

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

Amend the bill by inserting after the title and before the enacting clause the following:

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Legislature must work to prevent gambling addiction and provide proper treatment when needed; and

**Whereas,** those trained to implement prevention and treatment programs are best suited to administer gambling addiction prevention and treatment funds; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 5 MRSA §20006-B** is enacted to read:

### **§ 20006-B. Gambling Addiction Prevention and Treatment Fund**

**1. Fund established.** The Gambling Addiction Prevention and Treatment Fund, referred to in this section as "the fund," is established for the purpose of supporting gambling addiction analysis, prevention and treatment to be administered by the office. The fund is a dedicated, nonlapsing fund into which payments are received in accordance with Title 8, section 1036, subsection 2.

**2. Report.** The director shall report annually by March 1st to the joint standing committee of the Legislature having jurisdiction over gambling matters. The report must include a description of a continuum of care model used to identify the need for gambling addiction services, prevention efforts, intervention and treatment provided using money from the fund. The report must describe any collaborative efforts between the office, the Gambling Control Board established under Title 8, section 1002 and slot machine operators licensed in accordance with Title 8, chapter 31 to support the purpose of the fund described in subsection 1. The director may submit recommendations for legislation to the joint standing committee of the Legislature having jurisdiction over gambling matters, which is authorized to submit that legislation to the Legislature.

**Sec. 2. 8 MRSA §1036, sub-§2, ¶A,** as amended by PL 2005, c. 663, §12, is further amended to read:

A. 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; except that, beginning July 1, 2010 and until June

30, 2013, \$50,000 of the amount calculated pursuant to this paragraph must be transferred annually to the Gambling Addiction Prevention and Treatment Fund established by Title 5, section 20006-B. Beginning July 1, 2013, \$75,000 of the amount calculated pursuant to this paragraph must be transferred to the Gambling Addiction Prevention and Treatment Fund annually.

**Sec. 3. Baseline appropriations in 2012-2013 for gambling addiction services.** The one-time General Fund deappropriations of \$50,000 annually in fiscal years 2009-10 and 2010-11 from the Department of Public Safety, Gambling Control Board program to reduce funding for gambling addiction services included as one-time adjustments in Public Law 2009, chapter 213, Part A, section 59 are intended as a result of the changes included in this Act to be considered ongoing reductions to be replaced by the revenue transferred in this Act to the Department of Health and Human Services, Office of Substance Abuse for gambling addiction services.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

**Office of Substance Abuse 0679**

Initiative: Allocates funds for the purpose of supporting gambling addiction analysis, prevention and treatment.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	\$0	\$50,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$50,000</b>

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

**SUMMARY**

This amendment, which is the minority report of the committee, replaces the bill. It establishes the Gambling Addiction Prevention and Treatment Fund to be administered by the Department of Health and Human Services, Office of Substance Abuse. The amendment directs that net income from the Bangor racino equal to \$50,000 to be distributed to the General Fund for the administrative expenses of the Gambling Control Board be deposited to the Gambling Addiction Prevention and Treatment Fund until 2013, when the transfer will be increased to \$75,000 annually. The Office of Substance Abuse is required to report annually to the joint standing committee of the Legislature having jurisdiction over gambling matters regarding the use of the Gambling Addiction Prevention and Treatment Fund. It also adds an emergency preamble and emergency clause to the bill.

**FISCAL NOTE REQUIRED**

**(See attached)**