

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 (EMERGENCY)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TENTH LEGISLATURE
6

7 **Legislative Document**

No. 2006

8
9 S. P. 864 In Senate, February 18, 1982
Approved for introduction by a majority of the Legislative
Council pursuant to Joint Rule 27.

10 On Motion of Senator Teague of Somerset, referred to the
Committee on Taxation and ordered printed. Sent down for
concurrence.

Presented by Senator Kerry of York.
MAY M. ROSS, Secretary of the Senate

11 Cosponsors: Representative Mahany of Easton, Senator Shute
of Waldo and Representative Tarbell of Bangor.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 **AN ACT Relating to Harness Racing at**
18 **Agricultural Fairs, the State Stipend**
19 **and Pari-mutuel Pools.**
20

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

24 Whereas, harness racing is one of Maine's most impor-
25 tant recreational activities; and

26 Whereas, both owners of harness racing horses and the
27 operators of harness racing tracks have experienced a steady
28 decline in real income since 1973; and

29 Whereas, this decline in real income presently threat-
30 ens the supply of harness racing horses in Maine and the
31 viability of the entire harness racing industry; and

1 Whereas, a healthy harness racing industry is vital for
2 the continued prosperity of those agricultural societies
3 which conduct pari-mutuel racing; and

4 Whereas, this Act must become effective for the 1982
5 harness racing season in order to provide timely relief to
6 owners of harness racing horses and operators of harness
7 racing tracks; and

8 Whereas, in the judgment of the Legislature, these
9 facts create an emergency within the meaning of the Consti-
10 tution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public
12 peace, health and safety; now, therefore,

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

14 Sec. 1. 8 MRSA §271, 2nd sentence, as amended by PL
15 1971, c. 593, §22, is repealed.

16 Sec. 2. 8 MRSA §274, as last amended by PL 1979, c.
17 672, Pt. A, §46, is repealed and the following enacted in
18 its place:

19 §274. Pari-mutuel pools

20 1. Sale of pari-mutuel pools. Within the enclosure of
21 any race track where a race or race meet licensed and con-
22 ducted under this chapter is held, but not elsewhere, the
23 sale of pari-mutuel pools by the licensee, under such rules
24 as may be prescribed by the commission, is permitted and
25 authorized. Commissions on pools of regular wagers other
26 than exotic wagers shall not in any event or at any track
27 exceed 16% of each dollar wagered, and commissions on pools
28 of exotic wagers shall not in any event or at any track
29 exceed 25% of each dollar wagered, plus the odd cents of all
30 redistribution to be based on each dollar wagered, whether
31 regular wagers or exotic wagers, exceeding a sum equal to
32 the next lowest multiple of 10, known as "breakage," which
33 breakage shall be retained by the licensee. For the purpose
34 of this chapter, "exotic wagers" means those in which the
35 bettor selects 2 or more horses in one or more races in a
36 single wager. The maximum shall include the .87% tax on
37 regular wagers and the 5.37% tax on exotic wagers prescribed
38 in section 275.

39 2. Payment to Treasurer of State. Each person, asso-
40 ciation or corporation licensed to conduct a race or race

1 meet under this chapter shall pay to the Treasurer of State
2 a sum equal to 1.13% of the total contributions of regular
3 and exotic wagers to all pari-mutuel pools conducted or made
4 at any race or race meet licensed under this chapter. The
5 Treasurer of State shall distribute the total amount so col-
6 lected in the following manner.

7 A. The first \$295,000 of the total amount, regardless
8 of when actually collected, shall be credited to the
9 Stipend Fund, provided by Title 7, section 62.

10 B. From the next \$55,000 of the total amount, regard-
11 less of when actually collected, 75% shall be paid and
12 returned by the end of each calendar year to those pers-
13 ons, associations and corporations which during that
14 calendar year conducted an extended meet pursuant to a
15 license granted by the commission as provided in
16 section 271. As used in this section, the term
17 "extended meet" means any series of harness horse
18 racess, except harness horse races conducted by an agri-
19 cultural society at the time of its annual fair. This
20 payment shall be divided in the proportion that the
21 contributions of regular and exotic wagers to
22 pari-mutuel pools made or conducted at the extended
23 meets of each licensee during that calendar year bear
24 to the total contributions of regular and exotic wagers
25 to pari-mutuel pools made or conducted at the extended
26 meets of all licensees during that calendar year.
27 Licensees sharing in this distribution shall use 1/2 of
28 the funds so received for the purpose of supplementing
29 purse money.

30 The remaining 25% shall be credited to the Stipend
31 Fund, provided in Title 7, section 62.

32 C. From the balance of the total amount in excess of
33 \$350,000, regardless of when actually collected, 80%
34 shall be paid and returned by the end of each calendar
35 year to those persons, associations and corporations
36 which during that calendar year conducted an extended
37 meet pursuant to a license granted by the commission in
38 section 271. This payment shall be divided in the pro-
39 portion that the contributions of regular and exotic
40 wagers to pari-mutuel pools made or conducted at the
41 extended meets of each licensee during that calendar
42 year bear to the total contributions of regular and
43 exotic wagers to pari-mutuel pools made or conducted at
44 the extended meets of all licensees during that calen-
45 dar year. Licensees sharing in this distribution shall
46 use 1/2 of the funds so received for the purpose of
47 supplementing purse money.

1 Section 2 also changes the maximum tax on regular
2 wagers and exotic wagers in the present Title 8, section
3 274, to be consistent with Title 8, section 275.