

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

**2-C. Houlton Band of Maliseet Indians eligible for casino operator license.**

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

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

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

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

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

**Sec. 4. 8 MRSA §1036, sub-§2-A**, as amended by PL 2011, c. 625, §§3 and 4 and c. 657, Pt. W, §5, 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;

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

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

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

**2-B. Distribution from casino of table game income.** A casino operator licensed in accordance with section 1011, subsection 2-A, paragraph A or section 1011, subsection 2-C shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

- A. Ten percent of the net table game 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. Three percent of the net table game income must be deposited to the Gambling Control Board administrative expenses Other Special Revenue Funds account, which is a nonlapsing dedicated account;
- C. Two percent of the net table game income must be forwarded directly to the municipality in which the table games are located; and
- D. One percent of the net table game income must be forwarded directly to the county in which the table games are located to pay for mitigation of costs resulting from gaming operations.

## SUMMARY

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