

MAINE STATE LEGISLATURE

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L.D. 1820

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DATE: 4-8-04

(Filing No. H-879)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1342, L.D. 1820, Bill, "An Act To Establish the Gambling Control Board To License and Regulate Slot Machines at Commercial Harness Racing Tracks"

Amend the amendment by striking out all of section A-4 (page 3, lines 11 to 50 and page 4, lines 1 to 5 in amendment) and inserting in its place the following:

'Sec. A-4. 8 MRSA §299 is enacted to read:

§299. Harness Racing Stabilization Fund

1. Fund created. The Harness Racing Stabilization Fund, referred to in this section as "the fund," is established to provide financial assistance to Maine's commercial tracks and off-track betting facilities.

2. Request for financial assistance. Each commercial track licensed under section 271 and each off-track betting facility licensed and in operation as of December 31, 2003 may file a request for financial assistance with the Department of Public Safety, Gambling Control Board established in chapter 31 and referred to in this section as "the board." The request for financial assistance must be on forms provided by the board and must meet the criteria established by the board pursuant to subsection 3. A request for financial assistance must be renewed annually by December 31st.

3. Criteria for financial assistance. The board, by major substantive rulemaking pursuant to Title 5, chapter 375, subchapter 2-A, shall establish criteria for determining financial need. The criteria for off-track betting facilities must include proof of loss of revenue due to the presence of slot machines registered pursuant to chapter 31, subchapter 2.

2 4. Distribution; timing. Within 30 days of receipt of a
3 request for financial assistance under subsection 2, the board
4 shall determine whether the request meets the board's criteria
5 under subsection 3 and, if the criteria are met, the amount to
6 which the commercial track or off-track betting facility is
7 entitled. If the board denies, in whole or in part, the request
8 for financial assistance, the board shall notify the commercial
9 track or off-track betting facility of the board's decision and
10 its reasons for the decision. If the board grants the request,
11 it must make payments pursuant to subsection 5 to the commercial
12 track or off-track betting facility within 5 working days of its
13 decision. If the amount in the fund is insufficient to satisfy
14 the amount the board determines the commercial track or off-track
15 betting facility is entitled to, the board may establish a
16 schedule for making payments to that commercial track or
17 off-track betting facility or may modify the amount to be paid to
18 reflect the limit of the fund.

19 5. Payment limits; lapse of funds. Payments from the fund
20 to commercial tracks may not exceed 2/3 of the amount deposited
21 annually into the fund pursuant to section 1036, subsection 2,
22 paragraph H. Payments from the fund to off-track betting
23 facilities may not exceed 1/3 of the amount deposited annually
24 into the fund pursuant to section 1036, subsection 2, paragraph
25 H. The total annual payments from the fund as of July 1st may
26 not exceed the total deposits to the fund as of the following
27 June 30th. Any funds remaining in the fund after all annual
28 distributions pursuant to subsection 4 lapse to the General Fund.

29 6. Termination of payments. Payments to commercial tracks
30 and off-track betting facilities must be discontinued upon the
31 earlier of:

32 A. The placement and operation of slot machines as defined
33 in section 1001 or electronic video machines as defined in
34 Title 17, section 330 at all commercial tracks and off-track
35 betting facilities eligible for financial assistance
36 payments; and

37 B. A determination by the board that financial assistance
38 payments are no longer necessary.

39 7. Repeal. This section is repealed 6 months after the
40 date the board terminates financial assistance payments pursuant
41 to subsection 6.'

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43 Further amend the amendment on pages 15 and 16 by striking
44 out all of paragraphs H, I and J (page 15, lines 38 to 50 and
45 page 16, lines 1 to 13 in amendment) and inserting in their place
46 the following:
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2 'H. Six percent of the total gross slot machine income must
3 be forwarded by the board to the Treasurer of State, who
4 shall credit the money to the Harness Racing Stabilization
5 Fund established in section 299 to provide financial
6 assistance payments to qualified commercial tracks and
7 off-track betting facilities. Once payments to commercial
8 tracks and off-track betting facilities have terminated
9 pursuant to section 299, subsection 6, 6% of the total gross
10 slot machine income must be forwarded to the Treasurer of
11 State, who shall credit the money to the General Fund; and

12 I. One percent of the total gross slot machine income must
13 be forwarded directly to the municipality in which the slot
14 machines are located.'

SUMMARY

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19 Under Committee Amendment "A," 4% of the total gross slot
20 machine income must be deposited in the Fund to Encourage Racing
21 at Maine's Commercial Tracks and 2% of the total gross slot
22 machine income must be deposited in the Fund to Stabilize
23 Off-track Betting Facilities for the distribution of revenue to
24 commercial tracks and off-track betting facilities, respectively.

25 This amendment instead creates a new fund, the Harness
26 Racing Stabilization Fund, into which 6% of the total gross slot
27 machine income must be deposited. The new fund serves as a
28 source of revenue for licensed commercial tracks and off-track
29 betting facilities who apply to the Gambling Control Board for
30 financial assistance payments. The board, by major substantive
31 rulemaking, is required to establish criteria that the commercial
32 track or off-track betting facility must meet in order to be
33 eligible for financial assistance payments. One criterion that
34 an off-track betting facility must meet is a showing of loss of
35 revenue due to the presence of licensed slot machines in the
36 State. The board determines whether the track or off-track
37 betting facility has met the criteria and the amount of the
38 financial assistance payment. The commercial track or off-track
39 betting facility must apply annually for a financial assistance
40 payment.

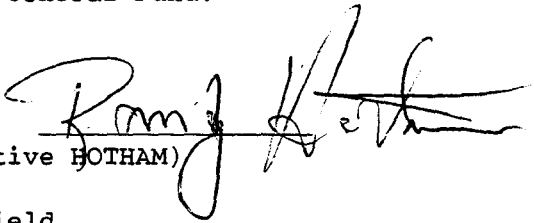
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43 The financial assistance payments cease when all commercial
44 tracks and off-track betting facilities have slot machines,
45 including electronic video machines, or the board determines that
46 financial assistance payments are no longer necessary, whichever
47 occurs first. When the financial assistance payments cease, or
48 if the amount of payments to the fund exceeds the amount of

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1342,
L.D. 1820

2 financial assistance payments, the money allocated to the fund
lapses to the General Fund.

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SPONSORED BY: 
(Representative BOTHAM)

TOWN: Dixfield

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1820

An Act To Establish the Gambling Control Board To License and Regulate Slot Machines at Commercial Harness Racing Tracks

LR 2664(05)

Fiscal Note for House Amendment " " to Committee Amendment " "

Sponsor: Rep. Hotham

Fiscal Note Required: Yes



Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$0	\$0	\$0
Revenue				
Other Special Revenue Funds	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

The changes in certain Other Special Revenue Funds accounts within the Department of Agriculture, Food and Rural Resources will not have any net impact on either the allocations or revenues for the department.