

MAINE STATE LEGISLATURE

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L.D. 400

DATE: April 2, 1996 (Filing No. S- 569)

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STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to H.P. 296, L.D. 400, Bill, "An Act to Authorize Video Gaming"

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

'An Act to Clarify the Laws Relating to Gaming and Harness Racing'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, off-track betting parlors in smaller markets are struggling financially; and

Whereas, those parlors provide badly needed jobs and tax dollars for the communities they serve; 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,

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

Sec. 1. 8 MRSA §275-O, sub-§3, ¶¶C and D, as enacted by PL 1995, c. 403, §1, are amended to read:

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SENATE AMENDMENT "A" to H.P. 296, L.D. 400

2 C. Section 275-I, subsection 1, paragraph A; and

4 D. Section 275-L, subsection 1, and

6 **Sec. 2. 8 MRSA §275-O, sub-§3, ¶E** is enacted to read:

8 E. Section 275-J, subsection 1, paragraph A.

10 **Sec. 3. 8 MRSA §275-O, sub-§5**, as enacted by PL 1995, c. 403,
 §1, is repealed.

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14 **Sec. 4. 17 MRSA §314, first ¶**, as amended by PL 1993, c. 45,
 §1, is further amended to read:

16 The Chief of the State Police may issue licenses to operate
 18 beano or bingo games on a monthly basis to any volunteer fire
 department or any agricultural fair association or bona fide
 20 nonprofit charitable, educational, political, civic,
 recreational, fraternal, patriotic, religious or veterans'
 22 organization that was in existence at least 2 years prior to its
 application for a license, when sponsored, operated and conducted
 24 for the exclusive benefit of that organization by duly authorized
 members. The Chief of the State Police may also issue a license
 26 to any auxiliary associated with an organization, department or
 association qualified for a license under this section if the
 28 auxiliary has been in existence at least 2 years before applying
 for a license and the games are sponsored, operated and conducted
 30 for the exclusive benefit of the auxiliary by duly authorized
 members of the auxiliary. Proceeds from any game conducted by
 32 the auxiliary or the auxiliary's parent organization may not be
 used to provide salaries, wages or other remuneration to members,
 34 officers or employees of the auxiliary or its parent
 organization, except as provided in sections 326 and 335. The 2
 36 years' limitation does not apply to any ~~chartered--pests--of~~
~~veterans'-organizations--nationally-established,~~ organizations in
this State having a charter from a national organization, or
 38 auxiliaries of those ~~pests~~ organizations, even though the ~~pests~~
~~organizations~~ have not been in existence for 2 years prior to
 40 their application for a license ~~nor does the.~~ The 2 years'
 42 limitation does not apply to any volunteer fire department or
 rescue unit or auxiliary of that department or unit. A license
 44 may be issued to an agricultural fair association when sponsored,
 operated and conducted for the benefit of such agricultural fair
 association.

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48 **Emergency clause.** In view of the emergency cited in the
 preamble, this Act takes effect when approved.'

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SENATE AMENDMENT

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FISCAL NOTE

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1995-96 1996-97

REVENUES

Other Funds (\$13,920) (\$55,680)

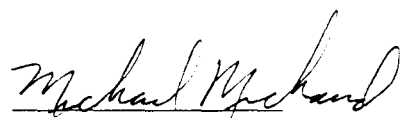
All of the various fiscal impacts are removed as a result of this amendment. The exemption of certain off-track betting parlors from certain payment requirements will reduce funds collected by the Harness Racing Commission, within the Department of Agriculture, Food and Rural Resources, for distribution to racetracks. The estimated reductions in dedicated revenue to the commission are \$13,920 and \$55,680 in fiscal years 1995-96 and 1996-97, respectively. The removal of the sunset date for this and other exemptions will result in annual reductions of \$168,980 in dedicated revenues collected by the commission for distribution to various functions related to harness racing beginning in fiscal year 1997-98.

This amendment may result in additional collections of dedicated revenue by the Department of Public Safety. The exact amount can not be determined at this time.

SUMMARY

During the First Regular Session of the 117th Legislature, L.D. 637 was introduced to address the reduced payment issue described in the Maine Revised Statutes, Title 8, section 275-O. However, when the original document was written and the subsequent revision was enacted the payment required in Title 8, section 275-J, subsection 1, paragraph A was not included. This error was not discovered until after enactment of the document. This amendment will correct the oversight that occurred in the previous legislative session. This amendment also repeals the July 2, 1997 sunset of the Maine Revised Statutes, Title 8, section 275-O.

Current law requires that an organization must have been in existence for at least 2 years prior to applying for a beano license. Chartered posts of nationally established veterans' organizations are exempt from the 2-year requirement. This amendment expands the exemption from the 2-year requirement to cover all organizations in this State having a charter from a national organization.

SPONSORED BY: 
(Senator MICHAUD)

COUNTY: Penobscot