

## Petition drive aims to put York County casino referendum on 2016 ballot

Written by Administrator  
Monday, 28 December 2015 04:03 -

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The wording of the citizen initiative would grant exclusive licensing rights to casino developer Shawn Scott, a controversial figure from the national gambling and harness racing industry.

A petition drive is underway for a casino referendum that could resurrect the debate over gambling in southern Maine – and give the only casino license to a controversial figure from the national gambling and harness racing industry.

The citizen initiative – “An act to allow slot machines or a casino in York County” – would authorize the Maine Gambling Control Board to accept applications for a casino license. But the only qualifying application would be “from an entity that owned in 2003 at least 51 percent of an entity licensed to operate a commercial track in Penobscot County.”

In 2003, the commercial racetrack in Penobscot County – the Bangor Historic Track – was owned by Las Vegas developer Shawn Scott, who funded the referendum campaign in which Maine voters decided to allow slot machines at racetracks.

Scott later sold the track for \$51 million to Penn National Gaming, which operates the Hollywood Slots Hotel and Raceway in Bangor.

“The only people that fit that description (in the citizen initiative) is this group – Shawn Scott’s group – that started the Bangor one back in 2003,” said Linwood Higgins, a legislative liaison for the Maine Harness Horsemen’s Association.

A ballot question committee, Horseracing Jobs Fairness, formed to support the initiative registered with the Maine Commission on Governmental Ethics on Dec. 16. The committee’s principal officer is listed as Lisa Scott of Miami, Florida – the sister of Shawn Scott.

Scott did not return telephone and email messages seeking comment. Cheryl Timberlake, an Augusta lobbyist listed as the ballot question committee treasurer, also did not respond to a request for comment.

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The address listed for Horseracing Jobs Fairness is a box at The Mailing Center store in Augusta. Lisa Scott's Miami address is for a shipping and mail service company.

Lisa Scott contributed \$28,000 to the committee, according to a financial report filed with the state on Dec. 16.

The bill would authorize Shawn Scott's group to apply for a license to operate slot machines and table games at a facility in York County. It would exempt the operator from a state law that prohibits a casino from opening within 100 miles of existing casinos or slot machine facilities. There are currently two casinos in Maine: Hollywood Casino in Bangor and the Oxford Casino. The bill also would raise the state limit on the number of registered slot machines from 3,000 to 4,500.

### **A CHECKERED RECORD**

Shawn Scott, who led the effort to get slot machines in Maine, has a checkered record in the industry. He has faced numerous lawsuits over business dealings in several states, including a court action filed in 2005 by Scarborough Downs that claimed Scott undermined the track's efforts to open a racino by forming a sham political action committee and spreading misleading information.

Scott also once held a Nevada gaming license as operator of the Cheyenne Casino in Las Vegas, but relinquished it in 1997 after the Nevada Gaming Board criticized the accounting practices at the casino. In Louisiana, Scott bought the Delta Downs racetrack in 1999 for \$10 million and later sold it for \$125 million after winning approval to install slot machines at the track.

Under the new initiative, the operator of the new casino would give 39 percent of net slot machine income to the Gambling Control Board, which would then distribute the money to support harness racing, agricultural fairs, veterans and educational funds. One percent of the money would be given to the town in which the slot machines are located.

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Maine voters first approved the creation of two combined racetrack-slots casinos – often called racinos – in Bangor and in Scarborough in 2003. Hollywood Slots opened two years later and is now located across Bangor’s Main Street from the harness racing track and fairgrounds. However, Scarborough voters failed to meet a deadline for approving the southern Maine casino.

Statewide voters approved a casino with slot machines and table games in the western Maine town of Oxford in 2010. Penobscot County voters approved a countywide referendum allowing table games at Hollywood Slots in 2011.

In 2010, Biddeford voters approved a plan for Scarborough Downs to build a \$125 million racino complex, but that effort ended when voters statewide defeated a 2011 ballot measure to allow a second racino in the state and a tribal racino in Washington County.

A 2014 report commissioned by the Legislature determined there was market capacity for more casino gambling in Maine and recommended that any facility be located in southern Maine near Interstate 95. The report, from Atlantic City-based WhiteSand Gaming, also said the state could support a modest casino – limited to 250 slot machines and 10 table games – near the Maine-Canada border in Washington County or Aroostook County in addition to the southern Maine facility.

Half of net revenues from Hollywood Casino and Oxford Casino now go to the Gambling Control Board, which then distributes the money to various agencies and organizations. In fiscal year 2014, about \$8 million of the \$45.6 million collected by the board went to support the state’s harness racing industry. Despite the flow of revenue, the industry has struggled in recent years as the number of spectators at racetracks has dropped dramatically.

### **NO MENTION OF A RACETRACK**

Unlike the last effort to open a racino in York County, this proposal makes no mention of a racetrack.

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Stavros Mendros of Lewiston said his political consulting business has been contracted to collect signatures on the petition, but Mendros says he knows little about the group behind the campaign. The ballot question committee must submit just over 61,000 signatures by Feb. 1 to qualify for the November 2016 ballot.

“We’re doing very well and we’re on goal. We’re feeling cautiously optimistic,” Mendros said, adding that people signing the petition seem to like that it designates money for education and veterans’ programs.

If the committee does not collect the required number of signatures by that deadline, it can still attempt to qualify for later elections, said Secretary of State Matthew Dunlap. The group has a total of 18 months to collect signatures, though no signature can be more than a year old when it is submitted, he said.

Higgins, from the horsemen’s association, said the group is “supportive of anything that helps” the harness racing industry, but for now is focused on a bill that was carried over to the Legislature’s second regular session next month. The bill would create a competitive bidding process for a “resort-style casino” in either York County or Cumberland County, pending approval from voters in the host county. If approved, the bill would require the casino developer to pay a \$5 million license fee and build a facility worth at least \$200 million.

Higgins said southern Maine is an obvious place to build a casino because it is the tourism and population center of the state, but he feels the citizen initiative group may struggle to get the question on the ballot.

“It’s very, very unlikely they would get the petition signatures before Feb. 1,” he said. “We would support this initiative, but our first priority is to pass the existing legislation in front of us. From the horsemen’s standpoint, ultimately we feel like we need a new commercial racetrack somewhere in southern Maine.”

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