

MAINE STATE LEGISLATURE

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DATE: 4/7/94

(Filing No. H-1070)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT **B** to H.P. 1470, L.D. 1998, Bill, "An Act Authorizing a Tribally Owned Casino in the City of Calais"

Amend the bill in Part A in section 2 in that part designated "§363." in subsection 3 by inserting after paragraph C the following:

'D. The location of the gaming facility has been submitted to and approved by the legal voters living in any municipality or part of a municipality in the State that is within a 25-mile radius of the proposed site at a referendum conducted by the Secretary of State in a general or statewide election.'

Further amend the bill in Part A by striking out all of section 11.

Further amend the bill in Part A by striking out all of sections 13 and 14 and inserting in their place the following:

'Sec. A-13. Effect of notification. That section of this Act that enacts the Maine Revised Statutes, Title 17, chapter 16 is not effective with respect to the Passamaquoddy Tribe until the Secretary of State receives written notification by the Joint Tribal Council of the Passamaquoddy Tribe that the tribe agrees not to exercise any rights the tribe has or may have to a tribal-state compact under the federal Indian Gaming Regulatory Act for as long as the provisions of Title 17, chapter 16 governing jurisdiction, the scope of authorized gaming or the location or taxation of authorized gaming are not amended without approval of the amendment by the Joint Tribal Council of the Passamaquoddy Tribe being recorded with the Secretary of State.

HOUSE AMENDMENT

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2 That section of this Act that enacts the Maine Revised
3 Statutes, Title 17, chapter 16 is not effective with respect to
4 the Penobscot Nation until the Secretary of State receives
5 written notification by the Governor and Council of the Penobscot
6 Nation that the nation agrees not to exercise any rights the
7 nation has or may have to a tribal-state compact under the
8 federal Indian Gaming Regulatory Act for as long as the
9 provisions of Title 17, chapter 16 governing jurisdiction, the
10 scope of authorized gaming or the location or taxation of
11 authorized gaming are not amended without approval of the
12 amendment by the Governor and Council of the Penobscot Nation
13 being recorded with the Secretary of State.'

14 Further amend the bill in Part A by renumbering the sections
15 to read consecutively.

18 **FISCAL NOTE**

20 This amendment adds a referendum requirement as a condition
21 to establishing any additional casinos. The Department of the
22 Secretary of State will incur additional expenses for a
23 referendum for the voters living within a 25-mile radius of the
24 proposed site for a casino. The amounts and the timing of the
25 additional expenses can not be estimated at this time.

28 **STATEMENT OF FACT**

30 This amendment removes from the bill provisions authorizing
31 the Passamaquoddy Tribe to include land in Calais within
32 Passamaquoddy Indian territory.

34 The amendment also provides that the portion of the bill
35 that enacts the Maine Revised Statutes, Title 17, chapter 16
36 authorizing Indian gaming does not take effect with regard to the
37 Passamaquoddy Tribe or the Penobscot Nation until the Secretary
38 of State receives written notification by the Joint Tribal
39 Council of the Passamaquoddy Tribe or the Governor and Council of
40 the Penobscot Nation agreeing not to exercise any rights the
41 tribe or nation has or may have to a tribal-state compact under
42 the federal Indian Gaming Regulatory Act for as long as the
43 provisions enacted in that chapter are not amended without
44 approval of the Joint Tribal Council of the Passamaquoddy Tribe
45 or the Governor and Council of the Penobscot Nation.

46 This amendment also requires that the location of any
47 additional proposed gaming facility be approved the voters living
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HOUSE AMENDMENT "B" to H.P. 1470, L.D. 1998

2 in any municipality or part of a municipality in the State that
is within a 25-mile radius of the proposed site.

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SPONSORED BY: Susan Farnsworth
(Representative FARNSWORTH)

TOWN: Hallowell

HOUSE AMENDMENT