

125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1344

H.P. 985

House of Representatives, March 29, 2011

An Act To Fund Commuter and Passenger Rail Transportation in Maine

Reference to the Committee on Transportation suggested and ordered printed.

HEATHER J.R. PRIEST Clerk

Presented by Representative CHIPMAN of Portland. Cosponsored by Senator PATRICK of Oxford and Representatives: CROCKETT of Bethel, SHAW of Standish.

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

- Sec. 1. 8 MRSA §1036, sub-§2-A, as enacted by IB 2009, c. 2, §45, is 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:
 - 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;
- D. Four percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall distribute the funds to the tribal governments of the Penobscot Nation and the Passamaquoddy Tribe;
 - E. 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;
 - F. Two percent of the net slot machine income must be forwarded directly to the municipality in which the casino is located;
 - G. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund established in Title 7, section 91;
 - H. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the fund established in section 298 to supplement harness racing purses;
- 32 I. One percent of the net slot machine income must be credited by the board to the 33 Sire Stakes Fund created in section 281;
 - J. One percent of the net slot machine income must be forwarded directly to the county in which the casino is located to pay for mitigation of costs resulting from gaming operations; and
- K. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Department of Agriculture, Food and Rural Resources to fund dairy farm stabilization pursuant to Title 7, section 3153-B-; and

L. Two percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the State Transit, Aviation and Rail Transportation Fund established in Title 23, section 4210-B.

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

- **Sec. 2. 23 MRSA §4210-B, sub-§3,** as enacted by PL 2005, c. 457, Pt. GGG, §3, is amended to read:
- **3. Use of funds.** The money deposited into the STAR Transportation Fund must be used for the support of the activities of the STAR Transportation Fund to manage transit, aeronautics and rail transportation; except that money credited to the fund from slot machine revenue in accordance with Title 8, section 1036, subsection 2-A must be segregated and used to support the capital and operational costs of passenger rail service as described in section 8003, subsection 1-A.

Sec. 3. 23 MRSA §8003, sub-§1-A is enacted to read:

1-A. Establishment of service between Portland and Oxford County. The authority is directed to take all actions that are reasonably necessary to initiate, establish or reinitiate regularly scheduled passenger rail service between points within the State and Oxford County. These actions may include, but are not limited to, the acquisition, holding, use, operation, repair, construction, reconstruction, rehabilitation, modernization, rebuilding, relocation, maintenance and disposition of railroad lines, railway facilities, rolling stock, machinery and equipment, trackage rights, real and personal property of any kind and any rights in or related to that property.

25 SUMMARY

This bill amends the distribution of revenue from the operation of slot machines at the casino in Oxford County. It strikes the percentage of revenue to be distributed to the Sire Stakes Fund and to supplement harness racing purses. The bill takes the 2% that would have gone to those 2 funds and dedicates it to the State Transit, Aviation and Rail Transportation Fund for the purpose of developing passenger rail service between points within the State and Oxford County.