

16 **DEPARTMENT OF PUBLIC SAFETY**

633 **GAMBLING CONTROL UNIT**

Chapter 70: INTRODUCTION

The Act to establish additional duties of the Director of the Gambling Control Unit to license and regulate Internet Gaming was enacted by the Legislature and made law without the Governor’s signature on January 11, 2026. This portion of the Public Law is codified at Maine Revised Statutes, Title 8, Chapter 39, and charges the Director of the Gambling Control Unit with the responsibility of adopting rules necessary to administer and enforce the laws applicable to Internet Gaming.

STATUTORY AUTHORITY: M.R.S.A. Title 8 Chapter 39 EFFECTIVE DATE:

TBA

Chapter 71: DEFINITIONS

1. The following words and terms shall have the following meanings unless the context indicates otherwise:
 1. “ACH” means the Automated Clearing House network maintained by Nacha that is a nationwide electronic fund transfer (EFT) system that provides for the inter-bank clearing of electronic credit and debit transactions and for the exchange of payment- related information among participating financial institutions.
 2. “Adjusted gross Internet Gaming receipts” has the same meaning as set forth in 8 M.R.S. § 1402 (1).
 3. “Affiliate” means an individual or entity that promotes Internet Gaming websites in exchange for a commission or fee.
 4. “Aggregator” means any person or entity that facilitates the distribution, integration, or management of gaming content from multiple Content Providers through a unified interface or platform. Aggregators typically:
 - A. Provide a single integration point for multiple game studios;
 - B. Manage game catalogs, routing, and content delivery; and
 - C. Act as intermediaries between Content Providers and Internet Gaming Platform Operators.
 5. “AML” means anti-money laundering.
 6. “Authentication process” means a method used by a system to verify the validity of software. Such method requires the calculation of an output digest, which is compared to a secure embedded value. The output digest shall be of 128-bit complexity, at a minimum. Software shall be deemed to have been authenticated if the calculated digest equals the secure embedded value.
 7. “Automated System” means an electronic platform, approved by the Board and operated by a third party, through which the Board maintains the universal self-exclusion list and the universal involuntary exclusion list, and in which each addition to and deletion from a list becomes available to operators upon entry, without further action by the Board. An operator may access the Automated System through a secure user interface, through an

application programming interface, or through both, as approved by the Board.

8. “Bond” means a bond held in escrow for the purpose of maintaining adequate reserves to account for losses suffered by an operator and owed to patrons and which cannot be released without consent of the Director.
9. “Commissioner” has the same meaning as set forth in 8 M.R.S. § 1402(2).
10. “Content Provider” means any person or entity that develops, produces, licenses, or supplies gaming content for use on an internet gaming platform. Gaming content includes, but is not limited to:
 - A. Casino-style games (e.g., slots, table games, live dealer games);
 - B. Game software, graphics, and mathematical models; and
 - C. Associated intellectual property and game mechanics.
11. “Cybersecurity Incident” means an actual or attempted unauthorized access to, disruption of, misuse of, or compromise of an information system, network, application, or data associated with licensed gaming operations that may affect the confidentiality, integrity, or availability of such systems or data. Cybersecurity incidents include, but are not limited to, events such as unauthorized system access, credential-stuffing attacks, denial-of-service attacks, malware or ransomware infections, data breaches, account takeovers, or misuse of system privileges by employees, contractors, or vendors.
12. “Data Center Facilities” means any physical location or environment that houses computing infrastructure used to support internet gaming operations. Data Center Facilities may be owned or operated by the licensee or by a third-party provider and must support the secure, reliable, and compliant operation of gaming systems and data. This includes, but is not limited to:
 - A. Servers, storage systems, and networking equipment;
 - B. Power, cooling, and environmental control systems; and
 - C. Physical security controls and access management systems.
13. “Department” has the same meaning as set forth in 8 M.R.S. § 1402(3).
14. “Director” has the same meaning as set forth in 8 M.R.S. § 1402(4).
15. “Dormant account” means an Internet Gaming account which has had no patron-initiated activity for a period of one year.
16. “Free play” means a play made by patrons using electronic credits or electronic promotions provided by Internet Gaming operators.

17. “Geolocation system” means a process or system to detect the physical, geographical location of a patron when said patron including identifying and blocking attempts to spoof location when patron is attempting to access the wagering system and place a wager.
18. “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 his/her duties. Anyone recording or executing transactions may also not have access to assets related to those transactions. People shall be deemed to have incompatible functions if such people are members of departments that have supervisors not independent of each other.
19. “Institutional investor” means (a) a bank as defined in Section 3(a)(6) of the Federal Securities Exchange Act; (b) an insurance company as defined in Section 2(a)(17) of the Investment Company Act of 1940, as amended; (c) an investment company registered under Section 8 of the Investment Company Act of 1940, as amended; (d) an investment advisor registered under Section 203 of the Investment Advisors Act of 1940, as amended; (e) collective trust funds as defined in Section 3(c)(11) of the Investment Company Act of 1940, amended (f) an employee benefit plan or pension fund that is subject to the Employee Retirement Income Security Act of 1974, as amended, excluding an employee benefit plan or pension fund sponsored by a publicly traded corporation affiliated with a operator; (g) a state or federal government pension plan; (h) a group comprised entirely of persons specified in (a) through (g); or (i) such other persons as the Director may determine for reasons consistent with the public policies of the State of Maine.
20. “Internal controls” mean the internal procedures, administration, and accounting controls designed by the operator to conduct Internet Gaming operations.
21. “Internet Game” means a contest of chance, as defined in 17-A M.R.S. § 952(3), that is approved by the director and offered through an approved mobile application or other digital platform that involves, at least in part, the use of the Internet.
22. “Internet Gaming” has the same meaning as set forth in 8 M.R.S. § 1402 (5).
23. “Internet Gaming account” means an account established by a patron with an Internet Gaming operator for an individual patron to use for Internet Gaming.
24. “Internet Gaming Core Mechanics” are the fundamental rules, systems, and interactions that determine how a game operates and how patrons engage with it. They define the essential structure of gameplay and directly control how outcomes are generated, how wins are calculated, and how patrons

progress through a game session. In an internet casino context, core mechanics may include, but not limited to:

- A. Bet placement logic (minimum, maximum, increments);
- B. Random outcome generation (RNG-based result determination);
- C. Reel, card, or wheel behavior;
- D. Win calculation formulas and payout logic;
- E. Payline or ways-to-win structures;
- F. Bonus trigger conditions;
- G. Multiplier application rules;
- H. Game round flow (spin → result → payout → next round)

~~23. “Internet Gaming Platform Operator” means any person or entity licensed to offer, manage, or make available internet-based wagering or gaming services to players within the State of Maine. Such an operator is responsible for the overall provision of the gaming platform, including but not limited to:~~

- ~~A. Player account registration, authentication, and management;~~
- ~~B. Wallet functionality, deposits, withdrawals, and financial transaction processing;~~
- ~~C. Integration and presentation of gaming content;~~
- ~~D. Compliance with applicable laws, regulations, and responsible gaming requirements; and~~
- ~~E. Oversight of all third-party service providers connected to the platform.~~

25. “Internet Gaming system” means all equipment and software used in conjunction with the Internet Gaming operation, including, but not limited to, the following:

- A. Internet Gaming interactive components, including all hardware, software, and associated equipment that comprise the Internet Gaming system for the purpose of authorizing Internet Gaming; or
- B. Any other device, service, or system that the Director determines to be related to the Internet Gaming system.

26. “Key personnel” has the same meaning as set forth in 8 M.R.S. Chapter 39§ 1404 (2),(C).

27. “License” has the same meaning as set forth in 8 M.R.S. § 1402(6).

28. “Live Dealer Game” means a category of Internet Game in which game outcomes are determined through the actions of a Maine licensed live human dealer operating physical gaming equipment (including cards, wheels, or dice) in a Maine Supplier licensed Live Dealer Studio, with the game delivered to patrons in real time via video stream integrated with an Internet Gaming System.

29. “Live Dealer Studio” means a physical facility, located within or outside the State of Maine and

approved by the Director, from which Live Dealer Games are operated by licensed personnel and streamed to patrons via an Internet Gaming System. A Live Dealer Studio must comply with the location, security, surveillance, and licensed staffing requirements by Maine statute or rule.

30. “Management services provider” is a person or entity that has been issued a management services license by the Director pursuant to 8 M.R.S. § 1408.
31. “Multi-factor authentication” means a type of authentication that uses two of the following to verify a patron’s identity:
- A. Information known only to the patron, such as a password, pattern, or answers to challenge questions;
 - B. An item possessed by a patron such as an electronic token, physical token or an identification card;
 - C. A patron's biometric data, such as fingerprints, facial or voice recognition; or
 - D. Other methods approved by the Unit
32. “Operator” has the same meaning as set forth in 8 M.R.S. § 1402(7) and is licensed to offer, manage, or make available internet-based wagering or gaming services to patrons within the State of Maine. Such an operator is responsible for the overall provision of the gaming platform, including but not limited to:
- A. Patron account registration, authentication, and management;
 - B. Wallet functionality, deposits, withdrawals, and financial transaction processing;
 - C. Integration and presentation of gaming content;
 - D. Compliance with applicable laws, regulations, and responsible gaming requirements; and
 - E. Oversight of all third-party service providers connected to the platform.
33. “Patron” means a person who is:
- A. Twenty-one (21) years of age or older;
 - B. Physically present in the State of Maine when placing a wager;
 - C. Not prohibited from placing a wager under the Maine Statute; and
 - D. Not a prohibited Internet Gaming participant.
34. “Patron session” means a period of time when a patron is logged on to mobile Internet Gaming system.
35. “Person” or “Persons” has the same meaning as set forth in § 1402(8).
36. “Prohibited Internet Gaming participant” means any individual who is prohibited from making wagers as set forth in 8 M.R.S. § 1213, and those individuals described

below:

- A. Any individual placing a wager as an agent or proxy;
 - B. Any individuals on the “universal exclusion” list under these Internet Gaming rules;
 - C. Any employee of the Gambling Control Unit.
37. “Promotional credit” means free plays, deposit matching, and any other bonus that an operator offers or gives to a patron as an incentive to open an account or wager that shall not be accounted for against taxable revenue.
38. “Regulated Gaming Cloud Provider” means any third-party service provider that delivers cloud-based infrastructure, platforms, or software services used in connection with internet gaming operations, and that is subject to regulatory oversight or approval within the State of Maine. A Regulated Gaming Cloud Provider must meet applicable regulatory, security, and compliance requirements, including data protection, system integrity, and auditability standards, as mandated by the Maine Gambling Control Unit's regulatory authority. Such services may include:
- A. Infrastructure-as-a-Service (IaaS), Platform-as-a-Service (PaaS), or Software-as-a-Service (SaaS) offerings;
 - B. Cloud hosting of gaming systems, patron data, or transactional systems; and
 - C. Scalable computing resources supporting gaming operations.
39. “Remote Gaming System Operator” means any person or entity that develops, hosts, manages, or controls the technical infrastructure and systems that enable the remote operation of internet gaming activities. A Remote Gaming System Operator may or may not directly interact with patrons but provides essential system functionality to Internet Gaming Platform Operators which includes, but is not limited to:
- A. Game engines, random number generators (RNGs), and game logic systems;
 - B. Remote gaming servers and backend systems;
 - C. Transaction processing systems supporting gameplay outcomes; and
 - D. Interfaces used by platform operators to deliver gaming services to end users.
40. “Reserve” means a sum of cash, cash equivalents, or other approved financial instruments, maintained by an operator and segregated for the purpose of ensuring the full and timely payment of all outstanding liabilities related to Internet Gaming accounts, including patron account balances and unpaid winnings.
41. “Secure transaction file” means a file that contains data which cannot be modified without detection.
42. “SOC-2 Type II” means an audit completed by an independent accounting and auditing firm to review and examine an organization’s control objectives and activities and tested

those controls to ensure that they are operating effectively. SOC 2 Type II is based on internal controls, policies and procedures, communications and monitoring to achieve security, availability, integrity, confidentiality and privacy.

43. “Supplier(s)” means a type of person or entity who holds a supplier license as defined in 8 M.R.S. § 1402(6)(B) and issued consistent with 8 M.R.S. § 1407 and that fits any of the three criteria below:
- A. Provides goods and/or services, directly or indirectly, to an operator in connection with Internet Gaming, but does not accept wagers, including but not limited to the following types of providers of goods and/or services:
 - 1. Remote Gaming System Operator,
 - 2. Aggregators,
 - 3. Live Studio’s,
 - 4. Content provider,
 - 5. Geolocation providers,
 - 6. Identity and/or age verification service providers,
 - 7. Risk management providers,
 - 8. Marketing affiliates, and
 - 9. Payment processors.
 - B. Directly interfaces or interacts with Internet Gaming accounts or Internet Gaming systems and receives payment or compensation based on a revenue sharing agreement in which the supplier receives a percentage of the adjusted gross Internet Gaming receipts of any operator; or
 - C. Provides any services similar to those described above that are material to conduct Internet Gaming.
44. “Suspicious wagering activity” means unusual or abnormal wagering activity which cannot be explained, made or attempted to be made by an agent or proxy (i.e., messenger wagering) or cheating, theft, embezzlement, collusion, money laundering or other prohibited activity.
45. “Unit” means the Gambling Control Unit within the Department of Public Safety.

SUMMARY: All Internet Gaming facility operators, and all persons participating in offering Internet Gaming to bettors through an ~~mobile-operation~~ Internet Gaming Operator, or as a management services provider, supplier or as an employee must apply for and be granted the appropriate license as specified by 8 M.R.S.A. § 1406-1409.

1. Operators, Management Services Providers, Suppliers and Key Personnel

1. A person or entity may not engage in any Internet Gaming activities in this State that require a license or any activities ancillary to activities for which a person or entity must hold a license under this chapter unless that person or entity has obtained all necessary licenses in accordance with Title 8, chapter 39 and these Internet Gaming rules.
2. An application for any type of license under these rules shall be submitted on forms issued by the Director and available on the Gambling Control Unit's website, in accordance with the requirements of Maine statute. The version of the application form on the Gambling Control Unit's website is the current form. Any application submitted on any other version of the form will be deemed incomplete. The most current forms shall be used or returned as incomplete.
3. An eligible person or entity may submit an application provided by the Director for Internet Gaming activities. In addition to the information required by 8 M.R.S. §§ 1406- 1409, all applicants must provide the following information:
 - A. The physical address of the applicant's principal place of business and the designated contact person for the applicant includes an address, telephone number and email address for that contact;
 - B. Disclosure of ownership interests. A disclosure of the true ownership interests of the applicant as follows:
 - (1) The names, addresses, phone numbers, email addresses and dates of birth of the applicant's board of directors, corporate executives, directors, officers, key personnel and managers having the power to exercise influence over decisions concerning any part of the applicant's or operator's Internet Gaming or related business operations;
 - (2) The percentages of shares of stock, if any, held by each person named in subparagraph (1) above;

- (3) For limited liability companies (hereinafter, "LLC"), including professional LLCs, provide the full name, address, date of birth and telephone number of each member of the LLC having an ownership interest of ten percent (10%) or more of the LLC. If the member is not a natural person, disclose the true ownership of the member (and successive levels of ownership, if necessary) until a natural person or another corporate entity is disclosed. If another corporate entity is disclosed, provide a complete disclosure of that corporate entity's ownership in accordance with the specific rules for that entity contained herein (and successive levels of ownership, if necessary);
 - (4) For general, limited, or limited liability partnerships, provide the full name, address, date of birth and telephone number of each partner having an ownership interest of ten percent (10%) or more of the partnership. If the partner is not a natural person, disclose the true ownership of the partner (and successive levels of ownership if necessary) until a natural person, or another corporate entity, is disclosed. If another corporate entity is disclosed, provide a complete disclosure of that corporate entity's ownership in accordance with the specific rules for that entity contained herein (and successive levels of ownership, if necessary);
 - (5) For a corporation, provide the full name, address, date of birth and telephone number of any natural person or entity having an ownership interest of ten percent (10%) or more of the outstanding shares of the corporation. If a corporate entity is disclosed, provide a complete disclosure of that corporate entity's ownership in accordance with the specific rules for that entity contained herein (and successive levels of ownership, if necessary);
 - (6) Any institutional investor having a (10%) or more ownership interest in the applicant shall provide the Director a sworn-to affidavit executed by an institutional officer who can bind the entity that the institutional investor has no influence over the day-to-day Internet Gaming operations of the applicant; and
 - (7) The names, addresses, employer identification numbers, social security numbers, and dates of birth, as applicable, of each individual, group of individuals, trust or business entity associated with an applicant, including, but not limited to, a holding company, parent company, or subsidiary company of the applicant that has the ability to control the activities of the applicant or elect a majority of the board of directors or select the manager or general partner of the applicant.
- C. A notarized affirmation and consent and authorization to release information about the applicant necessary to complete a background check;

- D. 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 of the close of the most recent fiscal quarter by a Certified Public Accountant in accordance with generally accepted accounting principles and applicable state and federal law. If an applicant has audited financial statements prepared at the parent company level, the applicant shall include with its audited consolidated financial statements a supplement I schedule (either audited or unaudited) of the operator applicant's Internet Gaming operations and an attestation from the operator applicant's Certified Public Accountant that the applicant has implemented procedures to accurately report its adjusted Internet Gaming receipts from Internet Gaming operations in Maine;
- E. A copy of the Certificate of Authority to do business in the State of Maine, if the applicant is incorporated outside of Maine;
- F. Copies of any trade name registrations filed by or under which the applicant conducts any business activities;
- G. Copies of applicant's State, Federal and Foreign returns for a period of three (3) fiscal years;
- H. Copies of declaration pages of all insurance policies insuring the applicant and/or premises in Maine;
- I. If the applicant is a corporation, annual reports and SEC filings, if any, for the past three (3) years;
- J. A list of all jurisdictions where the applicant has:
 - (1) Applied for an Internet Gaming or any other gaming license;
 - (2) Been issued an Internet Gaming or any other gaming license;
 - (3) Been the subject of a law enforcement or government subpoena, cease and desist letter, attorney general or government legal opinion, or other correspondence regarding any non-routine law enforcement or government investigation concerning conduct related to gambling operations (including casino gaming, horse racing, dog racing, pari-mutuel pools, gaming, internet gaming, fantasy contests, esports, igaming, etc.);
 - (4) Had any Internet Gaming or gaming license denied, suspended, or revoked; and
 - (5) The current status of any such adverse actions and copies of such documents relating to (3) or (4).
- K. A copy of the final order of all civil judgments rendered against the applicant, any person identified in (B) above, or others individually described by subparagraphs J (2), (3), or (4) above, including those judgments pertaining to antitrust or security regulation laws of the federal government, of the State of Maine or of any other state, jurisdiction, province, or country;
- L. A full copy of the applicant's most recent SOC-2 Type II audit authenticated by the entity that performed the assessment; and verification that a SOC 2 Type II audit shall be completed on an annual basis, and results shall be submitted to the Director within 10 days of completion. An assessment must

- be completed as part of the initial application;
- M. The applicant's minimum internal controls as required under chapter 73 herein for approval by the Director;
 - N. An organizational chart listing all Internet Gaming employees' positions and their job descriptions. Members of the board of directors are not required to be included on the organizational chart;
 - O. A completed Gambling Control Unit form MGCU-3000 with notarized affirmation and consent and authorization to release information to complete a criminal background check on: any officer or director of the applicant; and any partner or shareholder who has the ability to control the activities of the applicant in the Internet Gaming operator, management services provider or supplier;
 - P. Management services providers provide information, resumes, documentation, references, written testimony and other assurances required to establish that the applicant has sufficient business ability and Internet Gaming experience to create and maintain a successful and efficient Internet Gaming operation in Maine; and
 - Q. Any other information the Director deems reasonably necessary for their determination of the suitability, honesty and integrity of the applicant.
5. The application, and all other documents submitted to the Director 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 the attorney's knowledge, information and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.
6. A management services provider may enter into a final contract with an operator only upon meeting the following requirements:
- A. Be licensed by the Director as a management services provider;
 - B. Its proposed contract with the operator has been approved by the Director prior to the conduct of Internet Gaming;
 - C. If the management services provider contracts with more than one operator, its contracts with those operators must include a method approved by the Director for separately accounting for each Internet Gaming operator's gross receipts from Internet Gaming and adjusted gross Internet Gaming receipts; and
 - D. Its contract with an operator does not authorize the person providing management services to receive more than 20% of the operator's adjusted gross Internet Gaming receipts if the management service provider is currently being offered through sports wagering activity; except that the Director may approve a contract under the criteria of Chapter 83 of these

rules authorizing the management services provider to receive up to 40% of the operator's adjusted gross Internet Gaming receipts.

7. The applicant shall cooperate fully with the Director, the Department, the Gambling Control Unit and any 3rd party contractor under contract with the Department to perform any investigation with respect to the background investigation of the applicant. Failure to cooperate or provide information necessary for licensure may result in denial of the applicant's license application.
8. ~~Mobile~~ Operators shall provide the Director with certificates of insurance prior to approval of the license and with each renewal application. The company issuing the insurance shall be financially rated A or better by a nationally recognized rating entity and duly licensed, admitted, and authorized to transact business in the State of Maine. Subject to (1 and 2) below, ~~Mobile~~ Operators shall maintain the following types and amounts of insurance while they are an approved operator to conduct Internet Gaming activities in Maine.
 - A. Internet Gaming operators who anticipate, during the upcoming year of licensure, having less than 100,000 patron accounts and \$15,000,000 in revenue shall maintain the following types and amounts of insurance:
 - 1) Cyber liability insurance in the amount of five million dollars (\$5,000,000); and
 - 2) Errors and Omissions insurance in the amount of five million dollars (\$5,000,000).
 - B. Internet Gaming operators who anticipate, during the upcoming year of licensure, having more than 100,000 patron accounts and \$15,000,000 in revenue, shall maintain the following types of insurance:
 - 1) Cyber liability insurance in the amount of ten million dollars (\$10,000,000); and
 - 2) Errors and Omissions insurance in the amount of ten million dollars (\$10,000,000).
9. Internet Gaming operators that are unable to obtain the coverage amounts specified in subsection 1 (8)(A) or (B) of this Chapter must maintain coverage in the maximum amounts allowable by the issuing insurance company. Such operators must provide a notarized statement or letter from their insurance agent or broker stating that the operator was unable to obtain required insurance coverage after a diligent effort and the reason for the deficiency. Such operator shall provide the Director with a detailed plan of how it intends to compensate for the deficiency in insurance coverage, which must be approved by the Director prior to licensure.

10. In addition to the requirements of 8 M.R.S. § 1404(4), to the extent the applicant becomes aware that information of a material nature supplied in the application or otherwise supplied to the Director in support of its application by the applicant or on the applicant's behalf, becomes outdated, inaccurate or incomplete, the applicant shall so notify the Director in writing within 30 calendar days and shall at that time supply the information necessary to supplement or correct the inaccuracy or incompleteness of the information.

2. Fees

1. The initial and renewal non-refundable fee for background investigation shall be \$5,000.00 for an Internet Gaming operator. The initial non-refundable fee for background investigation shall be \$10,000.00 for a management services provider or supplier license. The renewal fee for management service providers and suppliers shall be \$5,000.00. The hourly rate shall be no more than \$250.00. If the cost surpasses the initial deposit amount, the applicant shall be invoiced for the actual remaining balance due which shall be paid before issuance of a license.
2. All applicants for licenses shall pay all costs of investigations into their backgrounds, suitability, and qualifications for licensure which may include, but are not limited to:
 - A. Transportation;
 - B. Lodging;
 - C. Meals;
 - D. Other expenses associated with traveling;
 - E. Significant office expense;
 - F. Document reproduction costs;
 - G. Preparation time;
 - H. Third-party independent contractors to the Department;
 - I. Time necessary for administration of the investigation (including additional staffing on a temporary basis); and
 - J. Other similar expenses incurred until the conclusion of the investigation.
3. Applications shall include the initial license fee of \$50,000.00 for a Internet Gaming license, \$10,000.00 for a management services license, \$10,000.00 for a supplier license and \$250.00 for an occupational license.
4. The fee for a criminal history record check shall be established by the State Bureau of Identification (SBI) for appropriate applications only.
5. Annual renewal must be submitted 60 days before the expiration date including the same fee as the initial fee stated in 3. Above, except the occupational license.

3. Temporary License

1. Upon receipt of a completed application, internal controls, all fees and the request for a temporary license shall be reviewed and may be approved by the Director. A temporary license shall be good for one (1) year from the date of issuance or until a final determination on the application is made, whichever is sooner.
2. An applicant may be eligible to receive a temporary license to conduct Internet Gaming activities prior to receiving a permanent license if the applicant has:
 - A. Submitted a complete application;
 - B. Included a SOC II Type 2 audit on the system that will be used to operate all software, hardware and systems which was completed within the 2 years prior to application;
 - C. No adverse actions taken against a gambling or gambling-related license the applicant holds in any other jurisdiction that could call into question suitability in order to be licensed;
 - D. No litigation, past or present involving business practices that could call into question suitability in order to be licensed;
 - E. Any similar gambling or Internet Gaming license in another U.S. state, such license is in good standing as demonstrated by proof from the licensing state; and
 - F. Paid the initial fees associated with the license and background investigation.
3. All Internet Gaming conducted under authority of a temporary license shall comply with all Maine Internet Gaming laws and rules. A temporary operator, management services provider or supplier shall be subject to all the same disciplinary sanctions as a permanent operator, management services provider or supplier.

4. Key Personnel and Occupational License

1. In addition to the requirements of 8 M.R.S. § 1409, any person whose job description includes those persons considered to have control of an applicant or a licensee under 8 M.R.S. Chapter 39, § 1404(2)(C).
2. All Live Dealers and any other employees of a Live Studio shall be required to obtain an occupational license.
3. The initial and renewal non-refundable fee for background investigation of key personnel, who were identified as having control of the applicant or licensee under § 1404 (2), shall be required to submit a personal history disclosure application and background fee of \$2,500.00.

4. The initial and renewal for a key personnel license shall be \$1,200.00.
5. Initial occupational licensees application fee is \$250.00 plus \$52.00 background investigative fee.
6. Renewal Occupational licensees, after a one-year initial license may renew for one year for a fee of \$25.00 or for three years for a fee of \$50.00.

Chapter 73: INTERNAL CONTROLS

1. Operators and management services licensees shall develop, implement and follow internal control procedures to ensure compliance with Title 8 M.R.S. Chapter 39.
2. Operators shall submit to the Director for approval a written description of internal controls procedures that demonstrate compliance with the rules adopted under this chapter and incorporate administrative and accounting controls with its application and shall obtain the Director's approval before commencing Internet Gaming.
3. Each operator's internal controls shall include a detailed diagram or description of the operator's organizational structure. The proposed organizational structure shall provide for:
 - A. A system of personnel and chain of command which holds management and supervisory personnel accountable for actions or omissions that violate Maine Internet Gaming laws or rules within their areas of responsibility;
 - B. 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 his or her duties;
 - C. Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times;
 - D. Areas of responsibility which are sufficiently limited in scope that the responsibilities can practically be performed or monitored by one person.
4. The internal controls shall address the following items regarding the Internet Gaming operations, at a minimum:
 - A. System specifications and Internet Gaming system patron logging requirements;
 - B. User access controls for all wagering systems for all Internet Gaming licensed employees;
 - C. Segregation of duties;
 - D. Automated and manual integrity management general authorization procedures;
 - E. Risk management procedures, including procedures to govern emergencies such as suspected or actual cyber-attacks on, hacking of, or tampering with the Internet Gaming system. The procedures shall include the process for the reconciliation or repayment of Internet Gaming accounts;

- F. Procedures for identifying and reporting fraud, suspicious wagering activity and suspicious conduct which have as their primary objective rapid identification, effective analysis, and prompt reporting of any suspicious conduct;
- G.
- H. Procedures that prevent wagering by patrons prohibited from wagering;
- I. Procedures that ensure a refund of any prohibited wager placed and reporting of the transaction to the Unit within seven (7) business days of the placement of the prohibited wager;
- J. Detailed description of all types of wagers that will be offered by the applicant or the wagering system;
- K. Description of federal and state anti-money laundering “AML” compliance standards, to include:
- (1) Process for accepting wagers and issuing pay outs in excess of \$10,000, and the measures in this system that prevent the system from being used in money-laundering;
 - (2) A process for creating and maintaining a log of wagers of \$5,000 or more;
 - (3) Methods within the system that identify and prevent the use of structured multiple-wagers within a 24-hour period that patrons might use to circumvent reporting and recording requirements;
 - (4) Processes for monitoring patron activity and financial transactions in accordance with applicable federal AML requirements, including the detection and reporting of suspicious activity;
 - (5) Maintenance of records and transaction monitoring consistently with federal reporting thresholds and regulatory requirements;
 - (6) Systems and controls reasonably designed to detect structuring or other activity intended to evade applicable reporting requirements; and
 - (7) Reporting to the appropriate authorities.
- L. Game Interruption Recovery
- (1) A licensee shall take all reasonable steps to ensure that the licensee’s approved Internet gaming system enables a patron whose participation in a game, after making a wager, is interrupted by a failure of the telecommunications system or a failure of the patron’s computer system which prevents the patron from continuing the game, to resume participation in the game which was interrupted on the restoration of the system.
 - (2) Where the patron is unable to continue, after restoration of the system, with a game interrupted by a failure of the telecommunications system or the patron’s computer system, the licensee shall update the patron’s account and game history according to the terms and conditions agreed to by the patron when registering for an account.
 - (3) If a game is started but miscarries because of a failure of the Internet gaming operator’s Internet gaming system, the operator shall:

- (a) Process any pending wagers in accordance with the terms and conditions;
- (b) Inform the Gambling Control Unit immediately of the circumstances of the incident;
and
- (c) Disable the game if the game is likely to be affected by the same failure.

Chapter 74: HOUSE RULES

1. Operators shall adopt comprehensive house rules governing internet gaming to be approved by the Director prior to implementation and must include, at minimum, the following:
 - A. Method of contacting the operator for questions and complaints;
 - B. Description of prohibited internet gaming participants;
 - C. Availability of the applying to be on universal exclusion list and restriction programs;
 - D. Method of funding an internet gaming account;
 - Description of all types of games that may be played;
 - E. Disclosure that maximum payout information is clearly available within game rules or paytables ensuring patrons can readily access applicable payout limits for each game.
 - F. A provision prohibiting the structuring of wagers to avoid federal currency transactional reporting thresholds;
 - and
 - G. Prohibition against utilizing automated computerized software or other equivalent mechanism, such as a “bot,” to engage in play.
2. The house rules, together with any other information the Director deems appropriate, shall be conspicuously displayed on the operator’s website, mobile applications or other digital platforms, included in the terms and conditions, and copies shall be made readily available to patrons.
3. Amendments to previously approved house rules must be filed with the Director for approval prior to implementation, highlighting the amendment(s) with strike through for deletions and underlining additions.
4. The Director and his/her 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, 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 final approval.
5. If the operator accepts the Director’s recommended changes, the operator shall make the changes as suggested by the Director and submit a revised version of the house rules. If the operator does not accept the suggested changes, the request shall be denied.
6. The Director shall send to the operator an accepted version of the amended house rules with date and signature signifying approval.
7. The Director will make every effort to make a determination on amended house rules no later

than 30 days following receipt of the amended house rules unless the Director and the operator agree to extend the period for making such a determination. No operator shall alter its house rules unless and until such changes are approved in writing by the Director.

8. The Director may at any time request additional explanation or modification of any current house rules.

Chapter 75: CYBERSECURITY INCIDENT REPORTING REQUIREMENTS

This rule establishes procedures for reporting cybersecurity incidents in the internet gaming sector. Cybersecurity incident reporting requirements are intended to enable early detection of threats, support coordinated responses, protect ~~players patron~~' sensitive data, ensure compliance with applicable regulations, promote transparency and accountability, and strengthen security practices across gaming ~~platforms systems~~ and service providers.

1. The Maine Gambling Control Unit (MGCU) requires all licensed Internet gaming ~~platform-system~~ operators, remote gaming system operators, content providers, aggregators, data center facilities, and regulated gaming cloud providers operating within Maine to notify and report cybersecurity incidents in accordance with this policy.
 - A. Cybersecurity incidents include, but are not limited to, verified or suspected cases of credential-stuffing attacks, ransomware, system breaches, data leaks, account takeovers, and serious abuse or misuse of system privileges by employees, contractors, or vendors.
 - B. Additionally, denial-of-service (DoS) or distributed denial-of-service (DDoS) attacks that disrupt, or have the potential to disrupt, Maine gaming systems, infrastructure, operations, employee access, or patron experiences fall within the scope of this reporting policy.
 - C. Minor denial-of-service attacks that pose no operational threat and are fully mitigated through automated or existing controls without operational impact do not require reporting. However, when uncertainty exists regarding the significance of an event, the incident should be reported to the Maine Gambling Control Unit.
2. Initial Notification Requirements
 - A. An initial notification must be submitted to the Maine Gambling Control Unit as soon as practicable after a cybersecurity incident is identified. The notification should include as much detail available at the time of submission.
 - B. The Maine Gambling Control Unit may request additional information following the initial notification, and all requested information and updates must be provided promptly.
3. Comprehensive Reporting Requirements

~~A. A comprehensive incident report must be submitted to the Director or designee of the Maine Gambling Control Unit within three (3) business days after the conclusion of the cybersecurity incident.~~

A. A comprehensive incident report must be submitted to the Director or designee of the Maine Gambling Control Unit within three (3) business days after the conclusion of the operator's investigation of the cybersecurity incident.

B. An operator shall not be required to provide information that has not yet been determined or is not reasonably available due to an ongoing investigation. If material information becomes available after submission of the comprehensive incident report, the operator shall provide a supplemental report to the Director or designee within a reasonable period of time.

C. The report must include, at a minimum, the following information:

1. Type or nature of the cybersecurity event (e.g., denial-of-service, credential stuffing, ransomware);
2. Incident start date and time (in Eastern Standard Time);
3. Incident end date and time (in Eastern Standard Time);
4. Specific targets of the cyber event (URLs, FQDNs, IP addresses, APIs, systems, etc.);
5. Internet protocols associated with the cyber event;
6. Effectiveness of existing security controls, including Multi-Factor Authentication (MFA);
7. Mitigation actions taken, including implementation timelines and effectiveness;
8. Relevant activity totals, such as the number of affected accounts, originating IP addresses, attempts, or requests;
9. List of all valid usernames involved in the event (patron or employee accounts, if applicable);
10. List of all successfully accessed or compromised account;
11. List of originating IP addresses associated with the activity; and
12. Copies of any communications issued to patrons, employees, contractors, or vendors regarding the incident.

4. Submission Requirements

A. Initial notifications and comprehensive reports must be submitted directly to the Director or designee of the Maine Gambling Control Unit using the reporting process or form approved by the Director.

Chapter 76: INTERNET GAMING SYSTEM REQUIREMENTS

1. Prior to operating Internet Gaming in the State, applicants must submit all equipment and software used in conjunction with the licensee's Internet Gaming operation to a director-approved independent testing laboratory for certification. Internet games offered by an Internet Gaming operator in Maine must be certified by a director-approved independent testing laboratory prior to being offered to patrons in the State. The laboratory must certify that the Internet Gaming system used in conjunction with the Internet Gaming operation meets or exceeds the standards approved by the Director, and the standards established by this rule. Internet Gaming operations are prohibited from offering Internet Gaming in Maine without such certification.
- ~~2. This rule incorporates by reference the State of Maine Internet Gaming or Associated Equipment Standards, 2026 edition consisting of GLI-19 version 3.0, Standards for Interactive Gaming Systems, its appendices, GLI-GSF-1, version 1.1, GSF-2 version 1.0 and GSF-5 version 1.0 information and technical security. Copies of this standard are available through the Maine Department of Public Safety, Gambling Control Unit, 45 Commerce Drive, Augusta, ME 04330.~~
2. Internet Gaming operators shall, within 90 Days after commencing internet gaming operations in Maine, and annually thereafter, have a gaming integrity and security audit of the Internet Gaming System conducted by a third-party contractor, selected by the operator and subject to approval by the Director.
3. The scope of the gaming integrity and security audit is subject to approval of the Director and shall include:
 - A. The applicable gaming technical security tests adopted in the GLI-GSF-2, including, at a minimum:
 1. A vulnerability assessment of digital platforms, Internet websites, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities or potential vulnerabilities of devices, servers, and applications transferring, storing, or processing sensitive information connected to or present on the networks;
 2. A penetration test of digital platforms, Internet websites, mobile applications, and internal, external, and wireless networks to confirm if identified vulnerabilities of devices, servers, and applications are susceptible to compromise;

3. A review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets performed on the perimeter firewalls and the internal firewalls; and
 4. A gaming information security controls audit against these rules, including the applicable controls adopted in the GLI-GSF-1 and GLI-GSF-5, with generally accepted professional standards and as approved by the Director.
4. A copy of that assessment shall be forwarded to the Director within 30 days of completion, and must include at a minimum the following:
 - A. The scope of review;
 - B. Name and company affiliation of the individual(s) who conducted the assessment;
 - C. Date(s) of audit and assessments;
 - D. Findings with regard to compliance with the Internet Gaming system requirements set forth in statute, rules and internal controls;
 - E. Recommended corrective action, if any; and
 - F. The operator's response to the findings and recommended corrective action.
 5. The Director will make available, upon request, those laboratories approved to certify Internet Gaming systems for use. An Internet Gaming operator may seek recognition of an alternative testing laboratory for use in completing the certification by submitting a written request to the Director. The Director will review the qualifications and experience of the testing laboratory and determine whether to recognize that entity as an approved provider.
 6. All wagers shall be initiated, received, and otherwise made within this State unless otherwise determined by the Director in accordance with applicable federal and state laws. Consistent with the intent of the United States Congress as articulated in the Unlawful Internet Gambling Enforcement Act of 2006 (31 U.S.C. § 5361 et seq.), the intermediate routing of electronic data relating to a lawful intrastate wager authorized under this provision shall not determine the location or locations in which such wager is initiated, received, or otherwise made.
 7. An Internet Gaming operator shall document and maintain any system malfunction or deviation from the equipment and software and maintain that data for a minimum period of five (5) years.
 8. An Internet Gaming operator must use a primary server in the State of Maine. The primary server shall be the server responsible for the acceptance and storage of patron wagers. The selected location must have adequate security, access controls and twenty-four (24) hour surveillance. Access to the primary server location by the Director, and all information necessary for the Department to conduct any investigation shall be provided to the Department immediately upon request.

9. An Internet Gaming system shall maintain all transactional wagering data for a period of five (5) years.
10. The Director may approve the use of cloud storage for duplicate data, or data not related to transactional wagering data upon written request by an Internet Gaming operator.
11. An Internet Gaming system shall be capable of recording and maintaining the following information for each wager made, and be capable of transmitting it to the Director upon request:
 - A. Wager selection;
 - B. Type of wager;
 - C. Amount of wager;
 - D. Date and time of wager;
 - E. Unique wager identifier;
 - F. Patron identification number (if applicable);
 - G. Results of wagering;
 - H. Amount won; and
 - I. Date and time winning wager was paid to patron.
12. An Internet Gaming system shall employ a mechanism capable of maintaining a copy of all the information required to be logged in this section on a separate and independent logging device capable of being administered by an employee with no incompatible function. If the Internet Gaming system can be configured that any logged data is contained in a secure transaction file, a separate logging device is not required.
13. An Internet Gaming system shall, at least once every 24 hours, perform a self-authentication process on all software used to offer, record and process wagers to ensure there have been no unauthorized modifications. In the event of an authentication failure, at a minimum, shall immediately notify the operator and Director within 24 hours by email. The results of all self-authentication attempts shall be recorded by the system and maintained for a period of not less than 90 days.
- ~~14. An Internet Gaming system shall have controls in order to review the accuracy and timeliness of any data feeds used to offer or settle wagers. In the event that an incident or error occurs resulting in a loss of communication with data feeds used to offer or redeem wagers, such error shall be recorded in a log capturing the date and time of the error, the nature of the error and a description of its impact on the system's performance. Such information shall be maintained for a period of not~~

~~less than two (2) years.~~

14. The operator or management service operating an Internet Gaming system shall provide access to wagering transactions and related data as deemed necessary by the Director in the manner required by the Director in real time.
15. An Internet Gaming system shall be capable of maintaining the following:
 - A. Wager selection;
 - B. Type of wager;
 - C. Amount of wager;
 - D. Amount of potential payout;
 - E. Date and time of wager;
 - F. Patron name, ~~if known~~;
 - G. Date, time, amount, and description of the settlement; and
 - H. Location where wager was made.
- ~~16. If an operator finds suspicious wagering activity, they shall immediately notify an independent integrity monitor, who will disseminate the information to all other operators, the Director, and all other regulatory agencies or governing authorities as approved by the Director.~~
16. An Internet Gaming system shall provide the Director with remote access of real-time live attempts of transactions and any reports of suspicious wagering activity in Maine.
17. Notwithstanding the other provisions of this section, all information and data received related to suspicious wagering activity shall be considered confidential and shall not be revealed in whole or in part, except upon the lawful order of a court of competent jurisdiction or with any law enforcement entity, or regulatory agency, governing body, independent third-party integrity monitor or auditor or other entity that the Director deems appropriate.
18. A SOC 2 Type II audit that includes all five trust principles shall be completed by licensed operators by June 1 of each year, for the previous calendar year, on any and all Internet Gaming systems for use in Maine or to support Maine Internet Gaming activity operated and/or maintained by operators, management services providers or suppliers. A copy of that audit shall be forwarded to the Director by June 30 of each year which must include at a minimum the following:
 - A. The scope of review;

- B. Name and company affiliation of the individual(s) who conducted the audit;
 - C. Date(s) of audit;
 - D. Findings with regard to compliance with the Internet Gaming system requirements set forth in statute, rules and internal controls;
 - E. Recommended corrective action, if any; and
 - F. The operator's response to the findings and recommended corrective action.
19. An Internet Gaming system shall utilize sufficient security to ensure patron access is appropriately limited to the account holder. Unless otherwise authorized by the Director, security measures shall include at a minimum:
- A. A username; and
 - B. Compliance with NIST Special Publication 800-63-3 "Digital Identity Guidelines" for password and access security including requiring two of the three multi-factor identification methods.
20. An Internet Gaming system shall be designed to detect and report:
- A. Suspicious behavior, such as cheating, theft, embezzlement, collusion, money laundering, Bot usage, forgery, hacking, identity theft, multiple accounts, proxy wagering, structuring, unauthorized account access, underage gambling, or other illegal activities; and
 - B. The creation of an account by an excluded person or any individual who is prohibited from any form of Internet Gaming.
21. All Live Dealer Internet Games must be certified by a ~~director~~-approved independent testing laboratory prior to being offered to patrons in the State of Maine, in accordance with this chapter, including the applicable provisions of GLI-19 version 3.0 or newer and any Live Dealer-specific appendices or supplemental standards designated by the Director.
22. To facilitate timely market entry, the Director may implement one or more of the following approval mechanisms for Live Dealer Internet Games:
- A. Acceptance of a completed laboratory certification as immediate authorization to offer the game, subject to any conditions imposed by the Director;
 - B. Monthly batch approval of games based on submitted laboratory certifications;
 - C. A requirement that new types of Live Dealer table games not fitting within an existing approved game category be submitted to the Director for approval using Form MGCU-3400, in accordance with the procedures set forth in Chapter 77, no fewer than thirty (30) business days prior to being offered to patrons, provided such games are otherwise consistent with applicable law; and
 - D. Posting of an approved list of Live Dealer Internet Games available for play in the State of Maine on the Gambling Control website.

23. All Live Dealer Internet Gaming systems must meet or exceed the technical standards specific to Live Dealer operations, including applicable provisions of GLI-19 version 3.0 and future versions relating to Live Dealer game integrity, shuffle procedures, and card or equipment handling.
24. Live Dealer Internet Gaming systems must include comprehensive logging and data retention capabilities sufficient to reconstruct all game events and patron interactions, including at a minimum:
- A. All wagers placed, including type, amount, date, and time;
 - B. All game outcomes and the method of outcome determination;
 - C. Patron account identifiers associated with each wager;
 - D. Dealer identification for each game session;
 - E. Video recordings of all dealing activity, synchronized with electronic game logs, retained for a minimum period of ninety (90) days; and
 - F. Any system errors, interruptions, or deviations from normal game operation, retained for a minimum period of five (5) years.
25. In the event of a game interruption arising from a failure of the Internet Gaming system or telecommunications system during a Live Dealer game session, the Internet Gaming Platform Operator shall handle the interruption in accordance with the game interruption recovery procedures and the approved terms and conditions of the applicable Live Dealer game.
26. When a game round cannot be completed or reconstructed, affected patron wagers shall be refunded.
27. Live Dealer Internet Gaming systems must implement controls to detect and, to the extent possible, prevent suspicious wagering activity and game integrity violations, including collusion between patrons and Live Dealer studio personnel, with suspected integrity-related incidents reported to the Director and all relevant independent integrity monitors in accordance with Chapter 76.
28. Server Location for Live Dealer Systems. (1) Server and data storage requirements for Live Dealer Internet Gaming systems shall be consistent with the requirements of Chapter 76, with the following additional provisions:
- A. The primary server responsible for acceptance and storage of Live Dealer patron wagers must be located within the State of Maine,
 - B. Remote Gaming System Operator infrastructure supporting Live Dealer game engines, random number generators, and backend systems used to deliver Live Dealer content to Maine patrons are **not** required to be located within the State of Maine;
29. Compliance data, including transaction logs, audit records, and patron wagering data, must be stored with a primary location within the United States, with backup data storage permitted anywhere subject to applicable data privacy and security requirements, and with

the Director authorized to approve the use of cloud storage for duplicate or non-transactional data upon written request.

INTERNET GAMING WAGERS

1. An operator or management services provider shall not offer or accept any wager on an internet game unless the game has been certified by a director-approved independent testing laboratory and it has been approved in writing by the Director before being offered to the public.
2. An approved list of internet games shall be maintained on the Unit's website.
3. The Director reserves the right to prohibit the acceptance of any game offerings for which wagering would be contrary to the public interest and policies of the State and may order the cancellation and refund of such game play.
4. Any new internet gaming core mechanic must be approved by the Director through submission of the for MGCU-3400. Internet games and game variations that have been certified by an independent testing laboratory in accordance with the standards approved by the Director may be offered upon regulatory notification, provided such games fall within previously approved game categories and do not introduce a novel wagering format or untested core mechanic. Routine release administration that does not materially alter the approved game or core mechanic, including routine release notes, maintenance releases, patches, security updates, configuration updates, rollback records, production deployment records, and other non-material operational changes, shall not require separate approval by the Director under this section. Such changes shall be maintained in accordance with the operator's approved internal controls and change management procedures and shall be subject to independent testing laboratory review or classification where applicable. Records relating to such changes shall be made available to the Director upon request.
Game modifications that materially alter an approved game but do not introduce a novel wagering format or untested core mechanic shall be addressed through a scheduled game modification update process established by MGCU. Such modifications shall be submitted and reviewed according to the established update schedule and applicable regulatory procedures and shall not require a separate submission or approval solely upon request of the Director outside of the scheduled update process, unless otherwise expressly required by this chapter or applicable law.
5. A petition for approval of a proposed new internet gaming core mechanic must be submitted a minimum of thirty (30) business days prior to being offered.

6. Form MGCU-3400 shall be submitted for Director approval and shall include the following information:
 - A. The name of the petitioner;
 - B. Whether the new game offering is a variation of an authorized game, a composite of an authorized game, or any other game ~~compellable~~ compatible with the public interest, by statute and/or rule;
 - C. A complete and detailed description of the new internet gaming core mechanic for which approval is sought;
 - D. Evidence of independent testing laboratories certification; and
 - E. Any other pertinent information or material requested by the Director.
7. Amendments to previously approved internet ~~gaming core mechanics~~ games must be filed with the Director for approval prior to implementation, highlighting the amendment(s) with strike through for deletions and underlining additions.
8. The Director and his/her 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;
 - B. Reject the submission as not in the best interest of the State of Maine; or
 - C. Communicate in writing to the operator about further changes that will have to be made to the submission before final approval. 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. If the operator does not accept the suggested changes, the request shall be denied.
9. The Director shall send to the operator an accepted version of the submitted request for change with date and signature signifying approval.
10. The Director will make every effort to make a determination concerning a submission for change no later than ten (10) business days following receipt of the proposed change unless the Director and the operator agree to extend the period for making such a determination.
11. An operator or management services provider shall only accept wagers on internet games for which:
 - A. The outcome can be verified;
 - B. The outcome can be generated by a reliable and independent process;
 - C. The outcome cannot be affected by any wager placed; and
 - D. The game is conducted in conformity with all applicable laws.
12. Unauthorized Internet Gaming participants include any individual whose participation may undermine the integrity of the game, or any person who is prohibited, including, but not

limited to:

- A. Any individual placing a wager as an agent or proxy;
 - B. A person under the age of 21; or
 - C. A person with access to certain types of exclusive internet gaming information on any platform that may affect the integrity of the game;
11. A list provided to the Director by the internet gaming operator shall be in a format and contain data fields designated by the Director or the Director's designee. This list shall be deemed confidential and only be used for compliance with this rule.
12. An Internet Gaming operator shall use a commercially reasonable method to confirm that the patron is not a prohibited Internet Gaming participant.
13. No Internet Gaming Platform Operator or Content Provider may offer Live Dealer Internet Gaming to patrons in the State of Maine without first obtaining a supplier liicense and approvals pursuant to Title 8, Chapter 39 and these rules.
14. Live Dealer Internet Gaming shall be regulated using a hybrid approach that applies technical standards applicable to Internet Gaming systems as well as requirements derived from land-based table game operations, adapted to reflect the absence of a physical patron and cash at the point of game delivery.
15. Live Dealer Internet Gaming content offered to patrons in the State of Maine may be served from a Live Dealer studio located within or outside the State of Maine, subject to approval of the studio location by the Director. No Content Provider or Internet Gaming Platform Operator may commence Live Dealer operations from any studio location without prior written approval from the Director.
16. A Content Provider or Internet Gaming Platform Operator seeking to offer Live Dealer Internet Gaming must submit to the Director for approval the proposed physical address of the Live Dealer studio as part of its license application or, for existing licensees, as an amendment to its approved internal controls prior to commencing Live Dealer operations, and must demonstrate to the Director's satisfaction that the proposed studio location meets all applicable security, surveillance, access control, and regulatory oversight requirements established under these rules.
17. The Live Dealer studio must comply with all applicable physical security, access control, and surveillance requirements established by the Director, including:
- A. Continuous twenty-four (24) hour video surveillance of all gaming tables and dealing areas;
 - B. Restricted access limited to licensed personnel and authorized regulatory personnel;
 - C. Access logs maintained for all entries and exits from the studio premises;
 - D. Immediate access to the studio and all associated records provided to the Director upon request; and
 - E. Submission to the Director for approval of any proposed change to the physical location

of a Live Dealer studio no fewer than thirty (30) calendar days prior to the proposed relocation.

18. Unit audit inspections shall be completed quarterly of the system and live studio at the expense of the Live Dealer Internet Gaming licensee operation to include but not be limited to;
- A. Transportation;
 - B. Lodging;
 - C. Meals; and
 - D. Other expenses associated with traveling;

1. The following applies to Internet Gaming conducted via an individual's Internet Gaming account:

All Internet Gaming systems authorized by this chapter shall be designed to ensure the integrity and confidentiality of all patron communications and ensure the proper identification of the sender and receiver of all communications. If communications are performed across a public or third-party network, the system shall either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and confidentiality of the transmission.

2. An Internet Gaming system shall provide a mechanism for the Director to query and export all Internet Gaming system data in a format required by the Director.

3. System specifications and Internet Gaming system logging requirements shall include all information required by internal Controls.

4. Internet Gaming shall be made by patrons who have established an Internet Gaming account.

5. In order to establish an Internet Gaming account, an operator or management services provider shall:

- A. Create an electronic patron file, which shall include at a minimum:

- (1) Patron's legal name;
- (2) Patron's date of birth;
- (3) Entire or last four digits of the patron's social security number or equivalent for a foreign patron such as a passport number or taxpayer identification number;
- (4) Patron's Internet Gaming account number;
- (5) Patron's residential address (a post office box is not acceptable);
- (6) Patron's electronic mail address;
- (7) Patron's telephone number;
- (8) Any other information collected from the patron used to verify his or her identity;
- (9) The method used to verify the patron's identity; and
- (10) Date of verification.

- B. Encrypt all of the following information contained in an electronic patron file:
 - (1) Patron's social security number or equivalent for a foreign patron such as a passport number or taxpayer identification number;
 - (2) Patron's passwords and/or PINs; and
 - (3) Debit card numbers, bank account numbers, or other personal financial information.
- C. Verify the patron's identity in accordance with the document number of the government issued credential examined or other methodology for remote multi-sourced authentication, which may include third-party and governmental databases, as approved by the Director.
- D. Require the patron to establish a password and multi-factor authentication or other access security feature as approved by the Director and advise the patron of the ability to utilize "strong authentication" login protection;
- E. Verify that the patron is 21 years old or older, not on the universal exclusion list, or otherwise prohibited from participating in Internet Gaming;
- F. Record the patron's acceptance of the operator's terms and conditions to participate in wagering through the mobile application or any authorized digital system accepting wagers online;
- G. Record the patron's certification that the information provided to the operator by the individual who registered is accurate;
- H. Record the patron's acknowledgement that the legal age for Internet Gaming is 21, and that he or she is prohibited from allowing any other person to access or use his or her Internet Gaming account and will be placed on the involuntary list of excluded patrons, if found in violation of this paragraph; and
- I. Notify the patron of the establishment of the account via electronic mail or regular mail.
- 6. A patron shall have only one Internet Gaming account for each operator or management services provider. Each Internet Gaming account shall be:
 - A. Non-transferable;
 - B. Unique to the patron who establishes the account; and
 - C. Distinct from any other account number that the patron may have established with the operator.
- 7. The operator shall implement procedures to terminate all accounts of any patron that establishes or seeks to establish more than one account, whether directly or by use of another person as proxy.

8. An Internet Gaming account may be funded using:

- A. The patron's deposit account;
- B. Promotional or bonus credit;
- C. Winnings;
- D. Adjustments made by the operator with documented notification to the patron; or
- E. Any other means approved by the Director.

9. An operator or management services provider shall not permit a patron to transfer funds to another patron.

10. Internet Gaming operators shall establish the minimum and maximum wager a patron may make.

11. All adjustments to Internet Gaming accounts for amounts of \$250.00 or under shall be periodically reviewed by audit personnel. All adjustments over \$250.00 shall be authorized by supervisory personnel prior to being entered and such activity shall be reported to the Director monthly.

12. An Internet Gaming system must employ a mechanism that can detect and prevent any play or withdrawal activity by a patron that would result in a negative balance in that patron's account.

13. An Internet Gaming system must provide patrons with information about their play that shall include history, money spent, games played, net wins/losses, limits history, and any other relevant information.

14. A process to provide patrons with updates during play about time and money spent and account balances in cash.

15. Providing credit towards a patron Internet Gaming account is strictly prohibited.

15. Credit card deposits to a patron Internet Gaming account is strictly prohibited.

16. Internet Gaming systems must require a patron to re-enter his or her username and password manually or through biometric authentication, or any other method approved by the director, after fifteen minutes of user inactivity as measured by the electronic wagering system,

17. An operator's Internet Gaming system shall provide an account statement with account details to a patron on demand, which shall include detailed account activity for at least the six months preceding 24 hours prior to the request. In addition, an operator's Internet Gaming system shall, upon request, be capable of providing a summary statement of all patron activity during the past year.

18. The operator shall have specific measures in place to protect their patrons during certain “high risk transactions” on their account, where there is an increased susceptibility to fraud schemes such as bonus abuse, account takeover, payment fraud, or friendly fraud / first party fraud. These high-risk transactions shall be mitigated using biometrics, device fingerprinting, location intelligence and/or other fraud detection techniques. These “high risk transactions” include:
- A. Modification of contact information;
 - B. Addition of a new funding method or modification of an existing funding method;
 - C. Addition or modification of a withdrawal method;
 - D. Withdrawal of a certain amount, however this threshold can be raised for specific patrons, provided the operator utilizes analytical tools determining an individual patron’s transactional behavior and establish “high-risk” threshold on an individual basis based on historical activity; and
 - E. Activity from an OFAC restricted region.
19. An operator shall maintain a segregated account separate from all other operating accounts to ensure the security of funds held in patron Internet Gaming accounts. The balance maintained in the segregated account shall be greater than or equal to the sum of the daily ending cashable balance of all patron Internet Gaming accounts, funds on game, and pending withdrawals. An operator shall have unfettered access to all patron Internet Gaming account and transaction data to ensure the amount held in its independent account is sufficient. The operator shall file a monthly attestation with the Director that the funds have been safeguarded pursuant to this subsection.
20. An operator or management services provider shall periodically re-verify a patron’s identification upon reasonable suspicion that the patron’s identification has been compromised.
21. An Internet Gaming system shall provide a conspicuous and readily accessible method for a patron to close his or her account through the account management or similar page. Any balance remaining in a patron's Internet Gaming account closed by a patron shall be refunded pursuant to the operator’s approved internal controls.
22. Operators shall obtain a bond in the amount of Five Hundred Thousand Dollars (\$500,000.00) in order to conduct Internet Gaming in the State of Maine. The bond will be used to fund the reserve. The company issuing the bond shall be financially rated “A” or better by a nationally recognized rating agency and duly licensed, admitted, and authorized to transact business in the State of Maine. Operators shall provide the original bond to the Director. The bond shall be renewable annually and shall list the Director as obligee of the bond. The bond may not be cancelled without prior approval from the Director.

23. Operators shall also maintain a reserve in the form of cash, cash equivalents, irrevocable letter of credit, in addition to the above-referenced reserve, of not less than the amount necessary to ensure the ability to cover the outstanding liability related to the Internet Gaming accounts. **An Internet Gaming System Operator that also operates mobile sports wagering in Maine may combine the reserve required under this section with the reserve required for its mobile sports wagering accounts, provided that the combined reserve is sufficient to satisfy the reserve requirements applicable to both Internet Gaming and mobile sports wagering.**
24. The outstanding liability of Internet Gaming accounts shall be the sum of the following amounts:
- A. Amounts held by the operator for Internet Gaming accounts; and
 - B. Amounts owed but unpaid by the operator on winning wagers.
25. Operators must receive Director approval to remove, release, or withdraw funds that are held in the reserve account that are in excess of the operator's reserve requirement.
26. Operators shall calculate their reserve requirements each day. In the event an operator determines that its reserve is not sufficient to cover the calculated requirement, the operator, within twenty-four (24) hours, must notify the Unit auditor assigned to Internet Gaming activity of this occurrence and indicate the steps the operator has taken to remedy any deficiency. All reserve funds must be held with a financial institution that is federally insured by the FDIC or NCUA and lawfully operating in Maine.
27. The Internet Gaming system shall have access to reporting, analytics, and automation capabilities to ensure ongoing prevention and reporting of fraudulent activities, including but not limited to:
- A. Real time monitoring tools and recurring reports detecting all fraud types including bonus abuse, identity theft, account takeover, bot abuse, fraudulent chargebacks, payment fraud and collusion;
 - B. Recurring reports focused on patron analytics at the following levels: device, account, and location;
 - C. Detection and cessation of organized fraud groups, fraud rings;
 - D. Provide link analysis between locations, accounts and devices;
 - E. Prevent the victimization of genuine individuals;
 - F. Identify and mitigate locations that are deemed high risk, eg. and/or where rapid account creation is identified and occurring; suspicious activity, fraud rings, etc.;
 - G. Suspend devices and accounts when deemed highly suspicious;
 - H. Suspicious Activity Report (SARs);
 - I. Prior to conducting Internet Gaming or establishing an account, the operator shall develop and implement a policy for the handling of patrons discovered

to be using an account in a fraudulent manner, that includes but is not limited to:

- (1) The maintenance of information about any patron's activity, such that if fraudulent activity is detected the regulatory authority and/or law enforcement has all of the necessary information to investigate and take appropriate action;
- (2) The suspension process for any account discovered to be providing access to fraudulent patrons; and
- (3) The treatment of deposits, wagers, and wins associated with a fraudulent account.

28. An Internet Gaming account shall be suspended under the following conditions:

- A. When requested by the patron for a specified period of time, which must not be less than seventy-two hours;
- B. When required by the Director;
- C. When an operator determines that the patron is a prohibited Internet Gaming participant; or
- D. When an operator has evidence that indicates that the account has been used for illegal activity; that the account has a negative balance; or that the patron has violated the account's terms and conditions.

29. When an Internet Gaming account is suspended, the operator must do all of the following:

- A. Prevent the patron from placing an internet gaming wager;
- B. Prevent the patron from depositing funds unless the account is suspended due to having a negative balance, but only to the extent the account balance is brought back to zero dollars;
- C. Prevent the patron from withdrawing funds from their account, unless the operator determines that the funds have cleared, and that the reason(s) for suspension would not prohibit a withdrawal;
- D. Prevent the patron from making changes to their account;
- E. Prevent the patron from permanently closing their account; and
- F. Prominently display to the patron that their account is suspended, the restrictions placed on their account, and any further course of action needed to lift the suspension.

30. An account suspension may be lifted for any of the following reasons:

- A. Upon expiration of the time period established by the patron;
- B. If authorized by the Director;
- C. When the patron is no longer a prohibited Internet Gaming participant; or
- D. When the operator has investigated the evidence of illegal activity, a negative account balance, or a violation of the account's terms and conditions, and determined that the suspension should be lifted.

1. Payments due to the state for Internet Gaming operations shall be due by 5:00 pm EST on April 10th, July 10th, October 10th and January 10th for each previous quarter in the calendar year. The tax imposed on the adjusted gross Internet Gaming receipts is 18% due to the Director for distribution by the Treasurer of State. Late payments shall be charged a 1.5% interest fee on the unpaid balance per month until paid in addition to any monetary disciplinary action for violation of this rule.
2. For calculating gross Internet Gaming revenue due the state, free play, sign on bonuses or any other marketing promotion shall not be given credit towards the calculation of adjusted gross wagering receipts.
3. A list of all reports available from the Internet Gaming system and a brief description shall be part of the internal controls approved by the Director.
4. The Internet Gaming system shall be required to generate reports of adjusted gross Internet Gaming receipts and any such other information relating to Internet Gaming as deemed necessary by the Director. Such reporting shall be done using cash basis accounting.
5. All required reports shall be generated by the Internet Gaming system, even if the period specified contains no data to be presented. The report generated shall indicate all required information and may contain an indication of "No Activity" or similar message if no data appears for the period specified.
6. All system generated data required by this rule must be available in report image formats as well as database type formats as approved by the Director.
7. An Internet Gaming system shall, at a minimum, generate the daily reports for each gaming day in order to calculate the taxable revenue or to ensure the integrity of operations related to operating Internet Gaming.
8. All reports available by any Internet Gaming system shall be immediately available upon request by the Director and forwarded to the auditor assigned to the Internet Gaming area.

1. An ~~mobile~~ eOperator or management services provider shall only accept mobile wagers from patrons that have been affirmatively located as being physically present in the State of Maine at the time of their wager.
2. In order to prevent unauthorized use of an Internet Gaming system, the operator or management services provider must utilize a geolocation system to reasonably detect the physical location of a patron attempting to access the Internet Gaming system; and to monitor and block unauthorized attempts to access the Internet Gaming system.
3. Geolocation timing and verification frequency:
 - A. To ensure the patron is continually located within the permitted boundary and that the device maintains compliance to all geolocation and fraud requirements throughout the wagering session, the Internet Gaming system must be equipped to dynamically monitor the patron's location and block unauthorized attempts to access the system throughout the duration of the patron session.
 - B. The Internet Gaming system shall trigger:
 - (1) Ageolocation check prior to the placement of the first bet or wager;
 - (2) Recurring periodic geolocation checks, if a patron session is longer than a single bet or wager, shall be administered as follows:
 - (a) Static connections: recheck at least every twenty (20) minutes or five (5) minutes if within one (1) mile of the border.
 - (b) Mobile connections: recheck intervals to be based on a patron's proximity to the border with an assumed travel velocity of 65 miles per hour or a demonstrated average velocity of a roadway/path. This interval shall not exceed twenty (20) minutes.
 - (3) Upon a change of IP address, a geolocation check shall occur prior to placement of the next wager;
 - (4) An immediate recheck if the patron cannot be located due to a momentary absence of location data mid-session (and the immediately preceding geolocation check during the same wagering session was successful). A total of five (5) rechecks within a period of 5 minutes are permitted in this scenario; thereafter, wagering must cease if the patron cannot be successfully located. Exercising this option is acceptable only when the device is accessing the internet utilizing a static (non-mobile) access point; and
 - (5) If all required geolocation rechecks have been exhausted, and the location of

the patron is still inconclusive, the Internet Gaming system may permit the patron to complete their current round of play, including any continuation bets, before their wagering session is terminated.

- (6) The geolocation system shall detect and block known location-spoofing techniques, including but not limited to the use of VPNs, proxies, RDPs, and other tools or evolving methods used to circumvent or falsify an accurate geolocation determination.

4. The geolocation service provider shall provide the regulator with a real-time dashboard tool and data feed which:

- A. Is customizable and provides geolocation data and visuals on demand;
- B. Provides historical geolocation data up to six months prior;
- C. Displays and is filterable by, at a minimum, the following data:
 - (1) Time period;
 - (2) Username;
 - (3) Operator name;
 - (4) Device identifier;
 - (5) Country, state/province, city;
 - (6) Passed/failed transactions and failure reasons;
 - (7) IP address;
 - (8) Device type and device operating system; and
 - (9) Distance to border or boundary.
- D. Provides an interactive mapping tool capable of:
 - (1) Displaying locations of geolocation transactions;
 - (2) Geofencing to building level; and
 - (3) Using coordinates to pinpoint locations.
- E. Provides data, visuals, and reporting capabilities identifying suspicious activity, including:
 - (1) Malicious or repeated location spoofing;
 - (2) Account sharing and device sharing;
 - (3) Inconsistent locations (location jumping); and
 - (4) Other high-risk transactional data.
- F. Tools should comply with data privacy and security standards and regulations to protect user data and privacy.

5. A geolocation system supplier shall be licensed in the state as an Internet Gaming supplier, and shall demonstrate, at the time of licensure and on an ongoing basis, the following capabilities:

- A. Threat Detection & Response – Adequate resources and capability to identify:
 - (1) emerging spoofing vectors and techniques;
 - (2) location-based cyberattacks; and
 - (3) OS-specific vulnerabilities/inaccuracies affecting location fidelity.
- B. Application / Rules-Engine Control – Source code, applications, rules engine(s), executable code and logic that influences geolocation compliance decisions and patron

access, including all applicable user device data extraction software, server applications, machine learning models, and rules that govern

- (1) the decision to permit or deny access to patrons;
- (2) the identification and flagging of location spoofing;
- (3) the independent and routine validation of external databases, location signals, or anti-spoofing signals derived from external sources; and
- (4) the automated blocking of devices or accounts displaying suspicious behavior, including geolocation circumvention, multi-accounting, or location jumping.

C. Security Assurance – Current SOC 2 certification (or equivalent) covering data security, availability, and privacy.

D. Service Availability – Adequate service uptime with redundant failover architecture.

- 6. A Geolocation system shall, prior to use and on an ongoing annual basis, undergo a system certification conducted by an independent testing laboratory, approved by the Director. Specific requirements may also be issued by the Director at times when updates or changes are required.

Chapter 81: RESPONSIBLE WAGERING PROGRAM

1. Each ~~mobile operator~~ license applicant shall propose a responsible wagering program as an element of its license application. An operator shall maintain its plan for as long as the operator accepts wagers in the State of Maine. An operator may propose amendments to its responsible wagering program provided it submits the amendment for approval at least thirty (30) calendar days before the proposed effective date of any changes to the plan.
2. The responsible wagering program shall include, at a minimum, the universal list requirements under 8 M.R.S. § 1003(3)(I) and Gambling Control Board Rules Chapter 13 to include:
 - A. A clear statement of policy and commitment, training, procedures, and certification of implementation to begin at time of licensure;
 - B. A process for individuals to make a request to be placed on the universal list on a form(s) approved by the Director, which shall include;
 - (1) Any person may request to be added to the universal list pursuant to these rules by appearing in person at an office of the State of Maine Gambling Control Unit; or
 - (2) An affiliate office of the Problem Gambling Services Provider of the Maine Center for Disease Control and Prevention; or
 - (3) Links provided by the Gambling Control Unit, internet gaming operator or management services provider website to the problem gambling service provider ~~or Board approved third-party automated system~~ for a virtual request to the universal list.
 - C. A procedure to satisfy and close accounts before being accepted to the universal list;
 - D. A procedure for removing a person from a licensed internet gaming platform who is on the universal list;
 - E. Identify the procedures designed to prevent promotional materials or communications from being directed specifically to individuals who have been added to the universal list, applied a restriction on their account or who have requested that they not receive such materials or communications;
 - F. A clear and conspicuous display on the operator's website(s), mobile app(s) or advertisements indicating that it is unlawful for a person under twenty-one (21) years of age to wager on internet games in the State of Maine;
 - G. A plan for providing comprehensive responsible wagering training to employees who may interact with patrons ~~or mobile operator employees and procedures for identifying and responding to respond to~~ circumstances in which Internet Gaming account activity may indicate signs that are consistent with

gambling addiction, including ~~the use of reasonable monitoring tools and~~ annual refresher training;

- H. Time frames available for placement on the universal list shall be available for terms of one, three, five years, or lifetime. Once a time frame is selected, the person requesting exclusion will serve the entire duration of the exclusion period. ~~The expiration will occur on the last day of the month of the original request for placement on the universal list. In the case of lifetime exclusion, the person may petition the Board for removal from the universal exclusion list after five years initially and shall automatically terminate upon expiration.~~ For exclusions of one, three, or five years, the exclusion shall expire on the last day of the month of the applicable exclusion period. A person who selects lifetime exclusion may petition the Maine Gambling Control Board in writing for removal from the universal list after five years.;
 - I. Procedures for the interception of Internet Gaming winnings to pay child support debt as required in Title 8, Chapter 39, § 1415; and
 - J. An approved patron protection page that is readily accessible to patrons on the operator's website and mobile application and that provides information regarding responsible wagering and available problem gambling resources.
3. The Gambling Control Board will maintain the official universal list ~~through an approved third-party automated system which will~~ and notify each operator of any addition to or deletion from the list ~~.by password protected electronic mail or fax and on a monthly basis-~~ will provide the entire list. Operators shall utilize the third-party automated system to facilitate real-time obligations and compliance with the universal list.
4. A responsible wagering program shall include, at a minimum, the following restriction requirements:
- A. A clear statement of policy and commitment, training, procedures, and certification of implementation to begin at time of licensure;
 - B. A process for the operator to prevent individuals who have requested restrictions under D. below at a minimum. For each individual who makes such a request, operators shall provide the individual with additional responsible wagering resources;
 - C. Restrictions longer than 364 days must be placed on the universal exclusion list for the period of one year; and
 - D. Restrictions shall be offered at a minimum for the following:
 - (1) Amounts wagering;
 - (2) Time from wagering;
 - (3) Deposit amounts; and
 - (4) Session-times.

5. A plan for making responsible wagering information available and legible on the operator's website(s), mobile app(s) or advertisements including publication of the toll-free number of the problem Gambling Helpline or similar entity approved by the Board that provides information and referral services for problem gamblers.
6. The height of the font used for responsible wagering messaging must be at least the same size as the majority of the text used in the operator's webpage or profile page.
7. Information furnished to or obtained by the Director pursuant to this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter or as required by statute.
8. Internet Gaming licensees, their employees, or agents thereof, may not disclose the universal list or any information about a person who has requested to be on the universal list except as necessary to comply with this chapter or as otherwise required by law.

1. Each Internet Gaming operator shall retain a copy of all advertising, marketing, branding and other promotional materials promoting or intended to promote any Internet Gaming, including a log of when, how, and with whom, those materials have been published, aired, displayed, or disseminated, for five (5) years. Each Internet Gaming operator shall provide a complete copy of any Internet Gaming advertising or marketing materials to the Director, or their designee, upon request.
2. Internet Gaming operators shall disclose to the Director all social media platforms on which they advertise or market Internet Gaming and will provide clear identification of every account the operator, or someone on the operator's behalf, uses to advertise or market Internet Gaming on each social media platform. For all directed or targeted advertising and marketing, a Internet Gaming operator shall maintain records sufficient to describe all targeting parameters used.
3. All advertising, marketing, branding, and other promotional materials by an Internet Gaming operator related to Internet Gaming and the log described in section (1), above, shall be made available to the Director or his/her designee upon request.
4. All advertising and promotions by an Internet Gaming operator related to Internet Gaming shall comply with the following standards:
 - A. Inaccurate or misleading statements regarding the likelihood of winning are prohibited;
 - B. Guarantees of success, riches or gambling winnings are prohibited;
 - C. Depictions of the use of alcohol and tobacco are prohibited;
 - D. The use of cartoon characters, professional or Olympic athletes, celebrities, entertainers, images, symbols and or language designed to appeal specifically to those under 21 years old is prohibited;
 - E. Depictions of persons under the age of 21 engaged in Internet Gaming is prohibited;
 - F. Internet Gaming advertising must include a disclaimer as follows: "Persons under 21 years of age may not participate in Internet Gaming" and the ~~1-800 GAMBLER hotline phone number or other publication approved by the director shall be included for assistance;~~ toll free number of the Problem Gambling Helpline or similar entity approved by the Gambling Control Board that provides information and referral services for problem gamblers.
 - G. Advertising in any form must include the tribe that is the beneficiary of the use of the app by tribal name and logo in the same font size as the management provided name and logo;
 - H. Internet Gaming advertising must not state or imply an endorsement by a minor; and

- I. Internet Gaming advertising must not specifically target Internet Gaming patrons who have a gambling addiction, including Internet Gaming patrons who have requested to be restricted from play temporarily or excluded formally from access to Internet Gaming systems.
 - J. Internet Gaming shall not be advertised or marketed in or on any Maine college or university campus that is targeted at or distributed in such a way to reach an audience that is primarily under 21 years of age, except via generally available advertising;
 - K. Flyers, handouts, or in-person account signups shall not be distributed to or used for any person under 21 years of age; and
 - L. Internet Gaming messages or logos, including trademarks or brand names, shall not be used or licensed for use on clothing, toys, games, or game equipment for sale in Maine that are intended primarily for people under 21 years of age.
5. All Internet Gaming licensees shall be responsible for the content and conduct of any and all Internet Gaming advertising, marketing, or branding done on its behalf or to its benefit whether conducted by the licensee, an employee, an affiliate, or any other person or entity.
 6. Offer terms and the record of all offers related to Internet Gaming shall include at a minimum:
 - A. The date and time presented;
 - B. The date and time the offer is active and expires;
 - C. Patron eligibility, including any limitations on patron participation;
 - D. Any restriction on withdrawals of funds;
 - E. The ability to unsubscribe from direct marketing (i.e. email, text, regular mail);
 - F. Wagering requirements and limitations;
 - G. The order in which funds are used for wagers;
 - H. Eligible wagers; and
 - I. Rules regarding cancellation.
 7. All promotions and bonuses related to Internet Gaming must:
 - A. Include terms and conditions that are full, accurate, clear, concise, transparent and do not contain misleading information;
 - B. Indication of which tribe is the beneficiary of patron proceeds by name and logo in the same font size as the management provided name and logo;
 - C. Ensure advertising materials include material terms and conditions for that promotion or bonus and have those material terms in close proximity to the headline claim of the promotion or bonus;
 - D. Disclose applicable terms if the patron has to risk or lose the patron's own money as part of the promotion or bonus or has conditions attached to the patron's own money as a result of the promotion or bonus;
 - E. Not be described as risk free if the patron needs to incur any loss or risk the patron's own money to use or withdraw winnings from the risk-free bet; and

- F. Not restrict the patron from withdrawing the patron's own funds or withdrawing winnings from patron play using the patron's own funds.
- 8. For calculating gross Internet Gaming revenue due the state, free play, sign on bonuses or any other marketing promotion shall not be given credit towards the calculation of adjusted gross internet gaming receipts.

Chapter 83: MANAGEMENT SERVICES CONTRACT CRITERIA

This rule establishes the criteria that will be used to approve a contract more than 30% but not more than 40% of the operator's adjusted gross internet gaming receipts if the Director determines that the management services provider demonstrates that the additional percentage is commercially reasonable in relation to the capital investments and operator's projected adjusted gross Internet Gaming receipts. The rule ensures transparency and consistency in the deciding factors.

1. The following words and terms shall have the following meanings unless the context indicates otherwise:
 - A. "Commercially reasonable" means that the particular arrangement furthers a legitimate business purpose of the parties to the arrangement and is sensible, considering the characteristic of the parties, including their size, type, scope and specialty.
 - B. "Capital investments" means an expenditure of money or permanent fixed assets to fund a company's long-term growth.
2. Management services providers shall submit in addition to the application for licensure as a management services provider in the State of Maine, the following:
 - A. Up to two contracts with internet gaming operators in other jurisdictions to establish basic services with redactions as necessary for confidentiality;
 - B. Written explanation of any projected adjusted gross internet gaming receipts to warrant the increase above 30%, for those licensees that are currently under contract with sports wagering and are receiving up to 30% but not more than 40% and if any of those projections are not met, what the adjustment will be, if any;
 - C. Written explanation regarding any additional expense from a management service provider who currently has services provided for sports wagering activities;
 - D. Written explanation of the capital investments of the management services provider to warrant the increase above 30%, but not more than 40%;
 - E. Written explanation of the commercially reasonable arrangement between the management services provider and internet gaming operator;
 - F. Submit to the Director the itemized expenses approved by the operators (tribe(s) for the upcoming month, by the 10th of each month

to include but not be limited to patron incentives or rewards programs;

- G. Include that the contract does not exclude the internet gaming operator or management services provider from any disciplinary action under Title 8, Chapter 39 of the Maine Revised Statutes as a result of one or the other's actions.

Chapter 84: COMPLAINTS AND DISCIPLINARY ACTIONS

This rule establishes procedures for the investigation and resolution of complaints received by the Director. 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 are handled in an expeditious and procedurally fair manner.

1. An operator must make contact information for complaints and dispute resolution, as well as a link to the Gambling Control Unit's website, readily accessible to Internet Gaming patrons through the communication channel used to access the Internet Gaming system.
2. Internet gaming operators shall have a guest service link to resolve inquiries such as "password reset".
3. Patrons must be able to lodge complaints and disputes any time of the day and any day of the week. Operators must respond to the complaint within 48 hours of receipt of the initial complaint.
4. An Internet Gaming operator shall attempt to resolve all patron disputes with a patron. An Internet Gaming operator shall investigate each patron complaint and provide a response to the patron within ten (10) business days and provide a copy of the response to the Director. The response shall inform the patron of their right to appeal the decision of the operator to the Director.
5. With a request for appeal from the patron, the Director shall conduct whatever investigation is necessary and must determine whether a different resolution shall be made. A Unit inspector may investigate the dispute and shall report to the Director for a decision.
6. The Director must notify the operator and the patron in writing of the Director's decision regarding the dispute, within ten (10) business days after the completion of the investigation.
7. A patron or operator aggrieved by the decision of the Director may appeal the decision to the Commissioner of Public Safety for a final decision. After review, the Commissioner shall issue a decision to uphold, modify or overrule the Director's decision. In the case of appeal to the Commissioner, the patron or operator must be afforded the opportunity for an adjudicatory hearing in accordance with this chapter and the Maine Administrative Procedure Act at the expense of the patron or operator, if applicable. A person aggrieved

- by the final decision of the Commissioner may appeal the Commissioner's decision to the Superior Court in accordance with Title 5, chapter 375, subchapter 7.
8. An operator must maintain records of all correspondence relating to a patron's complaint and/or dispute for a period of five years.
 9. All complaints that are submitted to the Director must be in writing. The Director may initiate a complaint alleging any grounds for disciplinary action.
 10. The Director may investigate complaints in accordance with 8 M.R.S. § 1405(3).
 11. The Director may review all complaints and investigative files.
 12. Sanctions under 8 M.R.S. § 1405(4) may be proposed by the Director or imposed by the Commissioner after a hearing.
 13. If 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 take appropriate action against an application or license in a written decision that informs the operator, management services provider, or other licensee of the right to appeal the decision to the Commissioner for a final decision in accordance with 8 M.R.S. § 1405(5).
 - A. The written decision shall state the alleged violation, the statute or rule believed to have been violated, and the proposed resolution, and shall inform the operator, management services provider, or other licensee that the operator, management services provider, or other licensee has the right to request a hearing before the Commissioner.
 - B. Service of the decision 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.
 - C. The operator, management services provider, or other licensee must file a written request for hearing within 30 days of receipt of the decision that informs the operator, management service provider, or other licensee of the opportunity for hearing. The request is considered filed when received by the Director by mail, in-hand delivery or electronic mail.
 - D. 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 informed the operator, management services provider, or other licensee of the possibility of default.
 14. For each violation of Maine Revised Statutes, Title 8, chapter 39, the rules adopted pursuant to that chapter, or conditions of licensure, the Director may take one or more of the following actions in accordance with Maine Revised Statutes, Title 8, chapter 39:
 - A. A written reprimand;
 - B. Issue a probationary license with conditions;
 - C. Suspend a license;

- D. Revoke a license; or
- E. Impose a civil penalty of up to \$25,000.00 per violation of any provision of this chapter or rule adopted pursuant to this chapter.