

Chapter 51: 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 sports wagering receipts" has the same meaning as set forth in 8 M.R.S. §1202
 3. "Adverse action" includes, but is not limited to:
 - A. A condition placed upon an applicant's license, or the operation of an applicant's gambling or gambling-related business resulting from a finding of an administrative, civil or criminal violation by any licensing or administrative agency, or a court, in any jurisdiction in the United States or Canada;
 - B. A suspension or revocation of an applicant or operator's license, by a licensing or administrative agency, or a court in any jurisdiction in the United States or Canada, or
 - C. A voluntary surrender of a license by an applicant or operator to avoid or resolve any civil, criminal, or other pending administrative disciplinary action in any jurisdiction in the United States or Canada.
 4. "Affiliate" means an individual or entity that promotes sport wagering websites in exchange for a commission or fee.
 5. "Age and identity verification" means a method, system, or device used by a sports wagering operator to verify the validity of a patron's age and the patron's identity.
 6. "AML" means anti-money laundering.
 7. "Authentication process" means a method used by a system to verify the validity of software.
 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. "Cancelled wager" means a wager that has been cancelled due to any issue with a sports event that prevents its occurrence or completion, or that otherwise causes the wager to be unredeemable, or otherwise approved by the Director.
10. "Card" means the list of sports events from which a patron can make selections for a given pool.
11. "Cheating" means:
 - A. Any action taken by any individual, group of two or more individuals, entity, or group of entities that improves the chances of winning or that alters or improves the chances of altering the outcome of a wager or sporting event by deception, interference, or manipulation or use of non-public information.
 - B. Any action taken by any individual, group of two or more individuals entity, or group of entities that improves the chances of winning or that alters the outcome or improves the chances of altering the outcome or payout on a wager by use of any equipment, including software pertaining to or used in relation to a sports wagering system's equipment, used for or in connection with a wager or sports event on which wagers are placed or are invited.
12. "Collegiate sports or athletic event" has the same meaning as set forth in 8 M.R.S. §1202(2).
13. "Combo license" means a license combining a casino employee and a sports wagering employee license.
14. "Commissioner" has the same meaning as set forth in 8 M.R.S. §1202(3).
15. "Counter" means an area specified for the use of wagering cashiers to accept and payout wagers.
16. "Department" has the same meaning as set forth in 8 M.R.S. §1202(4).
17. "Director" has the same meaning as set forth in 8 M.R.S. §1202(5).
18. "Dormant account" means a sports wagering account which has had no patron-initiated activity for a period of one year.
19. "Electronic sports" or "e-sports" means competitions in which the players compete at video games in organized events, at the professional or

collegiate level.

20. "Event number" means a set of alphabetical and/or numerical characters that correspond to a sports event or an event ancillary to a sports event.
21. "Exchange wagering" means a form of wagering in which two or more persons place identically opposing wagers in a given market, allowing patrons to wager on both winning and non-winning outcomes in the same event.
22. "Facility operator" has the same meaning as set forth in 8 M.R.S. §1202(6).
23. "Free bet" means a bet made by patrons using non-cashable vouchers, coupons, electronic credits or electronic promotions provided by sports wagering operators.
24. "Geolocation system" means a process or system to detect the physical, geographical location of a patron when said patron is attempting to access the wagering system and place a wager.
25. "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 transactions and having access to assets ordinarily is in a position to perpetrate errors or irregularities. Persons shall be deemed to have incompatible functions if such persons are members of departments that have supervisors not independent of each other.
26. "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.
27. "Integrity monitoring provider or system" means an independent individual, entity or system licensed or approved by the Director through which an operator identifies and reports suspicious wagering activity.

28. "Internal controls" mean the internal procedures, administration, and accounting controls designed by the operator to conduct sports wagering operations.
29. "Key personnel" has the same meaning as set forth in 8 M.R.S. §1204 (2)C.
30. "Layoff wager" means a wager placed by a facility operator with another facility operator for the purpose of offsetting patron wagers made pursuant to these sports wagering rules.
31. "License" has the same meaning as set forth in 8 M.R.S. §1202(7).
32. "Management services provider" is a person or entity that has been issued a management services license by the Director consistent with the statutory criteria in 8 M.R.S. §§1209, 1204 and 1205.
33. "Mobile sports wagering" means a sports wagering operation in which wagers on sports events are made through computers, mobile devices or other approved interactive devices accepted through a wagering system approved by the Director to operate mobile sports wagering.
34. "Mobile operator" has the same meaning as set forth in 8 M.R.S. §1202(8).
35. "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; or
 - C. A patron's biometric data, such as fingerprints, facial or voice recognition.
36. "Operator" has the same meaning as set forth in 8 M.R.S. §1202(9).
37. "Parlay wager" means a single wager that incorporates two (2) or more individual bets for purposes of earning a higher payout if each bet incorporated within the wager wins.
38. "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 sports wagering participant.
39. "Patron session" means a period of time when a patron is logged on to a

mobile sports wagering system.

40. "Person" or "Persons" means an individual, a group of individuals, a trust, corporation, or other business entity.
41. "Pending wager account" means the account maintained by a sports wagering system that holds the total balance of all wagers pending disposition and all other funds attributable to future sports events.
42. "Pool" means a wagering or promotional offering where patrons may make selections of outcomes on a set number of sports events on a card in order to enter for a chance to win all or a portion of the prize pool.
43. "Prize pool" means the prizing available for an individual pool.
44. "Professional sports or athletic event" has the same meaning as set forth in 8 M.R.S. §1202(10).
45. "Prohibited sports event" has the same meaning as set forth in 8 M.R.S. §1202(11).
46. "Prohibited sports wagering 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 whose participation may undermine the integrity of the wagering or the sports event or any person who is prohibited from participating in sports wagering by the Director for good cause shown;
 - B. Any individual placing a wager as an agent or proxy;
 - C. Any individuals on the "~~unauthorized~~ universal exclusion persons list" under these sports wagering rules;
 - D. Any person who is an athlete, coach, referee, player, or a referee personnel member in or on any sports event overseen by that person's sports governing body based on publicly available information;
 - E. A person who holds a position of authority or influence sufficient to exert influence over the participants in a sports event, including, but not limited to, coaches, managers, handlers, and athletic trainers; a person with access to certain types of exclusive information on any sports event overseen by that person's sports governing body based on publicly available information; and
 - F. Any employee of the Gambling Control Unit or a licensed facility or mobile operator.
47. "Prohibited wager" means a wager or an attempted wager on any sports event or occurrence by any prohibited sports wagering participant which is not permitted under Maine Statute or by these sports wagering rules.
48. "Promotional credit" means free plays, deposit matches, odds boosts, risk-free

bets, 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.

49. "Proposition (Prop) bet" means a wager made regarding the occurrence or nonoccurrence of an event or circumstance during a sports event that is not dependent on the final outcome of the sports event.
50. "Rake" means the fee that is deducted by a sports wagering operator from entry fees paid by patrons who participate in a pool.
51. "Rake adjustment" means an adjustment made by the sports wagering operator to account for any shortfall in connection with a pool.
52. "Secure transaction file" means a file that contains data which cannot be modified without detection.
53. "Shared liquidity pool" means a wagering or promotional offering in Maine and at least one other jurisdiction where patrons may make selections of outcomes on a set number of sports events on a card in order to enter for a chance to win all or a portion of the prize pool.
54. "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.
55. "Sports event" has the same meaning as set forth in 8 M.R.S. §1202(12) which does not include horse racing.
56. "Sports governing body" has the same meaning as set forth in 8 M.R.S. §1202(13).
57. "Sports wagering" has the same meaning as set forth in 8 M.R.S. §1202(14).
58. "Sports wagering account" means an account established by a mobile operator or a patron with a mobile operator for an individual patron to use for mobile sports wagering.
59. "Sports wagering area" means an area(s), as designated by an operator and approved by the Director, in which sports wagering is conducted by a licensed facility operator.
60. "Sports wagering kiosk" means an automated device used by patrons to make

wagers on sports events; the kiosk may also be used to obtain sports wagering information, process sports wagering vouchers and sports wagering tickets, and any other automated functions approved by the Director. All self-service sports wagering devices must be located in an approved designated sports wagering area or other location as approved by the Director.

61. "Sports wagering manager" means a qualified management employee of the facility operator, or a qualified management employee of a licensed management services provider that has the power to exercise authority or direct management or policies and procedures of a person or having power to exercise a significant influence over decisions concerning the operations of sports wagering.
62. "Sports wagering system" means all equipment and software used in conjunction with the sports wagering operation, including, but not limited to, the following:
 - A. Sports wagering interactive components, including all hardware, software, and associated equipment that comprise the sports wagering system for the purpose of authorizing sports wagering and online and mobile sports wagering;
 - B. Self-service sports wagering kiosks;
 - C. Ticket or voucher redemption devices; or
 - D. Any other device, service, or system that the Director determines to be related to the sports wagering system.
63. "Sports wagering ticket" means a printed record issued, or an electronic record maintained, by the sports wagering system that evidences a sports wager.
64. "Sports wagering voucher" means a printed record issued by a sports wagering system that may be used to fund a sports wager or may be redeemable for cash according to house rules.
65. "Supplier(s)" means a type of person or entity who holds a supplier license as defined in 8 M.R.S. §1202(7)(C) and issued consistent with 8 M.R.S. §1208 and that fits any of the three criteria below:
 - A. Provides goods and/or services, directly or indirectly, to an operator in connection with sports wagering, but does not accept wagers, including but not limited to the following types of providers of goods and/or services:
 - i. Bookmakers,
 - ii. Geolocation providers,
 - iii. Identity and/or age verification service providers,
 - iv. Risk management providers or odds management providers,
 - v. Integrity monitoring providers,
 - vi. League data providers,

- vii. Marketing affiliates, and
- vii. Payment processors.

B. Directly interfaces or interacts with sports wagering accounts or sports wagering systems and receives payment or compensation based on a revenue sharing agreement in which the supplier receives a percentage of the adjusted gross sports wagering receipts of any operator; or

C. Provides any services similar to those described above that are material to conducting sports wagering.

- 66. "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 is indicative of match fixing, the manipulation of an event, misuse of inside information, sports corruption, cheating, theft, embezzlement, collusion, money laundering or other prohibited activity.
- 67. "Unit" means the Gambling Control Unit within the Department of Public Safety.
- 68. "Voided wager" means a wager voided by a ticket writer with supervisor approval for a specified event within the operator's system of internal controls.
- 69. "Wager" has the same meaning as set forth in 8 M.R.S. §1202.

16 DEPARTMENT OF PUBLIC SAFETY

633 GAMBLING CONTROL UNIT

Chapter 56: HOUSE RULES

1. Operators shall adopt comprehensive house rules governing sports wagering to be approved by the Director prior to implementation and must include, at minimum, the following:
 - A. Method for calculation and payment of winning wagers;
 - B. Effect of schedule changes and/or cancelled events;
 - C. Method of notifying patrons of odds or proposition changes;
 - D. A description of all types of wagers that may be accepted;
 - E. Acceptance of wagers at terms other than those posted;
 - F. Expiration of any winning ticket or 183 days after the date of the event;
 - G. Lost, torn, or damaged ticket policy;
 - H. Method of contacting the operator for questions and complaints;
 - I. Description of prohibited sports wagering participants;
 - J. Availability of the ~~unauthorized~~ universal exclusion list and restriction programs;
 - K. Method of funding a sports wager;
 - L. Maximum payouts;
 - M. A provision prohibiting the structuring of wagers to avoid federal currency transactional reporting thresholds;
 - N. A policy by which the sports wagering operator can cancel or void wagers in accordance with these rules, including defining “obvious error”; and
 - O. A clear statement that the person who accepts and settles a wager is responsible for being a part of the investigation and response to any patron dispute.
2. The house rules, together with any other information the Director deems appropriate, shall be conspicuously displayed in the sports wagering facility, posted 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 re-submit the request for change document. If the operator does not accept the suggested changes, the request shall be denied.
 6. Step 4 shall be repeated until the Director is completely satisfied with the request for change document.
 7. The Director shall send to the operator an accepted version of the submitted request for change with date and signature signifying approval.
 8. The Director will make every effort to make a determination concerning a submission for change no later than 30 days following receipt of the proposed change 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.
 9. The Director may at any time request additional explanation or modification of any current house rules.

1. The following applies only to mobile sports wagering conducted via an individual's sports wagering account:

All sports wagering 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. A sports wagering system shall provide a mechanism for the Director to query and export all sports wagering system data in a format required by the Director.
3. System specifications and sports wagering system logging requirements shall include all information required by the internal controls.
4. Mobile sports wagering shall be made by patrons who have established a sports wagering account.
5. In order to establish a sports wagering 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 mobile sports wagering 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) Credit or 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 ~~unauthorized~~ universal exclusion list, or otherwise prohibited from participation in sports wagering;
 - 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 sports wagering is 21, and that he or she is prohibited from allowing any other person to access or use his or her sports wagering 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 sports wagering account for each operator or management services provider. Each sports wagering 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.
 - D. 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. The operator shall also implement capabilities to detect and prevent proxy wagering from occurring on the sports wagering system.
7. A patron's sports wagering account for mobile sports wagers may be funded using:
- A. A patron's deposit account;

- B. A patron's deposit of cash or gaming chips at a facility lounge;
 - C. Promotional or bonus credit;
 - D. Winnings;
 - E. Adjustments made by the operator with documented notification to the patron; or
 - F. Any other means approved by the Director.
8. An operator or management services provider shall not permit a patron to transfer funds to another patron.
 9. Sports wagering operators shall establish the minimum and maximum wager a patron may make on a single sports bet.
 10. All adjustments to sports wagering 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.
 11. An operator's sports wagering system must employ a mechanism that can detect and prevent any wagering or withdrawal activity by a patron that would result in a negative balance in that patron's account.
 12. A process to provide patrons with information about their play. This includes history, money spent, games played, net wins/losses, limits history, and any other relevant information.
 13. A process to provide patrons with updates during play about time and money spent and account balances in cash.
 14. Providing credit to patron sports wagering accounts is strictly prohibited.
 15. Sports wagering systems shall require a patron after fifteen minutes of user inactivity, as measured by the electronic wagering system, to re-enter his or her username and password manually or through biometric authentication, or any other method approved by the Department.
 16. An operator's sports wagering 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 sports wagering system shall, upon request, be capable of providing a summary statement of all patron activity during the past year.
 17. 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.
18. An operator shall maintain a segregated account separate from all other operating accounts to ensure the security of funds held in patron sports wagering 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 sports wagering accounts, funds on game, and pending withdrawals. An operator shall have unfettered access to all patron sports wagering 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.
 19. 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.
 20. A mobile sports wagering 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 sports wagering account closed by a patron shall be refunded pursuant to the operator’s approved internal controls.
 21. Operators shall obtain a bond in the amount of Five Hundred Thousand Dollars (\$500,000.00) in order to conduct sports wagering 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.
 22. Operators shall also maintain a reserve in the form of cash, cash equivalents, irrevocable letter of credit, in addition to the above-referenced bond, of not less than the amount necessary to ensure the ability to cover the outstanding liability related to the sports wagering accounts.
 23. The outstanding liability of sports wagering accounts shall be the sum of the following

amounts:

- A. Amounts held by the operator for sports wagering accounts;
 - B. Aggregate amounts accepted by the operator as wagers on sports events with outcomes that have not been determined; and
 - C. Amounts owed but unpaid by the operator on winning wagers.
24. 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.
25. 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 sports wagering 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.
26. The sports wagering 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/mobile gaming, internet/mobile sports wagering 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.

27. A sports wagering 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 sports wagering 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.

28. When a sports wagering account is suspended, the operator must do all of the following:

- A. Prevent the patron from placing sports wagers;
- 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.

29. 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 sports wagering 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.

Chapter 63: RESPONSIBLE WAGERING PROGRAM

1. Each facility or mobile 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 by the Director 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 following ~~unauthorized~~ universal exclusion list 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 individuals to make a request to be placed on the ~~unauthorized~~ universal exclusion list on a form(s) approved by the Director, which shall include;
 - (1) Any person may request to be added to the ~~unauthorized~~ universal exclusion list pursuant to these rules by appearing in person at an office of the State of Maine Gambling Control Unit, a licensed facility operator; 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, mobile operator or management services provider website to the problem gambling service provider for a virtual request to the ~~unauthorized~~ universal exclusion list.
 - C. A procedure to satisfy and or close prior wagers and accounts before being accepted to the ~~unauthorized~~ universal exclusion list;
 - D. A procedure for removing a person from a licensed facility or preventing or cancelling a wager from a mobile operator who is on the ~~unauthorized~~ universal exclusion list;
 - E. Identify the procedures designed to prevent promotional materials or communications from being directed specifically to individuals who have been added to the ~~unauthorized~~ universal exclusion 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 sports 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 to respond to circumstances in which sports wagering account activity may indicate signs that are consistent with gambling addiction, including annual refresher training;
 - H. Time frames available for placement on the ~~unauthorized~~ universal exclusion list shall be available for terms of one, three, ~~or~~ five years or lifetime. ~~initially and shall automatically terminate upon expiration.~~ The expiration will occur on the last day of the month of the original request for placement on the

~~unauthorized~~ universal exclusion list;

- I. Once a time frame is selected, the person requesting exclusion will serve the entire duration of the exclusion period except, in the case of lifetime exclusion, the person may petition the Board for removal from the self-exclusion list after five years; and
 - J. Procedures for the interception of sports wagering winnings to pay child support debt as required in Title 8, Chapter 35, §1217; and
 - ~~K. Upon completion of one of the three terms in (H.) a person may request lifetime and shall be required to complete ten years before being able to request removal from the list which shall be in writing and submitted to the Director.~~
3. The Gambling Control Unit will maintain the official ~~unauthorized~~ universal exclusion list 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.
 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 from placing wagers. For each individual who makes such a request, operators shall provide the individual with additional responsible wagering resources; and
 - C. 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 1-800 GAMBLER helpline or other publication approved by the director.
 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. Sports wagering licensees, their employees, or agents thereof, may not disclose the ~~unauthorized~~ universal exclusion list or any information about a person who has requested to be on the ~~unauthorized~~ universal exclusion list except as necessary to comply with this chapter or as otherwise required by law.

16 DEPARTMENT OF PUBLIC SAFETY

633 GAMBLING CONTROL UNIT

Chapter 67: INVOLUNTARY PLACEMENT OF PERSONS ON THE ~~UNAUTHORIZED~~
UNIVERSAL EXCLUSION LIST

1. The Director shall maintain a list of those persons who have been placed on the ~~unauthorized person~~ universal exclusion list involuntarily.
2. Persons who may be involuntarily placed on the ~~unauthorized persons~~ universal exclusion list include:
 - A. Any individual whose participation may undermine the integrity of the wagering or the sports event;
 - B. Any individual who has placed a wager as an agent or proxy, as demonstrated by reliable evidence;
 - C. Any career or professional offenders whose presence in the facility or on a wagering system would be inimical to the interest of the State, including persons whose gambling or sports wagering licenses have been revoked or are currently under suspension as a result of disciplinary action in this State or another gambling jurisdiction; and persons convicted of sports wagering-related or gambling-related offenses, including violations of Title 8 M.R.S. Chapters 31 or 35; Title 17, Chapters 13-A or -62; Title 17-A, Chapter 39; other sports wagering-related or gambling-related offenses in violation of Maine law; and substantially similar offenses in other jurisdictions;
 - D. Persons subject to an order of a court regarding a sports wagering, casino or gambling-related incident or an order of a regulatory agency excluding such persons from sports wagering activities or gambling facilities;
 - E. Persons who have been convicted of a crime involving dishonesty or false statement;
 - F. Persons who pose a threat to the safety of patrons or employees; and
 - G. Persons whose conduct or documented history of conduct involves the undue disruption of the wagering operations, including but not limited to criminal mischief, disorderly conduct, harassment, or cheating.
3. Persons may only be entered on the ~~Director's unauthorized person~~ universal exclusion list pursuant to the following procedures:
 - A. Upon receipt of information that a person meets any criteria in Section (2) above, the Director shall notify the person in writing of placement of the person's name on the ~~unauthorized persons~~ universal exclusion list and the reasons for that decision;

- B. The person may, within 30 days of receipt of this notice, appeal that determination to the Commissioner pursuant to 8 M.R.S.A. §1205(3);
 - C. The request for appeal must be made in writing and outline the factual and legal basis for the appeal;
 - D. If no request for appeal is timely received, the decision becomes final, and the Director shall notify licensed Operators of the person's placement on the list.
4. The Involuntary ~~Unauthorized Persons~~ universal exclusion list shall contain the following information:
- A. The person's full name, and known aliases or nicknames;
 - B. Date of birth;
 - C. The basis for the person's addition to the list;
 - D. A physical description of the person including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;
 - E. The effective date the person's name was placed on the Involuntary ~~Unauthorized Persons~~ universal exclusion list; and
 - F. A photograph of the person, if available.
5. The Involuntary ~~Unauthorized Persons~~ universal exclusion list will be updated by the Director or their designee on a monthly basis and the list will be circulated to licensed Operators on a monthly basis.
6. Removal from the Involuntary ~~Unauthorized Persons~~ universal exclusion list is available under the following procedures:
- A. Persons on the Involuntary ~~Unauthorized Persons~~ universal exclusion list may petition to have their name removed from the list one year after placement on the list by filing a request in writing to the Director. The request must state with specificity the reasons for the request and include documentation of material changes in the circumstances underlying the basis for exclusion.
 - B. If the Director grants the request, the person's name shall be removed from the Involuntary ~~Unauthorized Persons~~ universal exclusion list. The Director or their designee shall delete the name of the person from the list and notify each Operator of such deletion from the list as described in Section 4.
7. All Operators who control patron access will develop procedures to keep persons on the Involuntary ~~Unauthorized Persons~~ universal exclusion list from accessing the Operator's sports wagering facilities or mobile systems. These procedures must be reviewed and approved by the Director. The procedures must include detailed processes for:

- A. Detecting when persons who are currently on the Involuntary ~~Unauthorized Persons~~ universal exclusion list are attempting to access the sports wagering facility or mobile system;
 - B. Preventing persons who are currently on the Involuntary ~~Unauthorized Persons~~ universal exclusion list from accessing the sports wagering facility or mobile system; and
 - C. Upon discovery of a person who is currently on the Involuntary ~~Unauthorized Persons~~ universal exclusion list, removal from the sports wagering area or sports wagering mobile system.
8. Operators must submit any changes to their procedures outlined in Section 6 above for review and approval by the Director 45 days prior to the anticipated effective date of the new procedures.