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Date: (Filing No. S- )

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**STATE OF MAINE**  
**SENATE**  
**127TH LEGISLATURE**  
**SECOND REGULAR SESSION**

SENATE AMENDMENT “ ” 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**

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

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

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: \_\_\_\_\_

8 (Senator PATRICK)

9 COUNTY: Oxford