

MAINE STATE LEGISLATURE

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L.D. 1280

Date: 3-28-16

(Filing No. S-439)

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STATE OF MAINE
SENATE
127TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "E" to H.P. 876,
L.D. 1280, Bill, "An Act To Provide Income Tax Relief by Expanding Gaming
Opportunities"

Amend the amendment by inserting after section 19 the following:

'Sec. 20. 8 MRSA §1036, sub-§2-A, as amended by PL 2013, c. 118, §2, is
further amended to read:

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

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

B. Four percent of the net slot machine income must be forwarded by the board to
the University of Maine System Scholarship Fund created in Title 20-A, section
10909 and to the Board of Trustees of the Maine Maritime Academy to be applied by
the board of trustees to fund its scholarship program. The slot machine income under
this paragraph must be distributed as follows:

(1) The University of Maine System share is the total amount of the distribution
multiplied by the ratio of enrolled students in the system to the total number of
enrolled students both in the system and at the Maine Maritime Academy; and

(2) The Maine Maritime Academy share is the total amount of the distribution
multiplied by the ratio of enrolled students at the academy to the total number of
enrolled students both in the system and at the academy;

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

SENATE AMENDMENT

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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, except that, if the Penobscot Nation
4 owns or operates a slot machine facility or casino, the Penobscot Nation may not
5 receive a distribution under this paragraph and the 2% of the net slot machine income
6 that otherwise would be distributed to the Penobscot Nation must be deposited in the
7 General Fund and, if the Passamaquoddy Tribe owns or operates a slot machine
8 facility or casino, the Passamaquoddy Tribe may not receive a distribution under this
9 paragraph and the 2% of the net slot machine income that otherwise would be
10 distributed to the Passamaquoddy Tribe must be deposited in the General Fund;

11 E. 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;

14 F. Two percent of the net slot machine income must be forwarded directly to the
15 municipality in which the casino is located;

16 G. One percent of the net slot machine income must be forwarded by the board to the
17 Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund
18 established in Title 7, section 91;

19 H. One percent of the net slot machine income must be forwarded by the board to the
20 Treasurer of State, who shall credit the money to the fund established in section 298
21 to supplement harness racing purses;

22 I. One percent of the net slot machine income must be credited by the board to the
23 Sire Stakes Fund created in section 281;

24 J. One percent of the net slot machine income must be forwarded directly to the
25 county in which the casino is located to pay for mitigation of costs resulting from
26 gaming operations;

27 L. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
28 forwarded by the board to the Treasurer of State, who shall credit the money to the
29 Maine Milk Pool, Other Special Revenue Funds account within the Department of
30 Agriculture, Conservation and Forestry to help fund dairy farm stabilization pursuant
31 to Title 7, sections 3153-B and 3153-D; and

32 M. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
33 forwarded by the board to the Treasurer of State, who shall credit the money to the
34 Dairy Improvement Fund established under Title 10, section 1023-P.

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

39 Amend the amendment in section 20 in subsection 2-D in paragraph R in the last line
40 (page 11, line 40 in amendment) by inserting after the following: "Micmacs" the
41 following: ', except that, if the Penobscot Nation owns or operates a slot machine facility
42 or casino, the Penobscot Nation may not receive a distribution under this paragraph and
43 the 0.4075% of the net slot machine income that otherwise would be distributed to the

SENATE AMENDMENT

1 Penobscot Nation must be deposited in the General Fund; if the Passamaquoddy Tribe
 2 owns or operates a slot machine facility or casino, the Passamaquoddy Tribe may not
 3 receive a distribution under this paragraph and the 0.4075% of the net slot machine
 4 income that otherwise would be distributed to the Passamaquoddy Tribe must be
 5 deposited in the General Fund; if the Houlton Band of Maliseet Indians owns or operates
 6 a slot machine facility or casino, the Houlton Band of Maliseet Indians may not receive a
 7 distribution under this paragraph and the 0.4075% of the net slot machine income that
 8 otherwise would be distributed to the Houlton Band of Maliseet Indians must be
 9 deposited in the General Fund; and, if the Aroostook Band of Micmacs owns or operates
 10 a slot machine facility or casino, the Aroostook Band of Micmacs may not receive a
 11 distribution under this paragraph and the 0.4075% of the net slot machine income that
 12 otherwise would be distributed to the Aroostook Band of Micmacs must be deposited in
 13 the General Fund'

14 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
 15 or section number to read consecutively.

16 **SUMMARY**

17 This amendment removes from current law the language that provides that if the
 18 Penobscot Nation or the Passamaquoddy Tribe receives funds from a slot machine facility
 19 or casino, other than the casino in Oxford County or the slot machine facility in Bangor,
 20 then the Penobscot Nation or the Passamaquoddy Tribe may not receive funds from the
 21 Oxford Casino. It provides that, if the Penobscot Nation owns or operates a slot machine
 22 facility or casino, the Penobscot Nation may not receive a distribution from the Oxford
 23 Casino and the funds must be deposited in the General Fund and that, if the
 24 Passamaquoddy Tribe owns or operates a slot machine facility or casino, the
 25 Passamaquoddy Tribe may not receive a distribution from the Oxford Casino and the
 26 funds must be deposited in the General Fund. It also provides that, if the Penobscot
 27 Nation owns or operates a slot machine facility or casino, the Penobscot Nation may not
 28 receive a distribution from the York County or Cumberland County casino operator and
 29 the funds must be deposited in the General Fund; if the Passamaquoddy Tribe owns or
 30 operates a slot machine facility or casino, the Passamaquoddy Tribe may not receive a
 31 distribution from the York County or Cumberland County casino operator and the funds
 32 must be deposited in the General Fund; if the Houlton Band of Maliseet Indians owns or
 33 operates a slot machine facility or casino, the Houlton Band of Maliseet Indians may not
 34 receive a distribution from the York County or Cumberland County casino operator and

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "E" to H.P. 876, L.D. 1280

1 the funds must be deposited in the General Fund; and if the Aroostook Band of Micmacs
2 owns or operates a slot machine facility or casino, the Aroostook Band of Micmacs may
3 not receive a distribution from the York County or Cumberland County casino operator
4 and the funds must be deposited in the General Fund.

5 **FISCAL NOTE REQUIRED**

6 (See attached)

7 SPONSORED BY: John L. Patrick

8 (Senator PATRICK)

9 COUNTY: Oxford

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



127th MAINE LEGISLATURE

LD 1280

LR 1572(18)

An Act To Provide Income Tax Relief by Expanding Gaming Opportunities

Fiscal Note for Senate Amendment "A" to Committee Amendment "E" (S-439)
Sponsor: Sen. Patrick of Oxford
Fiscal Note Required: Yes

Fiscal Note

Change to tribal revenue
Potential future biennium revenue increase - General Fund

Fiscal Detail and Notes

Current law requires that revenue received by the Penobscot Nation or Passamaquoddy Tribe from Oxford Casino or Hollywood Casino will instead be retained by the casinos if either tribe begins to receive revenue from a slot machine facility or casino other than Oxford Casino or Hollywood Casino. This amendment repeals that provision and allows the tribes to continue receiving revenue from Oxford Casino or Hollywood Casino if they begin to receive additional revenue from other gaming facilities. This results in an estimated annual revenue increase of \$2,527,134 to the tribes. This amendment also disallows certain tribes from receiving revenue from any Maine casino if that tribe owns or operates their own casino, reducing revenue by an estimated \$276,679 for each tribe that does so. The amendment directs that revenue to be deposited into the General Fund, rather than be retained by the casino.