

MAINE STATE LEGISLATURE

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Date: 2/8/10 Majority

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 569, L.D. 833, Bill, "An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse"

Amend the bill by inserting after the title and before the enacting clause 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, the Legislature must work to prevent gambling addiction and provide proper treatment when needed; and

Whereas, those trained to implement prevention and treatment programs are best suited to administer gambling addiction prevention and treatment funds; 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 by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 5 MRSA §20006-B is enacted to read:

§20006-B. Gambling Addiction Prevention and Treatment Fund

1. Fund established. The Gambling Addiction Prevention and Treatment Fund, referred to in this section as "the fund," is established for the purpose of supporting gambling addiction analysis, prevention and treatment to be administered by the office. The fund is a dedicated, nonlapsing fund into which payments are received in accordance with Title 8, section 1036, subsection 2.

2. Report. The director shall report annually by March 1st to the joint standing committee of the Legislature having jurisdiction over gambling matters. The report must

COMMITTEE AMENDMENT

1 include a description of a continuum of care model used to identify the need for gambling
2 addiction services, prevention efforts, intervention and treatment provided using money
3 from the fund. The report must describe any collaborative efforts between the office, the
4 Gambling Control Board established under Title 8, section 1002 and slot machine
5 operators licensed in accordance with Title 8, chapter 31 to support the purpose of the
6 fund described in subsection 1. The director may submit recommendations for legislation
7 to the joint standing committee of the Legislature having jurisdiction over gambling
8 matters, which is authorized to submit that legislation to the Legislature.

9 **Sec. 2. 8 MRSA §1036, sub-§2, ¶A**, as amended by PL 2005, c. 663, §12, is
10 further amended to read:

11 A. Three percent of the net slot machine income must be deposited to the General
12 Fund for administrative expenses of the board, ~~including gambling addiction~~
13 ~~counseling services~~, in accordance with rules adopted by the board, ~~except that of the~~
14 ~~amount calculated pursuant to this paragraph, the following amounts must be~~
15 ~~transferred annually to the Gambling Addiction Prevention and Treatment Fund~~
16 ~~established by Title 5, section 20006-B:~~

- 17 (1) For the fiscal year beginning July 1, 2010, \$50,000;
- 18 (2) For the fiscal year beginning July 1, 2011, \$50,000;
- 19 (3) For the fiscal year beginning July 1, 2012, \$50,000;
- 20 (4) For the fiscal year beginning July 1, 2013, \$100,000;
- 21 (5) For the fiscal year beginning July 1, 2014, \$115,000;
- 22 (6) For the fiscal year beginning July 1, 2015, \$130,000;
- 23 (7) For the fiscal year beginning July 1, 2016, \$145,000;
- 24 (8) For the fiscal year beginning July 1, 2017, \$160,000;
- 25 (9) For the fiscal year beginning July 1, 2018, \$175,000;
- 26 (10) For the fiscal year beginning July 1, 2019, \$190,000;
- 27 (11) For the fiscal year beginning July 1, 2020, \$205,000;
- 28 (12) For the fiscal year beginning July 1, 2021, \$220,000;
- 29 (13) For the fiscal year beginning July 1, 2022, \$235,000; and
- 30 (14) For the fiscal year beginning July 1, 2023 and for each fiscal year thereafter,
31 \$250,000;

32 **Sec. 3. Baseline appropriations in 2012-2013 for gambling addiction**
33 **services.** The one-time General Fund deappropriations of \$50,000 annually in fiscal
34 years 2009-10 and 2010-11 from the Department of Public Safety, Gambling Control
35 Board program to reduce funding for gambling addiction services included as one-time
36 adjustments in Public Law 2009, chapter 213, Part A, section 59 are intended as a result
37 of the changes included in this Act to be considered ongoing reductions to be replaced by

1 the revenue transferred in this Act to the Department of Health and Human Services,
2 Office of Substance Abuse for gambling addiction services.

3 **Sec. 4. Appropriations and allocations.** The following appropriations and
4 allocations are made.

5 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

6 **Office of Substance Abuse 0679**

7 Initiative: Allocates funds for the purpose of supporting gambling addiction analysis,
8 prevention and treatment.

9	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
10	All Other	\$0	\$50,000
11			
12	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$50,000</u>

13 **Emergency clause.** In view of the emergency cited in the preamble, this
14 legislation takes effect when approved.

15 **SUMMARY**

16 This amendment, which is the majority report of the committee, replaces the bill. It
17 establishes the Gambling Addiction Prevention and Treatment Fund to be administered
18 by the Department of Health and Human Services, Office of Substance Abuse. The
19 amendment directs that through fiscal year 2012-13 net income from the Bangor racino
20 equal to \$50,000 to be distributed to the General Fund for the administrative expenses of
21 the Gambling Control Board be transferred to the Gambling Addiction Prevention and
22 Treatment Fund. In fiscal year 2013-14 the transfer is increased to \$100,000. After the
23 transfer of \$100,000, the amount transferred annually is increased by \$15,000 per year
24 until a maximum transfer of \$250,000 is reached. The Office of Substance Abuse is
25 required to report annually to the joint standing committee of the Legislature having
26 jurisdiction over gambling matters regarding the use of the fund. It also adds an
27 emergency preamble and emergency clause to the bill.

28 **FISCAL NOTE REQUIRED**

29 (See attached)



124th MAINE LEGISLATURE

LD 833

LR 1232(02)

An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Net Cost (Savings)				
General Fund	\$0	\$50,000	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$0	(\$50,000)	(\$50,000)
Other Special Revenue Funds	\$0	\$50,000	\$50,000	\$50,000
Revenue				
General Fund	\$0	(\$50,000)	(\$50,000)	(\$50,000)
Other Special Revenue Funds	\$0	\$50,000	\$50,000	\$50,000

Fiscal Detail and Notes

This legislation establishes the Problem Gambling Fund, Other Special Revenue Funds account within the Office of Substance Abuse, Department of Health and Human Services and provides an allocation of \$50,000 in 2010-11 for the purpose of supporting gambling addiction analysis, prevention and treatment. It also provides that in fiscal years 2010-11, 2011-12 and 2012-13 \$50,000 of the net slot machine income deposited to the General Fund be transferred to this new fund for gambling addiction services. In fiscal year 2013-14 \$100,000 of the net slot machine income deposited to the General Fund shall be transferred to this new fund and beginning in fiscal year 2014-15 the amount transferred to this new fund shall be increased by \$15,000 each year until a maximum transfer of \$250,000 is reached. The legislation also makes permanent a one-time Gambling Control Board deappropriation of \$50,000 per year included in PL 2009 c 213, Part A.