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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 999, L.D. 1447, Bill, "An Act To Recognize and Provide for the Right of the Houlton Band of Maliseet Indians To Operate a Casino on Houlton Band Trust Land Exempt from Certain Gaming Laws"

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

'An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Tribal Casino'

Amend the bill by striking out all of the emergency preamble (page 1, lines 1 to 17 in L.D.)

Amend the bill in section 1 in subsection 2-C by striking out all of the last sentence (page 1, lines 25 to 27 in L.D.) and inserting the following: 'The applicant is required to acknowledge that the operation of a casino licensed under this chapter is subject to the oversight and enforcement of the board.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 8 MRSA §1018, sub-§1, ¶C-1, as amended by PL 2011, c. 417, §4, is further amended to read:

C-1. The initial application fee for a casino operator license is \$225,000, except that the initial application fee for an applicant that is a commercial track that was licensed to operate slot machines as of January 1, 2011 is \$25,000 the Houlton Band of Maliseet Indians is \$100,000. The Except for a casino operated by the Houlton Band of Maliseet Indians, the annual renewal fee is \$80,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing casino operators and determined by dividing the costs of administering the casino operator licenses by the total number of casino operators licensed by the board. The annual renewal fee for a casino operated by the Houlton Band of Maliseet Indians is \$35,000. In addition, a casino operator shall pay an initial gaming table fee of \$100,000 for the privilege to operate each gaming table for a period of 20 years as long as the casino operator is licensed. Each gaming table is also subject to an annual gaming table renewal fee of \$1,000. The gaming table fees authorize the casino operator to conduct any

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1 authorized table game at the gaming table during the 20-year period. A casino  
2 licensed in accordance with section 1011, subsection 2-A, paragraph A is not  
3 required to pay the gaming table fees until after one calendar year of table game  
4 operation. Fees collected in accordance with this paragraph must be deposited to the  
5 Gambling Control Board administrative expenses Other Special Revenue Funds  
6 account, which is a nonlapsing dedicated account.

7 **Sec. 3. 8 MRSA §1018, sub-§1-A**, as enacted by PL 2011, c. 699, §2, is amended  
8 to read:

9 **1-A. Fees for slot machine and casino operator licenses on or after September 1,**  
10 **2012.** Notwithstanding subsection 1, paragraphs C and C-1, beginning September 1,  
11 2012, an applicant for a slot machine operator license or a casino operator license must  
12 pay a \$250,000 nonrefundable privilege fee to be submitted with the application for the  
13 license and a minimum license fee, or cash bid if the license is part of a competitive  
14 bidding process established by law, of \$5,000,000. This subsection does not apply to a  
15 casino licensed for operation in the State as of September 1, 2012 or a casino to be  
16 operated by the Houlton Band of Maliseet Indians licensed in accordance with section  
17 1011, subsection 2-C.'

18 Amend the bill in section 2 in subsection 6 in the 2nd to last line (page 1, line 37 in  
19 L.D.) by striking out the following: "70" and inserting the following: '40'

20 Amend the bill in section 6 in subsection 2-E by striking out all of paragraph B (page  
21 4, lines 33 to 37 in L.D.) and inserting the following:

22 'B. One percent of the net table game income must be forwarded to the Treasurer of  
23 State, who shall credit the money to the fund established in section 298 to supplement  
24 harness racing purses.'

25 Amend the bill in section 6 in subsection 2-E in paragraph C in the last line (page 4,  
26 line 40 in L.D.) by striking out the following: "and"

27 Amend the bill in section 6 in subsection 2-E in paragraph D in the last line (page 5,  
28 line 4 in L.D.) by striking out the following: "Micmacs." and inserting the following:  
29 'Micmacs; and'

30 Amend the bill in section 6 in subsection 2-E by inserting after paragraph D the  
31 following:

32 'E. One percent of the net table game income must be distributed by the board in  
33 equal amounts to veterans' organizations that have been consistently conducting  
34 charitable gaming under Title 17, chapter 62 for a period of at least 2 years as of  
35 January 1, 2017.'

36 Amend the bill by striking out all of the emergency clause.

37 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
38 section number to read consecutively.

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**SUMMARY**

This amendment provides that an application submitted to the Gambling Control Board within the Department of Public Safety by the Houlton Band of Maliseet Indians to operate a casino must include an acknowledgment that the operation of the casino is subject to the oversight and enforcement of the Gambling Control Board. The amendment removes the provision in the bill that states a casino operated by the Houlton Band of Maliseet Indians is not subject to any fees. The amendment provides that the casino operated by the Houlton Band of Maliseet Indians is subject to the fees applied to casinos that were initially licensed before 2012 under current law except that the initial license fee is \$100,000 and the annual renewal fee is \$35,000. The amendment also makes a change to the distribution of table game revenue, which under the bill provides 2% of net revenue to all off-track betting facilities and to nonprofit organizations that conduct licensed charitable gaming. The amendment changes this distribution so that 1% of table game revenue supplements harness racing purses and 1% goes to veterans' organizations that have been continuously operating licensed charitable gaming for at least 2 years as of January 1, 2017.