

129th MAINE LEGISLATURE

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Legislative Document

No. 1244

H.P. 905

House of Representatives, March 14, 2019

An Act To Authorize the Gambling Control Board To Accept an Application from the Passamaquoddy Tribe To Operate 50 Slot Machines in the Tribe's High-stakes Beano Facility

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative COLLINGS of Portland.
Cosponsored by Senator MOORE of Washington and
Representatives: COREY of Windham, HARRINGTON of Sanford, HICKMAN of Winthrop,
JOHANSEN of Monticello, NEWELL of the Passamaquoddy Tribe, O'CONNOR of Berwick,
PERRY of Calais, TALBOT ROSS of Portland.

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. Passamaquoddy Tribe eligible for license to operate slot machines. The
 board may accept an application from the Passamaquoddy Tribe for a license to operate
 50 slot machines at a gambling facility in Washington County at which high-stakes beano
 is conducted by the Passamaquoddy Tribe.
 - **Sec. 2. 8 MRSA §1018, sub-§1, ¶C,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:
 - C. The initial application fee for a slot machine operator license is \$200,000 except that the initial application fee for the Passamaquoddy Tribe to operate 50 slot machines at a gambling facility in Washington County is \$10,000. The annual renewal fee is \$75,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing slot machine operators and determined by dividing the costs of administering the slot machine operator licenses by the total number of slot machine operators licensed by the board except that the annual renewal fee for the Passamaquoddy Tribe to operate 50 slot machines at a gambling facility in Washington County is \$5,000.
 - **Sec. 3. 8 MRSA §1018, sub-§1-A,** as enacted by PL 2011, c. 699, §2, is amended to read:
 - 1-A. Fees for slot machine and casino operator licenses on or after September 1, 2012. Notwithstanding subsection 1, paragraphs C and C-1, beginning September 1, 2012, an applicant for a slot machine operator license or a casino operator license must pay a \$250,000 nonrefundable privilege fee to be submitted with the application for the license and a minimum license fee, or cash bid if the license is part of a competitive bidding process established by law, of \$5,000,000. This subsection does not apply to a casino licensed for operation in the State as of September 1, 2012 or to the Passamaquoddy Tribe's operation of 50 slot machines at a gambling facility in Washington County.
 - **Sec. 4. 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. Notwithstanding this subsection, the Passamaquoddy Tribe may obtain a license to operate slot machines at a gambling facility in Washington County at which high-stakes beano is conducted.

- **Sec. 5. 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 3,050; and
- Sec. 6. 8 MRSA §1035, as amended by PL 2011, c. 585, §10, is further amended to read:

§1035. Location of slot machines

Slot machines may be located only on the premises of a commercial track, the premises of a casino, the premises of a gambling facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe or the premises of an accredited postsecondary institution for the purposes of training and education under section 1011, subsection 1-B. For the purposes of this section, "premises of a commercial track" means property owned by the person who owns the property on which a commercial track is located and that is either within 200 feet of the outside edge of the racing oval or, if the commercial track was owned by a municipality when a license to operate slot machines in association with that commercial track was issued, within 2,000 feet of the center of the racing oval.

- **Sec. 7. 8 MRSA §1036, sub-§1,** as amended by PL 2011, c. 417, §7, is further amended to read:
- 1. Distribution for administrative expenses of board. A slot machine operator licensed under section 1011, subsection 2 or 2-C or a casino operator that is a commercial track that was licensed to operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect and distribute 1% of gross slot machine income to the Treasurer of State for deposit in the General Fund for the administrative expenses of the board.
 - Sec. 8. 8 MRSA §1036, sub-§2-D, is enacted to read:
- 2-D. Distribution of net slot machine income from slot machines operated at Passamaquoddy Tribe gambling facility in Washington County. A slot machine operator licensed under section 1011, subsection 2-C shall collect and distribute 25% of the net slot machine income from slot machines operated by the slot machine operator to the board for deposit to the General Fund.

33 SUMMARY

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application from the Passamaquoddy Tribe to operate 50 slot machines at a gambling facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe. The bill raises the limit on the number of slot machines allowed in the State by 50 to accommodate the slot machines that may be operated by the Passamaquoddy Tribe. The bill requires deposit of 25% of net slot machine income in

the General Fund and sets the initial application fee to operate the 50 slot machines at \$10,000 and the renewal fee at \$5,000. The Passamaquoddy Tribe is exempted from paying a \$250,000 nonrefundable privilege fee and a \$5,000,000 license fee. Slot machines operated by the Passamaquoddy Tribe would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as other slot machines operated in this State.