

# MAINE STATE LEGISLATURE

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SMC  
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L.D. 350

Date: 5/29/2013

(Filing No. S-142)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 130, L.D. 350, Bill, "An Act To Amend the Laws Governing Gambling"

Amend the bill by inserting after the title the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** licensed casinos provide a draw for tourists to enter the State during the summer season, resulting in a need for increasing the number of employees; and

**Whereas,** an employee licensing system that allows employees to work in casinos pending license approval will allow for adequate staffing of casinos and provide needed employment opportunities; and

**Whereas,** in order to allow the State's casino industry to prepare for this year's summer season, this legislation must take effect within the 90-day period; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill in section 10 in paragraph I by striking out all of subparagraph (2) (page 2, lines 28 to 33 in L.D.) and inserting the following:

'(2) Provide that, before making a payout of winnings in an amount equal to or greater than the amount for which the licensee is required to file a Form W-2G or substantially equivalent form with the United States Internal Revenue Service, the licensee, after any interception of winnings required by law to pay child support debt or other obligations, shall intercept money or anything of value that an excluded person is seeking to redeem as a result of wagers made by the person after that person has been excluded. The rules must offer the excluded person the right to an administrative hearing with reasonable notice to contest the interception of winnings. Winnings intercepted must be remitted by the licensee

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1 to the board or its designee for deposit in an Other Special Revenue Funds  
2 account within the office of substance abuse within the Department of Health and  
3 Human Services to address gambling addiction.'

4 Amend the bill by striking out all of section 12 (page 3, lines 8 to 13 in L.D.) and  
5 inserting the following:

6 'Sec. 12. 8 MRSA §1006, sub-§8 is enacted to read:

7 8. Voluntary exclusion. Notwithstanding Title 1, section 401, records and  
8 information obtained or developed by the board as part of establishing and administering  
9 the list of persons who voluntarily request exclusion from any slot machine facility or  
10 casino under section 1003, subsection 3, paragraph I are confidential except that  
11 information may be released with the written consent of the person requesting voluntary  
12 exclusion and as is necessary to inform the slot machine facility or casino licensee and  
13 enforce the voluntary exclusion. Statistical data and general information that do not  
14 allow for a person on the voluntary exclusion list to be personally identified are not  
15 confidential.'

16 Amend the bill in section 24 in paragraph G in the last line (page 6, line 12 in L.D.)  
17 by striking out the following: "weekly" and inserting the following: 'weekly quarterly'

18 Amend the bill by inserting at the end the following:

19 '**Emergency clause.** In view of the emergency cited in the preamble, this  
20 legislation takes effect when approved.'

21 **SUMMARY**

22 This amendment changes the provision in the bill that requires the Gambling Control  
23 Board to adopt rules to require that winnings from wagers due to a person who has been  
24 excluded from a casino or slot machine facility either voluntarily or involuntarily be  
25 withheld from the excluded person and remitted to an Other Special Revenue Funds  
26 account within the office of substance abuse within the Department of Health and Human  
27 Services. The amendment provides that winnings are intercepted when they are in an  
28 amount that requires reporting to the United States Internal Revenue Service and after  
29 any required child support debt or other obligations are remitted from those winnings.  
30 The amendment also requires the Gambling Control Board to allow for the excluded  
31 person to request an administrative hearing to contest the interception of winnings.

32 The amendment also clarifies that records obtained by the board regarding persons  
33 who seek to be voluntarily excluded from a slot machine facility or casino are  
34 confidential, as is provided by the bill, but may be made available in the form of  
35 statistical data or in a general manner that does not allow for personal identification of a  
36 voluntarily excluded person.

37 Finally, this amendment provides that the minimum average daily aggregate payback  
38 percentage for slot machines be calculated quarterly rather than weekly.

39 **FISCAL NOTE REQUIRED**

40 (See attached)



Approved: 05/23/13 *mac*

# 126th MAINE LEGISLATURE

LD 350

LR 437(02)

## An Act To Amend the Laws Governing Gambling

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-142)

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

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### Fiscal Note

Potential current biennium revenue increase - Other Special Revenue Funds

#### Fiscal Detail and Notes

This legislation provides that any money or thing of value owed to an individual excluded from a slot machine facility or casino may not be paid to the person but must be remitted by the licensee for deposit in an Other Special Revenue Funds account within the Department of Health and Human Services, Office of Substance Abuse, for gambling addiction services. The amount of revenue made available for this purpose will depend on the number of individuals who are excluded and have winnings forfeited. No estimate can be made at this time.