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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 1091, L.D. 1520, Bill, "An Act To Allow the Passamaquoddy Tribe To Operate Slot Machines in Washington County in Conjunction with High-stakes Beano"

Amend the bill by striking out the title and substituting the following:

'An Act To Allow the Passamaquoddy Tribe To Operate a Casino in Washington County in Conjunction with High-stakes Beano'

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 8 MRSA §1011, sub-§2-C is enacted to read:

2-C. Passamaquoddy Tribe eligible for license to operate a casino. Notwithstanding subsection 2-B, the board may accept an application from the Passamaquoddy Tribe for a license to operate a casino at a gaming facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe.

Sec. 2. 8 MRSA §1018, sub-§1-A, as enacted by PL 2011, c. 699, §2, is amended to read:

1-A. Fees for slot machine and casino operator licenses on or after September 1, 2012. Notwithstanding subsection 1, paragraphs C and C-1, beginning September 1, 2012, an applicant for a slot machine operator license or a casino operator license must pay a \$250,000 nonrefundable privilege fee to be submitted with the application for the license and a minimum license fee, or cash bid if the license is part of a competitive bidding process established by law, of \$5,000,000. This subsection does not apply to a casino licensed for operation in the State as of September 1, 2012. This subsection does not apply to a casino licensed for operation by the Passamaquoddy Tribe under section 1011, subsection 2-C.'

Amend the bill in section 2 in subsection 7 in the 3rd line from the end (page 1, line 17 in L.D.) by striking out the following: "slot machines" and inserting the following: 'a casino'

COMMITTEE AMENDMENT

1 Amend the bill in section 2 in subsection 7 in the last 2 lines (page 1, lines 18 and 19
2 in L.D.) by striking out the following: "those slot machines" and inserting the following:
3 'a casino'

4 Amend the bill in section 5 by striking out all of subsection 1 and inserting the
5 following:

6 **'1. Distribution for administrative expenses of board.** A slot machine operator
7 licensed under section 1011, subsection 2 ~~or~~, a casino operator licensed under section
8 1011, subsection 2-C or a casino operator that is a commercial track that was licensed to
9 operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect
10 and distribute 1% of gross slot machine income to the Treasurer of State for deposit in the
11 General Fund for the administrative expenses of the board. '

12 Amend the bill by striking out all of sections 6, 7 and 8 and inserting the following:

13 **'Sec. 6. 8 MRSA §1036, sub-§2,** as amended by PL 2013, c. 118, §1, is further
14 amended to read:

15 **2. Distribution of net slot machine income from casino with commercial track**
16 **and from casino operated in conjunction with beano.** A slot machine operator
17 licensed under section 1011, subsection 2 ~~or~~, a casino operator licensed under section
18 1011, subsection 2-C or a casino operator that is a commercial track that was licensed to
19 operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect
20 and distribute 39% of the net slot machine income from slot machines operated by the
21 slot machine operator or casino operator to the board for distribution by the board as
22 follows:

23 A. Three percent of the net slot machine income must be deposited to the General
24 Fund for administrative expenses of the board in accordance with rules adopted by
25 the board, except that of the amount calculated pursuant to this paragraph, the
26 following amounts must be transferred annually to the Gambling Addiction
27 Prevention and Treatment Fund established by Title 5, section 20006-B:

28 (1) For the fiscal year beginning July 1, 2011, \$50,000;

29 (2) For the fiscal year beginning July 1, 2012, \$50,000; and

30 (3) For the fiscal year beginning July 1, 2013 and for each fiscal year thereafter,
31 \$100,000;

32 B. Ten percent of the net slot machine income must be forwarded by the board to the
33 Treasurer of State, who shall credit the money to the fund established in section 298
34 to supplement harness racing purses;

35 C. Three percent of the net slot machine income must be credited by the board to the
36 Sire Stakes Fund created in section 281;

37 D. Three percent of the net slot machine income must be forwarded by the board to
38 the Treasurer of State, who shall credit the money to the Agricultural Fair Support
39 Fund established in Title 7, section 91;

40 E. Ten percent of the net slot machine income must be forwarded by the board to the
41 State Controller and except as otherwise provided in this paragraph credited to the

1 Fund for a Healthy Maine established by Title 22, section 1511 and segregated into a
2 separate account under Title 22, section 1511, subsection 11, with the use of funds in
3 the account restricted to the purposes described in Title 22, section 1511, subsection
4 6, paragraph E. For the fiscal years ending June 30, 2010, June 30, 2011 and June 30,
5 2012, the amount credited annually by the State Controller to the Fund for a Healthy
6 Maine under this paragraph may not exceed \$4,500,000 annually and any funds in
7 excess of \$4,500,000 annually during these fiscal years must be credited as General
8 Fund undedicated revenue, and, for the fiscal year ending June 30, 2013, the amount
9 credited by the State Controller to the Fund for a Healthy Maine under this paragraph
10 is \$0;

11 F. Two percent of the net slot machine income must be forwarded by the board to the
12 University of Maine System Scholarship Fund created in Title 20-A, section 10909
13 and to the Board of Trustees of the Maine Maritime Academy to be applied by the
14 board of trustees to fund its scholarship program. The slot machine income under
15 this paragraph must be distributed as follows:

16 (1) The University of Maine System share is the total amount of the distribution
17 multiplied by the ratio of enrolled students in the system to the total number of
18 enrolled students both in the system and at the Maine Maritime Academy; and

19 (2) The Maine Maritime Academy share is the total amount of the distribution
20 multiplied by the ratio of enrolled students at the academy to the total number of
21 enrolled students both in the system and at the academy;

22 G. One percent of the net slot machine income must be forwarded by the board to the
23 board of trustees of the Maine Community College System to be applied by the board
24 of trustees to fund its scholarships program under Title 20-A, section 12716,
25 subsection 1;

26 H. Four percent of the net slot machine income must be forwarded by the board to
27 the Treasurer of State, who shall credit the money to the Fund to Encourage Racing at
28 Maine's Commercial Tracks, established in section 299; however, the payment
29 required by this paragraph is terminated when all commercial tracks have obtained a
30 license to operate slot machines in accordance with this chapter, in which case, that
31 4% of the net slot machine income must be credited to the General Fund as
32 undedicated revenue;

33 I. Two percent of the net slot machine income must be forwarded by the board to the
34 Treasurer of State, who shall credit the money to the Fund to Stabilize Off-track
35 Betting Facilities established by section 300, as long as a facility has conducted off-
36 track wagering operations for a minimum of 250 days during the preceding 12-month
37 period in which the first payment to the fund is required. After 48 months of
38 receiving an allocation of the net slot machine income from a licensed operator, the
39 percent of net slot machine income forwarded to the Fund to Stabilize Off-track
40 Betting Facilities is reduced to 1% with the remaining 1% to be forwarded to the
41 State in accordance with subsection 1; and

42 J. One percent of the net slot machine income must be forwarded directly to the
43 municipality in which the slot machines are located.

1 **Sec. 7. 8 MRSA §1036, sub-§2-A**, as amended by PL 2013, c. 118, §2, is further
2 amended to read:

3 **2-A. Distribution from casino of slot machine income.** A casino operator shall
4 collect and distribute 46% of the net slot machine income from slot machines operated by
5 the casino operator to the board for distribution by the board as follows:

6 A. Twenty-five percent of the net slot machine income must be forwarded directly
7 by the board to the Treasurer of State, who shall credit the money to the Department
8 of Education, to be used to supplement and not to supplant funding for essential
9 programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

10 B. Four percent of the net slot machine income must be forwarded by the board to
11 the University of Maine System Scholarship Fund created in Title 20-A, section
12 10909 and to the Board of Trustees of the Maine Maritime Academy to be applied by
13 the board of trustees to fund its scholarship program. The slot machine income under
14 this paragraph must be distributed as follows:

15 (1) The University of Maine System share is the total amount of the distribution
16 multiplied by the ratio of enrolled students in the system to the total number of
17 enrolled students both in the system and at the Maine Maritime Academy; and

18 (2) The Maine Maritime Academy share is the total amount of the distribution
19 multiplied by the ratio of enrolled students at the academy to the total number of
20 enrolled students both in the system and at the academy;

21 C. Three percent of the net slot machine income must be forwarded by the board to
22 the Board of Trustees of the Maine Community College System to be applied by the
23 board of trustees to fund its scholarships program under Title 20-A, section 12716,
24 subsection 1;

25 D. Four percent of the net slot machine income must be forwarded by the board to
26 the Treasurer of State, who shall distribute the funds to the tribal governments of the
27 Penobscot Nation and the Passamaquoddy Tribe;

28 E. Three percent of the net slot machine income must be deposited to the General
29 Fund for administrative expenses of the board, including gambling addiction
30 counseling services, in accordance with rules adopted by the board;

31 F. Two percent of the net slot machine income must be forwarded directly to the
32 municipality in which the casino is located;

33 G. One percent of the net slot machine income must be forwarded by the board to the
34 Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund
35 established in Title 7, section 91;

36 H. One percent of the net slot machine income must be forwarded by the board to the
37 Treasurer of State, who shall credit the money to the fund established in section 298
38 to supplement harness racing purses;

39 I. One percent of the net slot machine income must be credited by the board to the
40 Sire Stakes Fund created in section 281;

1 J. One percent of the net slot machine income must be forwarded directly to the
2 county in which the casino is located to pay for mitigation of costs resulting from
3 gaming operations;

4 L. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
5 forwarded by the board to the Treasurer of State, who shall credit the money to the
6 Maine Milk Pool, Other Special Revenue Funds account within the Department of
7 Agriculture, Conservation and Forestry to help fund dairy farm stabilization pursuant
8 to Title 7, sections 3153-B and 3153-D; and

9 M. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
10 forwarded by the board to the Treasurer of State, who shall credit the money to the
11 Dairy Improvement Fund established under Title 10, section 1023-P.

12 If a recipient of net slot machine income in paragraph D, H or I owns or receives funds
13 from a slot machine facility or casino, other than the casino in Oxford County, a casino
14 operated by the Passamaquoddy Tribe or the slot machine facility in Bangor, then the
15 recipient may not receive funds under this subsection, and those funds must be retained
16 by the Oxford County casino operator, except that if a casino operator license is issued to
17 the Passamaquoddy Tribe, the distribution of slot machine income under paragraph D due
18 to the Passamaquoddy Tribe must be deposited in the Coordinated Veterans Assistance
19 Fund established in Title 37-B, section 514.

20 **Sec. 8. 8 MRSA §1036, sub-§2-C**, as amended by PL 2013, c. 128, §1, is further
21 amended to read:

22 **2-C. Distribution of table game income from casino with a commercial track or**
23 **from casino operated by Passamaquoddy Tribe.** A casino operator that is a
24 commercial track and was licensed to operate slot machines on January 1, 2011 or a
25 casino operator licensed under section 1011, subsection 2-C shall collect and distribute
26 16% of the net table game income from table games operated by the casino operator to
27 the board for distribution by the board as follows:

28 A. Nine percent of the net table game income must be deposited to the General Fund
29 for administrative expenses of the board, including gambling addiction counseling
30 services, in accordance with rules adopted by the board;

31 B. Three percent of the net table game income must be deposited to the Gambling
32 Control Board administrative expenses Other Special Revenue Funds account, which
33 is a nonlapsing dedicated account;

34 C. Two percent of the net table game income must be forwarded directly to the
35 municipality in which the table games are located; and

36 D. Two percent of net table game income must be deposited into the Coordinated
37 Veterans Assistance Fund established in Title 37-B, section 514.

38 **Sec. 9. 17 MRSA §314-A, sub-§3**, as repealed and replaced by PL 1991, c. 426,
39 §4, is repealed.

40 **Sec. 10. 17 MRSA §314-A, sub-§3-A**, as enacted by PL 2003, c. 452, Pt. I, §5
41 and affected by Pt. X, §2, is repealed.

