



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1088

S.P. 370

In Senate, March 19, 2013

**An Act To Provide Another Funding Source To Better Maintain
Veterans' Cemeteries**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TUTTLE of York.
Cosponsored by Senator MASON of Androscoggin, Representative BEAULIEU of Auburn
and Senator: PATRICK of Oxford, Representative: LUCHINI of Ellsworth.

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

2 **Sec. 1. 8 MRSA §1036, sub-§2**, as amended by PL 2011, c. 657, Pt. E, §1, is
3 further amended to read:

4 **2. Distribution of net slot machine income from casino with commercial track.**
5 A slot machine operator licensed under section 1011, subsection 2 or a casino operator
6 that is a commercial track that was licensed to operate slot machines under section 1011,
7 subsection 2 on January 1, 2011 shall collect and distribute ~~39%~~ 40.5% of the net slot
8 machine income from slot machines operated by the slot machine operator to the board
9 for distribution by the board as follows:

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

15 (1) For the fiscal year beginning July 1, 2011, \$50,000;

16 (2) For the fiscal year beginning July 1, 2012, \$50,000; and

17 (3) For the fiscal year beginning July 1, 2013 and for each fiscal year thereafter,
18 \$100,000;

19 B. Ten 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 C. Three percent of the net slot machine income must be credited by the board to the
23 Sire Stakes Fund created in section 281;

24 D. Three percent of the net slot machine income must be forwarded by the board to
25 the Treasurer of State, who shall credit the money to the Agricultural Fair Support
26 Fund established in Title 7, section 91;

27 E. Ten percent of the net slot machine income must be forwarded by the board to the
28 State Controller and except as otherwise provided in this paragraph credited to the
29 Fund for a Healthy Maine established by Title 22, section 1511 and segregated into a
30 separate account under Title 22, section 1511, subsection 11, with the use of funds in
31 the account restricted to the purposes described in Title 22, section 1511, subsection
32 6, paragraph E. For the fiscal years ending June 30, 2010, June 30, 2011 and June 30,
33 2012, the amount credited annually by the State Controller to the Fund for a Healthy
34 Maine under this paragraph may not exceed \$4,500,000 annually and any funds in
35 excess of \$4,500,000 annually during these fiscal years must be credited as General
36 Fund undedicated revenue, and, for the fiscal year ending June 30, 2013, the amount
37 credited by the State Controller to the Fund for a Healthy Maine under this paragraph
38 is \$0;

39 F. Two percent of the net slot machine income must be forwarded by the board to the
40 University of Maine System Scholarship Fund created in Title 20-A, section 10909;

1 G. One percent of the net slot machine income must be forwarded by the board to the
2 board of trustees of the Maine Community College System to be applied by the board
3 of trustees to fund its scholarships program under Title 20-A, section 12716,
4 subsection 1;

5 H. Four percent of the net slot machine income must be forwarded by the board to
6 the Treasurer of State, who shall credit the money to the Fund to Encourage Racing at
7 Maine's Commercial Tracks, established in section 299; however, the payment
8 required by this paragraph is terminated when all commercial tracks have obtained a
9 license to operate slot machines in accordance with this chapter, in which case, that
10 4% of the net slot machine income must be credited to the General Fund as
11 undedicated revenue;

12 I. Two percent of the net slot machine income must be forwarded by the board to the
13 Treasurer of State, who shall credit the money to the Fund to Stabilize Off-track
14 Betting Facilities established by section 300, as long as a facility has conducted off-
15 track wagering operations for a minimum of 250 days during the preceding 12-month
16 period in which the first payment to the fund is required. After 48 months of
17 receiving an allocation of the net slot machine income from a licensed operator, the
18 percent of net slot machine income forwarded to the Fund to Stabilize Off-track
19 Betting Facilities is reduced to 1% with the remaining 1% to be forwarded to the
20 State in accordance with subsection 1; ~~and~~

21 J. One percent of the net slot machine income must be forwarded directly to the
22 municipality in which the slot machines are located; and

23 K. Beginning October 1, 2013, 1.5% of the net slot machine income must be
24 forwarded by the board to the Treasurer of State, who shall credit the money to the
25 Maine Veterans' Memorial Cemetery System Care Fund established in Title 37-B,
26 section 512, subsection 1.

27 **Sec. 2. 8 MRSA §1036, sub-§2-A**, as amended by PL 2011, c. 625, §§3 and 4
28 and c. 657, Pt. W, §5, is further amended to read:

29 **2-A. Distribution from casino of slot machine income.** A casino operator shall
30 collect and distribute ~~46%~~ 47.5% of the net slot machine income from slot machines
31 operated by the casino operator to the board for distribution by the board as follows:

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

36 B. Four percent of the net slot machine income must be forwarded by the board to
37 the University of Maine System Scholarship Fund created in Title 20-A, section
38 10909;

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

- 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;
- 4 E. Three percent of the net slot machine income must be deposited to the General
5 Fund for administrative expenses of the board, including gambling addiction
6 counseling services, in accordance with rules adopted by the board;
- 7 F. Two percent of the net slot machine income must be forwarded directly to the
8 municipality in which the casino is located;
- 9 G. One percent of the net slot machine income must be forwarded by the board to the
10 Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund
11 established in Title 7, section 91;
- 12 H. One percent of the net slot machine income must be forwarded by the board to the
13 Treasurer of State, who shall credit the money to the fund established in section 298
14 to supplement harness racing purses;
- 15 I. One percent of the net slot machine income must be credited by the board to the
16 Sire Stakes Fund created in section 281;
- 17 J. One percent of the net slot machine income must be forwarded directly to the
18 county in which the casino is located to pay for mitigation of costs resulting from
19 gaming operations;
- 20 K. One percent of the net slot machine income must be forwarded by the board to the
21 Treasurer of State, who shall credit the money to the Maine Milk Pool, Other Special
22 Revenue Funds account within the Department of Agriculture, Conservation and
23 Forestry to help fund dairy farm stabilization pursuant to Title 7, sections 3153-B and
24 3153-D. This paragraph is repealed July 1, 2013;
- 25 L. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
26 forwarded by the board to the Treasurer of State, who shall credit the money to the
27 Maine Milk Pool, Other Special Revenue Funds account within the Department of
28 Agriculture, Conservation and Forestry to help fund dairy farm stabilization pursuant
29 to Title 7, sections 3153-B and 3153-D; ~~and~~
- 30 M. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be
31 forwarded by the board to the Treasurer of State, who shall credit the money to the
32 Dairy Improvement Fund established under Title 10, section 1023-P; and
- 33 N. Beginning October 1, 2013, 1.5% of the net slot machine income must be
34 forwarded by the board to the Treasurer of State, who shall credit the money to the
35 Maine Veterans' Memorial Cemetery System Care Fund established in Title 37-B,
36 section 512, subsection 1.

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

41 **Sec. 3. 37-B MRSA §512, sub-§1**, as enacted by PL 2009, c. 471, §1, is amended
42 to read:

1 **1. Maine Veterans' Memorial Cemetery System Care Fund establishment;**
2 **purpose.** The Maine Veterans' Memorial Cemetery System Care Fund, known in this
3 section as "the fund," is established for the purpose of ensuring ongoing care and
4 maintenance of veterans' graves within the Maine Veterans' Memorial Cemetery System
5 after plot interment allowances for burials within the system are no longer received from
6 the United States Department of Veterans Affairs. The fund is established from deposits
7 of 1/3 of the funds received from the United States Department of Veterans Affairs for
8 plot interment allowances and from deposits made pursuant to Title 8, section 1036,
9 subsection 2, paragraph K and subsection 2-A, paragraph N. The fund may also accept
10 private and public donations. The fund is separate from other perpetual care or cemetery
11 maintenance funds that support veterans' cemeteries and were established prior to the
12 effective date of this section.

13 **SUMMARY**

14 This bill requires 1.5% of net slot machine income from casinos to be credited to the
15 Maine Veterans' Memorial Cemetery System Care Fund for the care and maintenance of
16 veterans' graves within the Maine Veterans' Memorial Cemetery System.