

Petitions for referendum on York County casino beat submission deadline

Written by Administrator
Monday, 01 February 2016 22:03 -

The signatures were gathered in just 44 days amid claims of deception and aggression by circulators for a group led by the sister of a Las Vegas gambling developer.

AUGUSTA — An unorthodox campaign to give a Las Vegas gambling developer the sole right to build a York County casino submitted its signatures Monday to put the proposal to Maine voters in November.

The petitions from Horseracing Jobs Fairness, the committee that ran the signature drive, were submitted to the Secretary of State's Office by Cheryl Timberlake, an Augusta lobbyist who is the committee's registered agent.

Timberlake declined to comment on the proposal. "Until we get certified, what's there to say?" she said.

Asked how many signatures were obtained, she replied, "Enough."

The petitions were circulated across the state by individuals who were paid \$7 to \$10 per signature in what Secretary of State Matt Dunlap described as an unprecedented effort that took only 44 days from the time his office approved the language of the proposal. In order to qualify for the ballot, the petitions must bear the signatures of at least 61,123 registered Maine voters.

Dunlap's office now has 30 days to validate the signatures, which already have undergone a preliminary review by municipal clerks. The petitions were turned in after a campaign that featured complaints from the public about aggressive behavior and deceptive statements by the paid circulators, many of whom were recruited from out of state.

Several of the petition circulators have alleged that they haven't been paid for their work, and that some of their out-of-state colleagues cut corners in their quest to earn money from signatures.

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The casino proposal – “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 2003 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 Casino, Hotel & Raceway in Bangor.

The Horseracing Jobs Fairness committee lists Scott’s sister, Lisa Scott, as its principal officer on papers filed with the Maine Commission on Governmental Ethics. She also has been the source of most of its money, contributing \$150,000 to the campaign over a two-week period in December, according to the most recent campaign finance reports.

Neither she nor Shawn Scott have replied to requests for comment on the casino proposal.

That reticence, coupled with the swift, aggressive campaign, has fueled speculation about their motives and concern that Maine’s referendum law is being exploited by wealthy outside interests trying to exert influence here. The effort also has given rise to more calls to reform the state’s referendum system.

Dunlap said last week that the casino campaign likely will lead to a legislative response to clamp down on future referendums, including stiffer penalties for not complying with laws requiring Mainers to witness petition signatures.

“There’s going to be a reaction to this by the Legislature,” Dunlap said. “The trick will be balancing the immediate need to respond to this with doing something that doesn’t infringe on Maine citizens’ rights to petition their government.”

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Penn National has worked to oppose a legislative proposal separate from Shawn Scott's endeavor that would bring a resort-style casino to southern Maine. Churchill Downs, which owns the Oxford Casino, also opposes the resort casino proposal, which is currently stalled in the Legislature.

Both established gaming operations are seeking to protect a combined net revenue that totaled \$106 million in 2015.

Both could benefit from Scott's bid in the short term because it would complicate, if not outright thwart, passage of the resort casino in the Legislature.

Scott's proposal would allow him to apply for a license to operate slot machines and table games at an unspecified location in York County. In addition to exempting the operator from a state law that prohibits a casino from opening within 100 miles of existing casinos or slot machine facilities, it also would block other competing proposals from establishing gambling facilities in southern Maine. The bill also would raise the state limit on the number of registered slot machines from 3,000 to 4,500.

Some of the casino's profits would be allocated to Maine's harness racing industry, which is struggling to survive despite already being the beneficiary of the existing gambling operations.

According to officials at the Secretary of State's Office, municipal clerks have reviewed Scott's petitions to ensure that signees are registered voters and that their signatures match the ones provided on voter registration cards. The clerks mark the petitions if they discover issues that could invalidate a signature, such as inconsistency between the petition and the voter registration card. However, state election officials are the final arbiter in determining if a signature is invalidated.

State officials also are the final check to ensure that the signatures are legitimate. They review for duplicates and to ensure that a circulator's oath is notarized before petitions are delivered to a municipality, that a circulator is a registered Maine voter before gathering signatures, and that a notary and a circulator are not family members.

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Altered names and dates also can invalidate a signature.

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