

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1298

H.P. 925

House of Representatives, April 2, 2013

**An Act To Authorize the Houlton Band of Maliseet Indians To
Operate a Casino in Aroostook County**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BEAR of the Houlton Band of Maliseet Indians.

1 **Be it enacted by the People of the State of Maine as follows:**

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

3 **2-C. Houlton Band of Maliseet Indians eligible for casino operator license.**
4 Notwithstanding subsection 2-B, the board may accept an application for a casino
5 operator license to operate slot machines and table games at a casino on the North Road
6 property of the Houlton Band of Maliseet Indians in the Town of Houlton in Aroostook
7 County from the Houlton Band of Maliseet Indians.

8 **Sec. 2. 8 MRSA §1019, sub-§7**, as amended by PL 2011, c. 417, §6, is further
9 amended to read:

10 **7. Statewide and county referendum; municipal vote.** After January 1, 2011, any
11 proposed casino or slot machine facility may not be issued a license unless it has been
12 approved by a statewide referendum vote and a vote of the municipal officers or
13 municipality in which the casino or slot machine facility is to be located, except that a
14 commercial track licensed to operate slot machines on January 1, 2011 is only required,
15 as a condition to obtain a casino license, to receive approval to operate a casino by means
16 of a referendum of the voters of the county in which the commercial track is located. A
17 casino operated by the Houlton Band of Maliseet Indians is exempt from the
18 requirements of this subsection.

19 **Sec. 3. 8 MRSA §1020, sub-§3, ¶A**, as amended by PL 2011, c. 585, §8, is
20 further amended to read:

21 A. Except for slot machines used for training and educational purposes at
22 postsecondary institutions as provided by section 1011, subsection 1-B, the total
23 number of slot machines registered in the State may not exceed ~~3,000~~ 4,500; and

24 **Sec. 4. 8 MRSA §1036, sub-§2-A**, as amended by PL 2011, c. 625, §§3 and 4
25 and c. 657, Pt. W, §5, is further amended to read:

26 **2-A. Distribution from casino of slot machine income.** A casino operator shall
27 collect and distribute 46% of the net slot machine income from slot machines operated by
28 the casino operator to the board for distribution by the board as follows:

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

33 B. Four percent of the net slot machine income must be forwarded by the board to
34 the University of Maine System Scholarship Fund created in Title 20-A, section
35 10909;

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

- 1 D. Four percent of the net slot machine income must be forwarded by the board to
2 the Treasurer of State, who shall distribute the funds to the tribal governments of the
3 Penobscot Nation and the Passamaquoddy Tribe;
- 4 E. Three percent of the net slot machine income must be deposited to the General
5 Fund for administrative expenses of the board, including gambling addiction
6 counseling services, in accordance with rules adopted by the board;
- 7 F. Two percent of the net slot machine income must be forwarded directly to the
8 municipality in which the casino is located;
- 9 G. One percent of the net slot machine income must be forwarded by the board to the
10 Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund
11 established in Title 7, section 91;
- 12 H. One percent of the net slot machine income must be forwarded by the board to the
13 Treasurer of State, who shall credit the money to the fund established in section 298
14 to supplement harness racing purses;
- 15 I. One percent of the net slot machine income must be credited by the board to the
16 Sire Stakes Fund created in section 281;
- 17 J. One percent of the net slot machine income must be forwarded directly to the
18 county in which the casino is located to pay for mitigation of costs resulting from
19 gaming operations;
- 20 K. One percent of the net slot machine income must be forwarded by the board to the
21 Treasurer of State, who shall credit the money to the Maine Milk Pool, Other Special
22 Revenue Funds account within the Department of Agriculture, Conservation and
23 Forestry to help fund dairy farm stabilization pursuant to Title 7, sections 3153-B and
24 3153-D. This paragraph is repealed July 1, 2013;
- 25 L. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
26 forwarded by the board to the Treasurer of State, who shall credit the money to the
27 Maine Milk Pool, Other Special Revenue Funds account within the Department of
28 Agriculture, Conservation and Forestry to help fund dairy farm stabilization pursuant
29 to Title 7, sections 3153-B and 3153-D; and
- 30 M. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
31 forwarded by the board to the Treasurer of State, who shall credit the money to the
32 Dairy Improvement Fund established under Title 10, section 1023-P.

33 If a recipient of net slot machine income in paragraph D, H or I owns or receives funds
34 from a slot machine facility or casino, other than the casino in Oxford County, a casino
35 operated by the Houlton Band of Maliseet Indians or the slot machine facility in Bangor,
36 then the recipient may not receive funds under this subsection, and those funds must be
37 retained by the Oxford County casino operator or the Houlton Band of Maliseet Indians.

38 **Sec. 5. 8 MRSA §1036, sub-§2-B**, as amended by PL 2011, c. 417, §9, is further
39 amended to read:

40 **2-B. Distribution from casino of table game income.** A casino operator licensed
41 in accordance with section 1011, subsection 2-A, paragraph A or section 1011, subsection

1 2-C shall collect and distribute 16% of the net table game income from table games
2 operated by the casino operator to the board for distribution by the board as follows:

3 A. Ten percent of the net table game income must be forwarded directly by the board
4 to the Treasurer of State, who shall credit the money to the Department of Education,
5 to be used to supplement and not to supplant funding for essential programs and
6 services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

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

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

12 D. One percent of the net table game income must be forwarded directly to the
13 county in which the table games are located to pay for mitigation of costs resulting
14 from gaming operations.

15 **SUMMARY**

16 This bill authorizes the Department of Public Safety, Gambling Control Board to
17 accept an application for a casino operator license to operate slot machines and table
18 games at a casino on the North Road property of the Houlton Band of Maliseet Indians in
19 the Town of Houlton from the Houlton Band of Maliseet Indians. A casino operated by
20 the Houlton Band of Maliseet Indians would not be required to be approved at
21 referendum. The bill raises the limit on the number of slot machines allowed in the State
22 to accommodate the casino operated by the Houlton Band of Maliseet Indians. A casino
23 operated by the Houlton Band of Maliseet Indians would be subject to the oversight of
24 the Gambling Control Board and subject to the same laws and rules as currently licensed
25 casinos.