

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 587

H.P. 430

House of Representatives, February 24, 2021

**An Act Regarding the Licensing of Persons To Conduct Advance
Deposit Wagering**

Received by the Clerk of the House on February 22, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MILLETT of Waterford.

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

2 **Sec. 1. 8 MRSA §1001, sub-§29-C**, as enacted by PL 2015, c. 499, §2, is amended
3 to read:

4 **29-C. Net commission.** "Net commission" means the amount of wagers placed via
5 advance deposit wagering after payment of money from winning wagers to winning bettors
6 less a percentage paid to the board for administrative expenses of the board and less an
7 amount retained by ~~the~~ an advance deposit wagering licensee.

8 **Sec. 2. 8 MRSA §1003, sub-§2, ¶U**, as enacted by PL 2015, c. 499, §7, is amended
9 by amending subparagraph (3) to read:

10 (3) Distributions of account statements to advance deposit wagering account
11 holders from ~~the~~ an advance deposit wagering licensee;

12 **Sec. 3. 8 MRSA §1071, first ¶**, as enacted by PL 2015, c. 499, §8, is amended to
13 read:

14 The board shall develop a request for proposals for the purpose of awarding ~~one bidder~~
15 no more than 3 bidders the privilege to be licensed to conduct advance deposit wagering.
16 The request for proposals must instruct potential bidders to propose the method by which
17 they will conduct advance deposit wagering that provides the maximum benefit to the
18 harness racing industry and the State in a manner that ensures wagering is conducted by
19 residents of the State who are verified to be 18 years of age or older. A bidder seeking
20 award of a license to conduct advance deposit wagering shall comply with the requirements
21 determined by the board. The board shall require that a proposal include a nonrefundable
22 application fee of \$1,000 and an agreement to pay the costs of the board for processing an
23 application and performing background investigations, as described in this subchapter. The
24 board shall ensure that the request for proposals clearly identifies the deadline for
25 submission and all bid requirements. The board shall follow, as nearly as practicable, the
26 provisions governing competitive bidding prescribed by Title 5, chapter 155, subchapter 1-
27 A and rules adopted pursuant to that subchapter.

28 **Sec. 4. 8 MRSA §1071, sub-§3**, as enacted by PL 2015, c. 499, §8, is amended to
29 read:

30 **3. Contract required.** In order to be selected as ~~the~~ a winning bidder for the privilege
31 to be licensed by the board to conduct advance deposit wagering, a person must agree to
32 enter into a contract with the board that obligates the advance deposit wagering licensee to
33 the proposals made in the bid submitted in accordance with this section. The contract must
34 include a framework of reasonable financial penalties for failure of the advance deposit
35 wagering licensee to comply with the terms of the contract and rules of the board. The
36 licensee may not conduct advance deposit wagering prior to the execution of the contract
37 required by this subsection.

38 **Sec. 5. 8 MRSA §1071, sub-§4**, as enacted by PL 2015, c. 499, §8, is amended to
39 read:

40 **4. Application; investigation.** In order to be licensed by the board to conduct advance
41 deposit wagering, a person that is selected as ~~the~~ a winning bidder in accordance with this
42 subchapter must complete an application using forms developed by the board and comply

1 with additional requests the board determines necessary to investigate the suitability of ~~the~~
2 a winning bidder to be issued a license.

3 **SUMMARY**

4 This bill increases from one to no more than 3 the number of persons the Department
5 of Public Safety, Gambling Control Board may license through a competitive bidding
6 process to conduct advance deposit wagering.