of the casino or slot facility designated to monitor the presence of excluded persons; and
 - (2) Designated representatives of the Board via electronic mail;
 - B. Refuse access to the gaming floor for any excluded person identified on the casino or slot facility's exclusion list, the involuntary list, or the Board's exclusion list;
 - C. Utilize the player tracking systems and other electronic means, including checking all taxable patron winnings against the exclusion lists, to assist in determining whether the excluded person is participating in any gaming activities;
 - D. Deactivate any player club card or similar item issued to an excluded person for the purpose of gambling;
 - E. Deny check cashing privileges, player club membership, complimentary goods and services, junket participation and other similar privileges and benefits to any excluded person; and
 - F. Ensure that excluded persons do not receive, either from the casino or slot facility, or any agent thereof, mailings, solicitations, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed casino or slot facility,
5. If a casino or slot facility detects, or is notified of, the presence of a patron suspected of being on an exclusion list on the premises, the licensee shall verify using reasonable measures, that the patron is on an exclusion list and the basis for the exclusion.
6. Upon verification by a casino or slot facility that any excluded person has obtained access to the gaming floor, the casino or slot facility shall:
 - A. Promptly take steps to remove such person from the gaming floor however the casino or slot facility deems best to protect the safety and welfare of the public and the facility's employees, and to notify the Board or its designee of the breach;
 - B. Require the security and surveillance departments to immediately determine:
 - (1) How the person was able to gain access to the premises without being detected; and

- (2) How the casino or slot facility plans to prevent such breaches in the future.
7. Each casino or slot facility shall submit to the Board for written approval a copy of its procedures established under this Section within 90 days of the rule's adoption, Any amendment to the casino or slot facility's procedures shall be submitted to the Board for approval at least thirty (30) days prior to its implementation.
8. Any casino or slot facility violating any requirements of this Chapter may be subject to disciplinary action by the Gambling Control Board.

§7. Removal from exclusion lists

1. Self-exclusion

- A. Except for those persons choosing a lifetime self-exclusion, self-exclusion will automatically terminate upon expiration of the period of self-exclusion specified under Section 2(2)(A)(2) above. The expiration will occur on the last day of the month of the original self-exclusion.
- B. A person who requested lifetime exclusion may, after five years from the date of exclusion, submit a written request to the Board for removal from the list. The request shall include and be based upon:
 - (1) A detailed explanation for the request;
 - (2) History of any violations of exclusion prior to the request; and
 - (3) Verification that the requester received a reinstatement session with a problem gambling services agency approved by the Board.
- C. Upon the expiration of the self-exclusion period or a successful petition for removal, the Board shall delete the name of the person from the self-exclusion list and notify each casino or slot facility of such deletion from the list in the manner set out in Section 3(1) above.

2. Involuntary exclusion

- A. Persons on the Board's involuntary exclusion list may petition to have their names removed from the list one year after placement on the list by filing a request in writing with the Board. The request must state with specificity the reasons for the request and include documentation of material changes in the circumstances underlying the basis for exclusion.
- B. If the Board grants the request, the person's name shall be removed from the involuntary exclusion list. Upon the expiration of the self-exclusion period or a successful petition for removal, the Board shall delete the name of the person from the self-exclusion list and notify each casino or slot facility of such deletion from the list in the manner set out in Section 3(1) above.

§ 8. Forfeiture of winnings

1. Determine whether there are any winnings due the excluded person that would require the casino or slot facility to file a Form W-2G or substantially equivalent form with the United States Internal Revenue Service. Any such funds shall be intercepted by the casino or slot facility and, after withholding appropriate taxes and complying with the requirements of 8 M.R.S.A. §1066, be remitted to the Board or its designee for deposit in accordance with 8 M.R.S.A. §1003(3)(I)(2).
 2. The casino or slot facility security and surveillance departments shall prepare a report which shall include:
 - A. The total value and a detailed description of winnings or things of value that were won, lost or seized;
 - B. The date of the incident;
 - C. The name of the excluded person and basis for determining the person is excluded; and
 - D. The information obtained pursuant to Section 8(2) of this Chapter.
 3. In the event that the winnings of an excluded person are intercepted by a casino or slot facility as described in Section 8(1), the Department shall notify the excluded person in writing of the opportunity to request a hearing to contest the forfeiture of winnings. The person must request a hearing within 30 days of the receipt of the written notice. If no timely response is filed, the winnings or things of value shall be forfeited pursuant to 8 M.R.S.A. §1003(3)(I)(2).
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STATUTORY AUTHORITY: 8 M.R.S.A. REPEAL AND REPLACE:
January 20, 2014 – filing 2014-006

CORRECTIONS:
February 17, 2014

§1003. EFFECTIVE DATE:
February 21, 2005 – filing 2005-68
August 29, 2022 – filing 2022-162
October 18, 2023 – filing 2023- 190

- §1. The Board finds that the State has a compelling interest in deterring excessive use of alcohol and tobacco products, especially by minors. The Board finds that the State has a compelling interest in ensuring that minors are aware of the law that prohibits persons under age 21 from engaging in gambling at the slot or casino facility.
- §2. All advertising, marketing and promotional materials (referred to collectively as “advertising”) related to slot machines or table games or referencing slot machines or table games to be utilized by a slot machine or casino operator or person acting on behalf of the operator, shall be filed with the Gambling Control Board thirty days prior to use. This section can be waived, in writing, by the Board or its designee. Advertising materials that have been previously filed with the Board and that have not been substantially altered need not be prefiled, but may be filed with the Board contemporaneously with distribution.
- §3. Advertising shall comply with the following standards:
- A. False, misleading and deceptive advertising is prohibited.
 - B. Depictions of the use of alcohol and tobacco are prohibited.
 - C. Depictions of persons under the age of 21 engaged in gambling are prohibited.
 - D. Guarantees of success, riches or gambling winnings are prohibited.
 - E. Advertising must include a disclaimer as follows: “Persons under 21 years of age may not enter the gaming area unless licensed as employees.”
 - F. Advertising must comply with all applicable Maine and federal laws.
- § 4. On receipt of notice from the Board or its Director that advertising may be in violation of these rules or other laws of the State of Maine and upon request by the Board or its designee to do so, the licensee will suspend, or cause its agent or representative to suspend, the advertising campaign. Suspension of the use of the advertising materials in question will continue pending resolution of the matter, including any proceedings pursuant to 8 M.R.S.A. chapter 31, subchapter 5.
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STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-69

AMENDED:

November 26, 2005 – Section 2, filing 2005-482

April 11, 1007 – Section 3(E), filing 2007-134

October 1, 2011 - filing 2011-330

April 22, 2014 – filing 2014-077

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Chapter 15: ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS

§1. The provisions of Title 28-A M.R.S.A. and the rules adopted pursuant thereto govern the possession, distribution and consumption of alcoholic beverages on the premises of the slot machine or casino facility.

§2. The provisions of Title 22 M.R.S.A. Chapters 262 and 262-A and the rules adopted pursuant thereto govern the possession, distribution and use of tobacco products on the premises of the slot machine or casino facility.

STATUTORY AUTHORITY: 8 M.R.S.A. § 1003.

EFFECTIVE DATE:

February 21, 2005 – filing 2005-70

AMENDED:

October 1, 2011 – filing 2011-331

16 **DEPARTMENT OF PUBLIC SAFETY**

633 **GAMBLING CONTROL BOARD**

Chapter 16: WEAPONS

The following rules govern possession of weapons in a licensed slot machine or casino facility. “Weapons” include but are not limited to any firearm, taser, stun gun, pepper spray, mace, sling shot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon usually employed in the attack on or defense of a person.

- §1.** A person may not carry a firearm or other weapon in a licensed slot machine or casino facility, except for persons employed in any of the following capacities:
- A. A state, county or municipal law enforcement officer conducting official duties within the licensed slot machine or casino facility;
 - B. A federal law enforcement officer, as defined in 5 U.S.C. § 8331, conducting official duties within the licensed slot machine or casino facility;
 - C. An armored car person acting as a security guard may, while in the performance of those duties, carry a loaded weapon in a motor vehicle that is being used to provide armored car service, in accordance with 32 M.R.S.A. § 9416. Such an individual may carry a nonconcealed firearm into the facility, as long as there is no violation of 17-A M.R.S.A. § 1057.
- §2.** Law enforcement officers conducting official duties within a licensed slot machine or casino facility shall, to the extent practicable, advise the on-site security personnel of their presence.
- §3.** A licensed slot machine or casino facility’s employed security personnel may carry handcuffs while on duty in the facility. Slot machine or Casino facility security personnel may not possess firearms.
- §4.** If the slot machine or casino facility is privately owned, this rule authorizes the owner of the facility to restrict possession of firearms and other weapons by persons in the facility, including off-duty and retired law enforcement officers in accordance with the above rules, ~~and~~ Title 18 U.S.C. § 926B, § 926C and 25 M.R.S.A. §2001-A, sub-§2, ¶¶G and H . Such facility regulations should be incorporated in any security plan submitted to the Board.

§5. A licensed slot machine or casino facility shall post a notice near entrances to the facility as follows:

Firearms and other weapons are prohibited* within this facility.

* Certain exceptions may apply for law enforcement and security personnel engaged in official duties. Contact a representative of the operator or the Gambling Control Board regarding these exceptions.

§6. This chapter does not create a defense or exception to 17-A M.R.S.A. § 1057, which prohibits possession of firearms on the premises of a licensed establishment posted in the manner set out in 17-A M.R.S.A. § 1057(1). A “licensed establishment” is one licensed for on-premise retail sale of alcoholic beverages.

STATUTORY AUTHORITY: 8 M.R.S.A. § 1003.

EFFECTIVE DATE:

February 21, 2005 – filing 2005-71

AMENDED:

October 1, 2011 – filing 2011-332

16 **DEPARTMENT OF PUBLIC SAFETY**

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Chapter 17: ON PREMISE OFFICE SPACE

§1. The Slot Machine or Casino Operator shall provide free of any charge a secure and segregated room at the slot machine or casino facility for the exclusive use of the Board staff or Department staff. The room shall provide the Department and its staff access to the full range of slot machine or casino facility surveillance capability, work space with computing capability, internal and external network access, and other work space to meet the needs specified by the Department. The office shall have a dedicated secure telephone line that has a different number than the telephone line of the slot machine facility. The secure telephone line shall provide not less than two extensions and direct emergency lines as specified by the Department. The Slot Machine or Casino Operator shall provide parking in proximity to the facility for use by the Board and Department staff on a basis consistent with parking made available to supervisory personnel of the slot machine or casino facility.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003.

EFFECTIVE DATE:

February 21, 2005 – filing 2005-72

April 11, 2007 – filing 2007-135

AMENDED;

October 1, 2011 filing 2011-333

The Board finds that the State has a compelling interest in ensuring that persons have access to information and resources to address problem and compulsive gambling.

§ 1 **Program Requirements:** Prior to commencing slot machine or casino operations the slot machine or casino operator shall submit its responsible gaming program to the Board. The program shall address the following areas:

1. **Compulsive gambling.** The program shall be designed to promote responsible gaming in accordance with the requirements of Chapter 13 of these Rules. The slot machine or casino operator must submit the written materials concerning problem gambling, as required by Chapter 13 section 6(1)(C), to the Board for approval thirty days prior to posting or providing the materials in the casino or slot facility;
2. **Alcohol service.** The program shall be designed to promote responsible alcohol service and consumption. The program shall identify all employee training related to alcohol service. The program shall also identify the procedures designed to prevent a visibly intoxicated individual from gambling or consuming alcohol at the casino or slot machine facility;
3. **Minors.** The program shall identify the means by which the slot machine or casino operator shall prevent minors from gambling, consuming alcohol and purchasing tobacco products at the slot machine or casino facility. The slot machine or casino operator shall identify its procedures to address any unattended minors found at the slot machine or casino facility; and
4. **Marketing.** The program shall identify the standards the slot machine or casino operator shall follow in its marketing campaigns for the slot machine or casino facility. The program shall identify the procedures designed to prevent promotional materials or communications from being directed specifically to individuals who have self-excluded themselves from the facility, as required in Chapter 13 section 6(3)(G), or who have requested that they not receive such materials or communications.

§ 2. **Continuing enforcement of compulsive gambling programs**

A casino or slot machine operator may continue to enforce a self-exclusion list created in accordance with a responsible gaming program submitted to the Board and in use by that operator prior to the implementation of the Gambling Control Board self-exclusion list as set forth in Chapter 13 of these rules.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-73

AMENDED;

October 1, 2011 – filing 2011-334

April 22, 2014 – filing 2014-078

Chapter 19: SLOT MACHINE TESTING AND CERTIFICATION

- §1. A Slot Machine Distributor shall not distribute a slot machine for placement in the state of Maine unless the slot machine has been approved by the Board. Only a licensed Slot Machine Distributor may apply for approval of a slot machine. Board approval requires documented evidence of an independent testing laboratory certification for the machines being installed. The Slot Machine Distributor shall pay all costs of testing, examination, analysis and transportation of such slot machine models, which may include the entire dismantling of the slot machine and tests which may result in damage or destruction to one or more electronic components of such slot machine models.
- §2. After the tests have been completed, the independent testing laboratory shall provide the Board with a report that contains findings, conclusions, and pass/fail results. Prior to approving a particular slot machine model, the Board may require a trial period not in excess of sixty (60) days for a Slot Machine or Casino Operator to test the slot machine. During the trial period, the Slot Machine Distributor may not make any modifications to the slot machine model unless such modifications are approved by the Board.
- §3. The introduction of new games or any change to an existing slot machine game by the Slot Machine Distributor will require the distributor to submit materials required by the independent testing laboratory for testing and certification of the new game. The resulting laboratory certification will be sent to the Board and the Slot Machine or Casino Operator verifying the acceptance of the new or revised game. No new or revised game will be placed into operation without the approval of the Board.
- §4. Each slot machine and slot machine game approved for placement in a slot machine or casino facility shall conform to the exact specifications of the slot machine prototype or slot machine game tested by the independent testing laboratory and approved by the Board. Any slot machine or game which does not so conform will not be successfully verified by the Central Site Monitoring System for inclusion in the operational slot machine system until compliance has been achieved. Each slot machine shall at all times be located and operate in a manner pursuant to 8 M.R.S.A. Chapter 31 and these rules.
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STATUTORY AUTHORITY: 8 M.R.S.A. § 1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-74

AMENDED;

October 1, 2011 – filing 2011-335

16 DEPARTMENT OF PUBLIC SAFETY

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Chapter 20: SLOT MACHINE AND ELECTRONIC TABLE GAME STANDARDS

§1. Any slot machine designated for shipment to Maine must meet or exceed the following standards developed and published by Gaming Laboratories International, LLC, which are hereby incorporated by reference:

1. GLI-11: Gaming Devices, version 3.0, released September 21, 2016;
2. GLI-12: Progressive Gaming Devices in Casinos, version 2.1, released September 6, 2011;
3. GLI-13: On-Line Monitoring and Control Systems (MCS) and Validation Systems in Casinos, version 2.1, released September 6, 2011;
4. GLI-16: Cashless Systems in Casinos, version 2.1, released September 6, 2011; and
5. GLI-18, Promotional Systems, version 2.1., released September 6, 2011.

These standards are outlined in the attached Appendix B. Copies of these standards are available through the Maine Department of Public Safety, Gambling Control Board, 45 Commerce Drive, Augusta, ME 04330.

§2. Any electronic facsimile of a table game designated for shipment to Maine must meet or exceed one of the following standards developed and published by Gaming Laboratories International, LLC, which are hereby incorporated by reference:

1. GLI-24: Electronic Table Game Systems, version 1.3, released September 6, 2011; or
2. GLI-25: Dealer Controlled Electronic Table Games, version 1.2, released September 6, 2011.

These standards are outlined in the attached Appendix B. Copies of these standards are available through the Maine Department of Public Safety, Gambling Control Board, 45 Commerce Drive, Augusta, ME 04330.

STATUTORY AUTHORITY: 8 M.R.S. § 1003(1)(B), 3(E) & (3)(J); 8 M.R.S. § 1020(2)(H); 8 M.R.S. § 1021(2)(B).

EFFECTIVE DATE:

February 21, 2005 – filing 2005-75

AMENDED:

July 14, 2014 – filing 2014-146

June 9, 2021 – filing 2021-122

16 **DEPARTMENT OF PUBLIC SAFETY**

633 **GAMBLING CONTROL BOARD**

Chapter 21: PROHIBITION OF CREDIT

§1. The establishment of a credit line for game play by the Slot Machine or Casino Operator for any patron is prohibited.

STATUTORY AUTHORITY: 8 M.R.S.A. § 1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-76

AMENDED:

October 1, 2011 –filing 2011-336

16 **DEPARTMENT OF PUBLIC SAFETY**

633 **GAMBLING CONTROL BOARD**

Chapter 22: PATRON DISPUTES

§1. Whenever a Slot Machine or Casino Operator refuses to pay winnings claimed by a patron of more than \$100 and the dispute is not resolved by the parties, the Slot Machine or Casino Operator shall notify the Department in writing of the dispute within seven (7) days of the operator being notified of the dispute. Such notice shall identify the parties involved in the dispute and shall set forth all known relevant facts regarding the dispute. The Slot Machine or Casino Operator shall make reasonable efforts to retain all records relevant to the disputed incident.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

February 21, 2005 – filing 2005-77

AMENDED:

October 1, 2011 –filing 2011-337

~~16~~ ————— ~~DEPARTMENT OF PUBLIC SAFETY~~

~~16-633~~ ————— ~~GAMBLING CONTROL BOARD~~

~~Chapter 23:~~ ————— ~~GAMBLING ADDICTION COUNSELING SERVICES~~

- ~~1. The Gambling Control Board may allocate certain funds appropriated to it by the Legislature for gambling addiction services. Only counselors certified by the State of Maine as Problem Gambling Counselors shall be eligible for payment of services.~~
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STATUTORY AUTHORITY: 8 M.R.S.A. c. 31, §1003

EFFECTIVE DATE:

August 5, 2006 – filing 2006-351

Chapter 24: The Use of Front Money Deposits

- §1. “Front Money” is deposits of funds that a player intends to use for gaming purposes. The money is deposited at the casino cage and the player signs customer deposit withdrawals (CDW) at the table games until the funds reach the amount deposited.
- §2. A casino licensee shall establish procedures approved by the board in accordance with these rules in connection with front money. The casino licensee shall establish policies and procedures approved by the board in accordance with these rules to ensure that all applicable currency transaction reporting requirements will be enforced in accordance with applicable state and federal law.
- A. Any of the following may be accepted from patrons for the purpose of customer deposits:
- (1) Cash or cash equivalent.
 - (2) Value chips issued by the casino licensee.
 - (3) Tokens issued by the casino licensee.
- B. Deposits or withdrawals shall be documented on a voucher that is not less than a 2-part, numbered form. The voucher shall be completed by the casino cage cashier and shall include, at a minimum, all of the following information:
- (1) Patron's name and signature.
 - (2) Date of receipt or disbursement.
 - (3) Amount of deposit.
 - (4) Type of deposit.
 - (5) Casino cashier's signature.
- C. Once the initial deposit is made at the cashier's cage the CDW can be adjusted at the tables to reflect gaming activity.
- D. A casino licensee shall provide, to the board, a monthly report detailing, at a minimum, all of the following:
- (1) Checks returned.
 - (2) Collection activities taken.
 - (3) Settlement of disputed items.

E. All of the following checks shall be deposited not later than the business day after the day the checks are received:

- (1) Cashier's checks.
- (2) Money orders.
- (3) Credit card advance checks.
- (4) Traveler's checks.
- (5) Wire transfer service checks.

F. Personal checks shall be deposited not later than the business day after the day the checks are received, unless otherwise agreed to by the casino licensee and the patron.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

Effective Date:

January 2, 2012 – Filing 2011-482

Chapter 25: APPROVAL OF TABLE GAMES RULES OF PLAY

- §1. A casino operator shall not permit a game to be played if the game is not approved by the board.
- §2. The operator shall submit its rules of the game to the board in accordance with this rule.
- §3. All rules of the game shall be in compliance with the provisions of the statute and these rules.
- §4. A casino operator or an applicant for a casino operator license shall submit its rules of the game in the following manner.
1. When called for in these rules, a casino operator or an applicant for a casino operator license shall submit rules of the game to the board not less than 30 days before the commencement of gambling operations or the play of the game, or both.
 2. The board shall, in writing, approve or disapprove the rules of the game in total or in part.
 3. Any rule or portion of a rule of the game not approved by the board may be revised and resubmitted by the casino operator or the applicant for a casino operator license within the time period established by the board. This method shall be followed until all portions of the rules of the game have been approved or approval cannot be obtained. The board may authorize the Executive Director to approve revisions submitted in accordance with this subsection.
 4. Rules of the game may not be utilized by a casino operator unless the rules of the game have been submitted and approved, in writing, by the board. In evaluating a rule, the board shall consider
 - A. Conformance with industry standard rules;
 - B. The object of the game and method of play, including what constitutes win, loss or tie bets;
 - C. Physical characteristics of the game, gaming equipment, and gaming table;
 - D. Wagers and payout odds for each type of available wager;
 - E. Applicable inspection procedures for cards, dice, wheels and balls, or other equipment required by the game;

F. For a game that uses cards, the description of:

- (1) Shuffling procedures;
- (2) Card cutting procedures;
- (3) Procedures for dealing and taking cards; and
- (4) Burning cards; and

G. Whether the rules

- (1) Ensure that the game will be played with integrity;
- (2) Are written in language that is plain to the player; and
- (3) Satisfy other requirements necessary to protect the public and ensure public confidence in gaming.

5. In cases where the board has approved a rule of a game or an amendment for use by one casino operator, the Executive Director may approve the use of the same rule by another casino operator. In such circumstances, the casino operator shall submit the rule to the Executive Director in accordance with section 4(1) or the amendment in accordance with section 6(1) of this Chapter. The Executive Director will compare the rule or amendment submitted to the rule or amendment previously approved by the board, and may approve, in writing, a rule or amendment that does not materially differ from the rule or amendment previously approved by the Board.

§5. If the board determines, at any time, that approved rules of the game are not adequate to ensure compliance with the Act and these rules or the integrity of the game, then the board may direct the casino licensee, in writing, to amend its rules of the game.

§6. All of the following provisions apply to the amendments to rules of the game:

1. Unless otherwise provided by the board, a casino operator or an applicant for a casino operator license shall submit an amendment to the rules of the game, including variations of games, to the board not less than 30 days before it intends to implement the amended rules of the game.
 2. The board or its designee shall, in writing, approve or disapprove the amendment to the rules of the game in the same manner that an initial submission is approved or disapproved.
 3. A casino licensee may not utilize an amendment to the rules of the game unless the amendment to the rules of the game has been approved, in writing, by the board.
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STATUTORY AUTHORITY: 8 M.R.S.A. §1003

EFFECTIVE DATE:

January 2, 2012 – filing 2011-483

AMENDED:

April 22, 2014 – filing 2014-080

16 **DEPARTMENT OF PUBLIC SAFETY**

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Chapter 26: Posting of Rules

§1. Each licensee shall conspicuously display the rules of each gambling game it exposes for play. This section may be satisfied if published rules are maintained in a location readily accessible to players and notice of the location of such rules is posted conspicuously in the casino.

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

Effective Date:

January 2, 2012 – Filing 2011-484

Chapter 27: RULES OF PRACTICE AND PROCEDURE OF GAMING CONDUCT

Summary: This rule establishes procedures for the investigation and resolution of complaints received by the Gambling Control Board. This rule should be read in conjunction with the statutory provisions for adjudicatory proceedings in the *Maine Administrative Procedure Act*. The rule helps to ensure that the investigation and resolution of complaints is handled in an expeditious and procedurally fair manner.

§ 1. Licensing Actions**1. Complaints and Investigations**

- A. All complaints shall be submitted to the department in writing. The Board may request that complaints be submitted on a complaint form authorized by the Board and with supporting documentation or other materials. The department may initiate a complaint alleging any ground for disciplinary action.
- B. The department or its designee shall investigate complaints in accordance with 8 M.R.S. §1051(1). The department may provide the complainant with information obtained as part of its investigation, as the Board or the department determines to be necessary to facilitate the investigation.

2. Resolution of Complaints

The director must review all complaints and investigative files and, in the director's discretion, may consult with an Assistant Attorney General assigned to the Board and the Maine State Police Commander of the unit that regulates gambling. Following this review and any consultation, the director may take any of the following actions:

- A. File a notice of complaint and request for hearing with the Board, in accordance with 8 M.R.S. §1051(2);
- B. Issue a notice of violation and proposed sanction in accordance with 8 M.R.S. §1051(2) and enter into a consent agreement with the licensee;
- C. Issue a letter of guidance or concern pursuant to 8 M.R.S. §1053(4). A letter of guidance or concern issued by the director pursuant to this section may be appealed to the Board in accordance with 8 M.R.S. §1051(4);
- D. Request additional investigation; or
- E. Dismiss the complaint or otherwise close the investigation. Dismissal may be appropriate when the complaint alleges conduct that is not a violation of Gambling Control Board statute or rules, is factually unfounded, or is of

insufficient gravity to warrant further action. Notice of dismissal must be sent to any complainants.

§ 2. Notice of Violation

1. If, based upon the information obtained from the investigation, the director determines that the complaint is or may be true and the violation is of sufficient gravity to warrant further action, the director may send the licensee a written notice of violation and proposed sanction.
2. The written notice of violation shall state the alleged violation, the statute or rule believed to have been violated, and the proposed resolution, and shall inform the licensee that the licensee has the right to request a hearing.
3. Service is complete upon mailing to the party or the party's attorney using the last known address, or upon in-hand delivery to the recipient or the recipient's office in accordance with 5 M.R.S. §9051(3).
4. The licensee must file a written request for hearing within thirty days of receipt of the notice of opportunity for hearing. The request is considered filed when received by the director. The Board may extend this period for good cause shown.
5. If the licensee makes a timely request for a hearing, that hearing shall be held in accordance with Section three of this rule.
6. A consent agreement reached by the director and the licensee following a notice of violation must be presented to the Board. The Board may approve or reject a consent agreement, or may recommend amended language.
7. Failure to make a timely request for hearing shall be a waiver of any right to a hearing and may result in the proposed action becoming final without further hearing, in accordance with 5 M.R.S. §9053(3), if the notice of violation informed the licensee of the possibility of default.

§ 3. Hearings

1. If, following an investigation, the director determines that the complaint should be set for hearing for any reason, including to resolve issues of substantial public interest or to make credibility determinations, the director shall serve the licensee with the notice of complaint and request for hearing in accordance with 5 M.R.S. §§ 9051(3) and 9052 and shall file a copy with the Board.
2. In the event of a hearing, the provisions of the *Administrative Procedure Act*, Title 5, Chapter 375, subchapter 4 will govern.
3. When the circumstances of a particular proceeding require more detailed procedures than those set forth in this rule, additional procedures may be specified by the hearing officer, by order applicable to that particular proceeding.

4. When a hearing is held, the Board may appoint a hearing officer in conformity with the provisions of the *Administrative Procedure Act* to conduct the hearing and to make the proposed findings of fact and conclusions of law. If the Board appoints a hearing officer to perform these tasks, the hearing may take place outside of the Board's presence.
5. Following a hearing, any proposed findings of fact, or any proposed decision prepared by the hearing officer shall be in writing. A copy shall be provided to each party, with the opportunity to file responses or exceptions. The hearing officer shall set the time within which responses or exceptions may be filed. The hearing officer may amend the proposed findings of fact or decision based upon the responses and exceptions filed. A decision of the Board upon a recommended decision of the hearing officer constitutes final agency action.
6. For each violation of 8 M.R.S. Chapter 31, the Board's rules, or conditions of licensure or registration, the Board may take one or more of the following actions in accordance with 8 M.R.S. §1053(1):
 - A. Issue a warning, censure or reprimand to a licensee or registrant. Each warning, censure or reprimand issued must be based upon a violation of a different applicable law, rule or condition of licensure or must be based upon a separate instance of actionable conduct or activity;
 - B. Suspend a license or registration for up to 360 days for each violation of an applicable law, rule or condition of licensure or registration or instance of actionable conduct or activity. Suspensions may be set to run concurrently or consecutively. Execution of all or any portion of a term of suspension may be stayed pending successful completion of conditions of probation, although the suspension remains part of the licensee's or registrant's record;
 - C. Revoke a license or registration;
 - D. Impose a fine of up to \$100,000 for each violation of an applicable law, rule or condition of licensure or registration or instance of actionable conduct or activity;
 - E. Impose conditions of probation upon a licensee or registrant. Probation may run for such time period as the Board determines appropriate; and
 - F. Impose costs of investigation and hearing.

STATUTORY AUTHORITY: 5 M.R.S. §§ 8051, 9062; **8 M.R.S. §§ 1003(1), 1051-**

1054.

EFFECTIVE DATE: November 30, 2014 – filing 2014-275

§1. DEFINITIONS.

The following words and terms shall have the following meanings unless the context indicates otherwise.

“Abandoned advance deposit wagering account” An advance deposit wagering account where there has been no activity by the account holder for three (3) years.

“Account” An account for advance deposit wagering with a specific identifiable record of credits, debits, deposits, wagers, and withdrawals established by an account holder and managed by the advance deposit wagering operator.

“Account applicant” A natural person who has submitted an account application to an advance deposit wagering operator.

“Account application” The form or forms approved by the Board for establishment of an account.

“Account holder” A natural person who successfully completed an account application and for whom the advance deposit wagering operator has opened an account.

"Advance deposit wagering" Has the same meaning as set forth in 8 M.R.S.A. §1001 (1-A)

“Advance deposit wagering facility” The actual location, equipment, and staff of an advance deposit wagering operator involved in the management, servicing and operation of advance deposit wagering.

"Advance deposit wagering licensee" A person that is chosen by competitive bid and licensed by the Board pursuant to Subchapter 7 of 8 M.R.S. Chapter 31 to conduct advance deposit wagering.

“Advance deposit wagering operator” Those persons or entities licensed by the Board with the authority to operate as approved by the Board, including, but not limited to, establishing and closing accounts, accepting deposits and wagers, issuing a receipt or other confirmation to the account holder evidencing such deposits and wagers, and transferring credits and debits to and from accounts.

“Board” Maine State Gambling Control Board created by 8 M.R.S. § 1002, or its designee.

“Confidential information” Confidential information includes:

- a. The amount of money credited to, debited from, withdrawn from, or present in any particular account holder's account;
- b. The amount of money wagered by a particular account holder on any race or series of races;
- c. The account number and secure personal identification code of a particular account holder;
- d. The identities of particular entries on which the account holder is wagering or has wagered; and
- e. Unless otherwise authorized by the account holder, the name, address, Social Security number in whole or in part and other information obtained in the opening of an account or otherwise in the possession of the advance deposit wagering operator that would identify the account holder to anyone other than the Board.

“Corporation” A business structure allowed by state statute that is recognized as a separate legal entity distinct from its members.

“Credits” All positive inflow of money to an account.

“Debits” All negative outflow of money from an account.

“Deposit” A payment of money by cash, check, money order, credit card, debit card, or electronic funds transfer made by an account holder to the account holder's account.

“Limited Liability Company” A business structure allowed by state statute and, having one or more members and a limited liability company agreement.

“Natural person” Any person at least eighteen (18) years of age, but does not include a custodian, beneficiary, joint trust corporation or other organization, including any corporation, partnership, limited liability company, trust, or estate.

"Net commission" Has the same meaning as set forth in 8 M.R.S.A. §1001 (29-C)

“Partnership” A relationship between individuals for the achievement of a specific goal.

“Person” means an individual or a business organization.

“Principal residence address” That place where the natural person submitting an account application has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.

“Proper identification” A form of personal identification accepted in the normal course of business to establish that the natural person making a transaction is the account holder.

“Secure personal identification code” An alpha-numeric character code chosen by an account holder as a means by which the advance deposit wagering operator may verify a wager or account transaction as authorized by the account holder.

“Withdrawal” A payment of money from an account by the advance deposit wagering operator to the account holder when payment is requested by the account holder.

“Withdrawal slip” A form provided by the advance deposit wagering operator for use by an account holder in withdrawing funds from an account.

§2 LICENSING FOR ADVANCE DEPOSIT WAGERING.

No person may conduct advance deposit wagering activities within the State of Maine prior to receiving an advance deposit wagering license from the Board. Any person violating this section is subject to 8 M.R.S. § 1071(5).

§3 ADVANCE DEPOSIT WAGERING LICENSE.

Any person may request a license from the Board to conduct advance deposit wagering in accordance with 8 M.R.S. Chapter 31, and these rules. As part of the request, such person must submit a detailed plan of how its proposed advance deposit wagering system would operate. The Board may require changes in a proposed plan of operations as a condition of granting a request. No subsequent changes in the system's operation may occur unless prior approval is obtained from the Board after it receives a written request.

In order to be licensed by the Board to conduct advance deposit wagering, a person must agree to enter into a contract with the Board that obligates the advance deposit wagering licensee to follow the proposals made in the bid submitted in accordance with 8 M.R.S. Chapter 31. The contract must include a framework of reasonable financial penalties for the failure of the advance deposit wagering licensee to comply with the terms of the contract and rules of the Board. The advance deposit wagering applicant may not conduct advance deposit wagering prior to the execution of this contract.

§4 ADVANCE DEPOSIT WAGERING LICENSE APPLICATION.

An applicant for an advance deposit wagering license must complete an application provided by the Board, which application shall include, at a minimum the following information:

- A. Legal Name and Addresses - The legal name of the person(s) seeking the license, a full current address and addresses for the prior 15 years;
- B. Corporation - If the person seeking a license is a corporation: the names and addresses of all directors and officers, the date of incorporation and the place of incorporation;

- C. Partnership - If the person seeking a license is a partnership: the names and addresses of all partners. If a partner is a corporation, the date of incorporation, the place of incorporation and the names and addresses of all directors and officers;
- D. Limited Liability Company – If the person seeking a license is a limited liability company, the names and addresses of all members. If a member is a corporation, the date of incorporation, the place of incorporation and the names and addresses of all directors and officers;
- E. Race Tracks - The names of the race tracks the advance deposit wagering operator has contracts with or will have contracts with at the time the license is issued that allow the applicant to provide wagering on the product;
- F. Financial Information - Financial information that demonstrates the financial resources to operate advance deposit wagering;
- G. Certificate of authority to transact business in the State of Maine, unless the requirement for authority is subject to a statutory exception;
- H. A record of previous issuances and denials of or any adverse action taken against a gambling-related license or application under 8 M.R.S. Chapter 31 or in any other jurisdiction. For purposes of this paragraph, "adverse action" includes, but is not limited to, a condition resulting from an administrative, civil or criminal violation, a suspension or revocation of a license or a voluntary surrender of a license to avoid or resolve a civil, criminal or disciplinary action;
- I. Disclosure by the applicant if it or any account wagering affiliate has accepted a wager from a resident of the State of Maine within the past three (3) calendar years; and
- J. Any and all other information as the Board may require to determine the competence, honesty and suitability of the applicant as required by 8 M.R.S. § 1016.

§5 RESPONSIBILITIES OF ADVANCE DEPOSIT WAGERING LICENSEE

- A. Prior to licensing the prospective advance deposit wagering licensee must present to the Board a detailed plan of operation. The detailed plan of operation for an advance deposit wagering license must include, but is not limited to, the following information:
 - 1. The manner in which the wagering system will operate including any fees associated with the establishment and maintenance of an advance deposit wagering account;
 - 2. Programs for responsible wagering; and
 - 3. The protections provided to safeguard accounts, including a certification from the advance deposit wagering licensee that account funds will not be commingled with other funds.

The Board may require changes in a proposed plan of operations, as a condition of granting a license. No subsequent changes in the system's operation may occur unless

ordered by the Board or until approval is obtained from the Board after it receives a written request.

- B. An advance deposit wagering licensee shall submit quarterly reports to the Board providing amounts wagered by Maine residents, amounts wagered in Maine and other account wagering information as requested by the Board.
- C. An advance deposit wagering licensee shall not commingle account funds with other funds.
- D. An advance deposit wagering licensee that establishes account wagering shall establish and maintain a separate restricted account with a federally insured financial institution or a federally insured credit union that is authorized to do business in the State of Maine as defined in Maine Revised Statute, Title 9-B or is subject to a statutory exception for being authorized to do business in the state and with an office, registered agent and/or clerk within the state of Maine.
- E. The amount placed in the restricted account established in 5.D above shall be an amount equal to or greater than the total account wagering monies held by all account holders including amounts owed for winning wagers which have not yet been settled. The advance deposit wagering licensee shall provide the Board with all data used to calculate the restricted account amount and a bank statement showing the balance in the restricted account.
- F. The advance deposit wagering licensee shall calculate and submit to the Board the actual amount of the account balance on the last day of the month of the total account wagering monies held by all account holders including amounts owed for winning wagers which have not yet been settled. The advance deposit wagering licensee shall provide the Board with the report and all data used to calculate the balance within ten (10) business days of the end of the month for which the balance is determined.

The advance deposit wagering licensee shall submit to the Board a monthly bank statement by the 15th day of each month for the previous month.

- G. All systems used for processing wager transactions will be approved by the Board.
- H. An advance deposit wagering licensee shall maintain complete records of each account application and the opening of each account for the life of the account plus two (2) additional years. An advance deposit wagering licensee shall also maintain complete records of the closing of an account for two (2) years after closing. These records shall be provided to the Board upon request.
- I. An advance deposit wagering licensee shall maintain complete records of all transactions, including deposits, credits, debits, refunds, withdrawals, fees, wagers, rebates, and earnings for five (5) years. These records shall be provided to the Board upon request.

- J. All wagering conversations, transactions, or other wagering communications, verbal or electronic, shall be recorded by means of the appropriate electronic media, and the tapes or other records of the communications shall be kept by the advance deposit wagering licensee for a period of two (2) years. These tapes and other records shall be made available to the Board upon request.
- K. An advance deposit wagering licensee shall not accept wagers if the appropriate recording system is not operable.
- L. When an advance deposit wagering licensee ceases operating and its license lapses, is surrendered or is revoked, the Board may demand payment of the restricted account. The Board may interplead the funds in court for distribution to the patrons for whose protection and benefit the restricted account was established and to such other persons as the court determines are entitled thereto, or shall take such other steps as are necessary to effect the proper distribution of the funds, or may do both.

§6 INVESTIGATIONS OR INSPECTIONS.

The Board or its designee may conduct investigations and inspections of an advance deposit wagering licensee and request additional information from the person who made an advance deposit wager as it deems appropriate.

All of an advance deposit wagering licensee's records related to operations licensed under 8 M.R.S. Chapter 31 must be open to inspection and audit by the Board or its designee, and a license holder may not refuse the Board or its designee the right to inspect or audit the records. Refusal to permit inspection or audit of the records may constitute grounds for discipline of the advance deposit wagering licensee.

An advance deposit wagering licensee shall permit the Board or its designee unrestricted access, during regular business hours, including access to locked or secured areas, to inspect any facility and any equipment, records or items and materials used or to be used in the operation of equipment owned, distributed or operated by the advance deposit wagering licensee. An advance deposit wagering licensee shall consent in writing to the examination of all the advance deposit wagering licensee's books and records related to operations licensed under 8 M.R.S. Chapter 31 and shall authorize all third parties in possession or in control of those books and records to allow the Board to examine such books and records as the Board determines necessary.

§7 CLAIMS OF NON-PAYMENT.

An account holder, who is claiming that non-payment has occurred, must make a claim of non-payment to the Board.

Investigation of Claim - The Board will investigate the claim and provide the advance deposit wagering operator with an opportunity to respond thereto and submit any supporting documents or evidence it needs to defend the claim.

Board Determination - If the Board determines that the account holder is entitled to restitution, the advance deposit wagering operator has ten (10) business days to pay the amount determined by the Board.

§8 PROMOTE AND ADVERTISE.

The Board finds that the State of Maine has a compelling interest in deterring excessive use of alcohol and tobacco products, especially by minors. The Board finds that the State of Maine has a compelling interest in that advance deposit wagering is conducted by persons 18 years of age or older, as evidenced by the provisions in 8 M.R.S. Chapter 31, Subchapter 7 and 8 M.R.S. Chapter 11 that are applicable to persons younger than the age of 18.

All advertising, marketing and promotional materials (referred to collectively as “advertising”) related to advance deposit wagering shall be filed with the Board thirty (30) calendar days prior to use. This section can be waived, in writing, by the Board or its designee. Advertising materials that have been previously filed with the Board and that have not been substantially altered need not be pre-filed, but may be filed with the Board contemporaneously with distribution.

Advertising shall comply with the following standards:

- A. False, misleading and deceptive advertising is prohibited.
- B. Depictions of the use of alcohol and tobacco are prohibited.
- C. Depictions of persons under the age of 18 engaged in wagering are prohibited.
- D. Guarantees of success, riches or winnings are prohibited.
- E. Advertising must include a disclaimer as follows: “Persons under 18 years of age may not apply for an advance deposit wagering account or place advance deposits or wagers”
- F. Advertising must comply with all applicable Maine and federal laws.

On receipt of notice from the Board that advertising may be in violation of these rules or other laws of the State of Maine and upon request by the Board or its designee to do so, the advance deposit wagering licensee will suspend, or cause its agent or representative to suspend, the advertising campaign. Suspension of the use of the advertising materials in question will continue pending resolution of the matter, including any proceedings pursuant to 8 M.R.S. Chapter 31, Subchapter 5.

§9 ESTABLISHING AN ACCOUNT.

- A. An account application must be approved the Board and must include at a minimum the following information concerning the account applicant:
1. Full legal name;
 2. Principal residence address;
 3. Telephone number;
 4. Social Security number (last four digits, at a minimum);
 5. Proper State of Maine identification or certification demonstrating that the account applicant is at least eighteen (18) years of age; and
 6. As needed, any other information required by the Board or the advance deposit wagering operator.
- B. The advance deposit wagering licensee may utilize a third party approved by the Board to verify the age and address of each account applicant during the application process.
- C. The account application must be presented: (i) in person by the account holder to a commercial track, off-track betting facility or licensed casino for identity verification, or (ii) electronically through using an identity verification method approved by the Board.

§10 ACCOUNT INFORMATION.

Each account application may be subject to verification.

Advance deposit wagering accounts are non-transferable and non-assignable.

§11 IDENTIFYING AN ACCOUNT NUMBER.

Each account must have a unique identifying account number. The identifying account number may be changed at any time by the advance deposit wagering operator provided the advance deposit wagering operator informs the account holder in writing prior to the change.

§12 SECURE PERSONAL IDENTIFICATION CODE

The account applicant must supply the advance deposit wagering operator with an alphanumeric code to be used as a secure personal identification code when the account holder is logging into his or her account or using his or her wagering account. The account holder has the right to change this code at any time.

§13 PRINCIPAL RESIDENCE

The principal residence address of the account holder will be established by reliance on the information submitted on the account application, certified by the account applicant and verified by the advance deposit wagering operator.

§14 INFORMATION RECEIVED BY ACCOUNT HOLDER

Upon approval of an account, the advance deposit wagering licensee must provide the account holder with the following:

- A. A unique account identification number;
- B. A copy of the advance deposit wagering rules and such other information and material that is pertinent to the operation of the account; and
- C. Such other information as the advance deposit wagering operator or Board may deem appropriate.

The advance deposit wagering licensee must distribute to account holders quarterly a statement of account activity including starting and ending balances, aggregate number of bets placed, dollar amount of bets won, and dollar amount of bets lost for the previous calendar quarter.

§15 CLOSE OR REFUSE TO OPEN AN ACCOUNT

The advance deposit wagering operator may close or refuse to open an account, for what it deems good and sufficient reason, and will order an account closed if it is determined that information that was used to open an account was false, or that the account has been used in violation of these rules. The advance deposit wagering operator must report accounts of State of Maine residents that were closed in the previous month to the Board no later than five (5) days of the end of the current month including the:

- A. Name of account holder;
- B. Address of account holder;
- C. Telephone and/or email contact information, if available; and

D. Reason for the closing.

§16 ACCOUNT HOLDER RESPONSIBILITIES

The advance deposit wagering operator must require the following as terms of service for holding an account:

- A. Accounts are for the personal use of the account holder;
- B. Security - The account holder is responsible for maintaining the secrecy of the account number and the personal identification code;
- C. Account Losses - Except where the advance deposit wagering operator or its employees or agents act without good faith or fail to exercise ordinary care, the advance deposit wagering operator is not responsible for any loss arising from the use by any other person or persons of an account holder's account; and
- D. Notification of Account Security Breach – The account holder must immediately notify the advance deposit wagering operator of a breach of the account's security.

§17 OPERATION OF AN ACCOUNT

Operator May Refuse Deposits - The advance deposit wagering operator may refuse deposits to an account for what it deems good and sufficient reason.

Operator May Suspend or Close Account - The advance deposit wagering operator may suspend or close any account at any time provided that within five (5) business days of closing the account the advance deposit wagering operator returns to the account holder all monies then on deposit by sending it to the principal residence address as listed on the account application.

§18 CREDITS TO AN ACCOUNT

After the initial establishment of an account, credits to an account may be made as follows:

- A. Deposits - deposits to an account by an account holder must be made in the following forms:
 1. Cash given to the advance deposit wagering operator, a commercial track, off-track betting facility, licensed casino or other entity that has been issued a Board license or has otherwise been approved by the Board;
 2. Personal or cashier check, or money order given or sent to an advance deposit wagering operator;
 3. Charges made to an account holder's credit card or debit card upon the direct and personal instruction of the account holder. Such instructions may be given by telephone or any electronic device to the advance deposit

wagering operator by the account holder if the use of the card has been approved by the advance deposit wagering operator;

4. Transfer by means of an electronic funds transfer from a monetary account controlled by an account holder to his or her account. The account holder is liable for any charges imposed by the transmitting or receiving entity with such charges to be deducted from the account. Transfers to an account by means of the electronic benefits transfer system administered by the Department of Health and Human Services under 22 M.R.S. Chapter 1, Subchapter 1-A are prohibited; and/or
5. Any other method as approved by the Board.

- B. Credit for Winnings - Credit for winnings from wagers placed with funds in an account and credit for account wagers on entries that are scratched will be posted to the account by the advance deposit wagering operator.
- C. Accordance with Financial Institution - Checks, money orders and other negotiable instruments will be posted to the credit of the account holder in accordance with financial institution funds availability schedules.

§19 DEBITS TO AN ACCOUNT

After the initial establishment of an account, debits to an account may be made as follows:

- A. Upon receipt by the advance deposit wagering operator of an account wager, the advance deposit wagering operator debits the account in the amount of the wager; or
- B. The advance deposit wagering operator may debit an account for fees for service or other transaction-related charges by the advance deposit wagering operator.

Account Withdrawals - An advance deposit wagering operator may authorize a withdrawal from an account when one (1) of the following exists:

- A. The account holder of an account appears personally at the advance deposit wagering operator's location and provides the following:
 1. Proper identification;
 2. The correct secure personal identification code; and
 3. A properly completed and signed withdrawal slip.
- B. The account holder sends to the advance deposit wagering operator a properly completed and signed withdrawal slip by any means electronic or otherwise.
- C. Upon receipt of a properly completed and signed withdrawal slip, and if there are sufficient funds in the account to cover the withdrawal, the advance deposit wagering operator must, within five (5) business days of its receipt, send a check or other form

of payment in readily available funds to the account holder. The check must be payable to the holder of the account and in the amount of the requested withdrawal.

- D. If funds are not sufficient to cover the withdrawal, the account holder will be notified in writing and those funds in the account will be withdrawn and sent to the account holder within the five (5) business days. Electronic funds transfers may be used for withdrawals in lieu of a check at the discretion of the account holder and the advance deposit wagering operator, subject to the same conditions described for electronic funds transfer credits.
- E. In the case of an abandoned advance deposit wagering account, the advance deposit wagering licensee shall send a notice to the account holder at the mailing address listed on the account application requesting that the account holder take steps necessary to close the account or indicate that he or she wishes to keep the account open. If the account holder fails to notify the advance deposit wagering licensee of his or her intentions after sixty (60) calendar days the advance deposit wagering licensee shall close the account and return all monies then on deposit by sending a check payable to the account holder at said mailing address. Any monies returned as undeliverable shall be considered "abandoned property" and will be subject to 33 M.R.S. Chapter 41. The advance deposit wagering license must forward a list of such accounts and balances to the Board.
- F. In the event an account holder is deceased, funds accrued in the account will be released to the decedent's legal representative upon receipt of a copy of a valid death certificate, tax releases or waivers, probate court authorizations or other documents required by applicable laws.

§20 WAGERS IN EXCESS OF ACCOUNT BALANCE

The advance deposit wagering operator will not accept wagers from an account holder in an amount in excess of the account balance.

With the exception of credits to an account allowed by §§ 19 and 23 of this rule, the advance deposit wagering operator will not extend credit to any account holders.

§21 ACCOUNTS WILL NOT BEAR ANY INTEREST

Monies deposited with the advance deposit wagering operator for advance deposit wagering must not bear any interest to the account holder.

§22 PAYMENTS ON WINNING PARI-MUTUEL WAGERS

Payments on winning pari-mutuel wagers and credits for account wagers on entries which are scratched must be posted to the credit of the account holder as soon as practicable after the race is declared official.

Payments on pari-mutuel wagers are subject to interception per 8 M.R.S. § 300 B.

§23 MAILING ADDRESS

The principal residence address, provided in writing by the account holder at the time of account application, is deemed to be the proper address for the purpose of mailing checks, statements of account, account withdrawals, notices, or other appropriate correspondence. The mailing of checks or other correspondence to the address given by the account holder is at the sole risk of the account holder.

§24 POWERS OF THE GAMBLING CONTROL BOARD TO REVIEW AND AUDIT RECORDS

The advance deposit wagering operator must give the Board access to all records and financial information related to operations licensed under 8 M.R.S. Chapter 31 for review and audit. The Board may require that the advance deposit wagering operator annually submit to the Board audited financial statements of the advance deposit wagering system.

§25 CONFIDENTIAL INFORMATION

No confidential information related to the placing of any wager or to the operation of the advance deposit wagering operator may be divulged by any employee or agent of the advance deposit wagering operator, except, as required by these rules, to the account holder or the Board, or as otherwise required by state or federal law or regulation or the rules of the Board.

§26 APPLICABLE LAWS, RULES, AND REGULATIONS

All advance deposit wagering operators must adhere to all applicable state and federal laws, rules, and regulations.

§27 COLLECTION OF PAYMENTS FROM ADVANCE DEPOSIT WAGERING LICENSEE

All fees, fines, charges, taxes, and penalties required by 8 M.R.S. Chapter 31 and rules adopted pursuant to Chapter 31 shall be submitted to the Board or as directed by the Board as they are due. Payment shall be in the form of certified check, cashier's check or money order made out to the "Treasurer State of Maine/Gambling Control Board." In lieu of these payment forms, the Board or State of Maine may accept an electronic wire transfer to a designated account.

Before 1:00 pm each Wednesday, the advance deposit wagering licensee shall submit the net commission for the previous week, Wednesday through Tuesday, to the Board in one payment for distribution by the Board in accordance with 8 M.R.S. § 1072.

§28 PENALTIES

Any person violating any of the provisions of these rules is subject to the penalties provided for in the contract between the Board and the advance deposit wagering licensee.

STATUTORY AUTHORITY: 8 M.R.S. § 1003(1)(B), (1)(L), (2)(U); 8 M.R.S. §§ 1071-1072

EFFECTIVE DATE: TBD

§1. Promotional Credits

1. Each licensed slot machine operator and casino operator that issues promotional credits for use at slot machines, including but not limited to promotional credits based on player history, must submit internal control procedures on the use of those promotional credits to the Board for approval. Those internal control procedures must include, at a minimum, the following:
 - a) Description of the program and tracking system used to record promotional credits;
 - b) Administrative and accounting controls applicable to recording, calculating and auditing promotional credits;
 - c) The levels of patron play required for the issuance of promotional credits to include no play;
 - d) Employee titles authorized to issue promotional credits at each level; and
 - e) Any expiration dates for promotional credits.
2. Each card or device used to track player history must require at least a four-digit personal identification number (PIN) for the use of promotional credits. If a player enters an invalid PIN, a slot machine must not allow more than five (5) attempts to re-enter a PIN before deactivation of the card or device.
3. Any activity involving a card or device used to track player history must be recorded and maintained in a database. Access to the database must be made available to the Board or the Department of Public Safety upon request.
4. Promotional credits:
 - a) Must be issued in the form of free play credits on a ticket, voucher, or player card to be used solely to play a slot machine;
 - b) May be moved between slot machines by way of player card uploading; and
 - c) Cannot be redeemed for cash.
5. Each licensed slot machine operator and casino operator must file with the Board any promotions involving the use of promotional credits for slot machines prior to their use.
6. Each licensed slot machine operator and casino operator must file every month with the Board a report on any daily or 24-hour issuance of a total of \$250 or more in promotional credits redeemed by a patron, including the amount issued, the name of patron, and the name and number of the employee who issued the credit.

§ 2 Table Game Player Incentives

1. “Match Play” means a method of promotional play at a table game in which the total wager consists of equivalent fixed value contributions from the patron and a promotional item in voucher form issued by the licensed casino operator.
2. “Free Bet” means a promotional item in voucher form with a fixed amount placed on a single bet at a table game.
3. Each licensed casino operator that uses vouchers at table games must submit internal control procedures on the use of those vouchers to the Board for approval. Those internal control procedures must include, at a minimum, the following:
 - a) Description of the program and voucher process used to issue and record vouchers;
 - b) Administrative and accounting controls applicable to issuing, recording, calculating and auditing vouchers;
 - c) Description of Match Play and Free Bet promotions;
 - d) The levels of patron play required for the issuance of vouchers to include no play;
 - e) Employee titles authorized to issue vouchers at each level; and
 - f) Any expiration dates for vouchers.
4. Vouchers shall contain at least the following specific information:
 - a) An identification of the type of voucher (either Match Play or Free Bet);
 - b) Operator name and logo;
 - c) Value of voucher;
 - d) Name of recipient and, if applicable, the rewards number of the recipient;
 - e) Expiration date, if applicable;
 - f) Specific games for use, if applicable;
 - g) Directions for redemption;
 - h) Bar code with numbers, if applicable; and
 - i) A resource on obtaining assistance with a gambling problem.
5. Match Play must employ the following controls:
 - a) A promotional item in voucher form, that is issued by a licensed casino operator, must be used by any patron engaging in match play.
 - b) The promotional item must have a fixed stated play ratio and value.
 - c) The patron’s gaming chips used for match play must be equivalent to or greater than the value to the promotional item.
 - d) The patron’s total wager shall equal the combined value of the promotional item and the patron’s gaming chips.
 - e) The amount the patron receives as the result of a winning match play wager shall be determined using the combined value of the patron’s gaming chips and their accompanying promotional item.

STATUTORY AUTHORITY:

8 M.R.S. § 1001(26) and § 1003(1)(B), (2)(I), (3)(E), and (3)(J)

EFFECTIVE DATE: **June 9, 2021**