

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 944

H.P. 665

House of Representatives, March 6, 1991

Received by the Clerk of the House on March 4, 1991. Referred to the Committee on Legal Affairs and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative TARDY of Palmyra.

Cosponsored by Representative MACOMBER of South Portland, Representative KETOVER of Portland and Senator TITCOMB of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Permit Off-track Betting.

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

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8 MRSA §274-A is enacted to read:

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§274-A. Off-track betting

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1. Off-track betting on live-broadcast events. A person licensed to operate a commercial track conducting live racing may not conduct pari-mutuel wagering at any off-track betting facility in the State that receives live broadcasts of racing, or simulcasts, in the State without the approval of the commission.

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A licensee having live racing may not simulcast within a 50-mile radius of another licensee having live racing at the same time without permission from that licensee and the commission.

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2. Application for off-track betting. To establish and operate an off-track betting facility, a licensee must submit to the commission an off-track betting facility application on a form prescribed by the commission that specifies at least the following:

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A. The number of permanent and part-time jobs to be created at the proposed facility;

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B. The population of the municipality and surrounding area where the proposed facility is to be located;

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C. The proximity of the proposed facility to any other approved off-track betting facility or licensed racetrack;

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D. The type of seating to be provided, including areas in the proposed facility where patrons can handicap races;

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E. The total seating capacity of the proposed facility;

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F. The size and number of toilet facilities;

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G. The availability of food and beverages, including the number of tables, chairs, kitchen facilities and concession stands;

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H. The number of available parking spaces;

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I. A description of the general demeanor of the facility, including lighting, decor and plans for the exterior of the facility;

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J. The number of betting windows and stand-alone betting terminals to be provided;

2 K. A description of the heating and air-conditioning units,
3 the smoke removal equipment and other climate control
4 devices;

6 L. The total area in square feet of the proposed facility;
7 and

8 M. The number, type and quality of the television equipment
9 to be installed and, if applicable, the name and place of
10 business of any proposed independent contract operator.

12 3. Application review. In determining whether the facility
13 application meets the requirements of this section, the
14 commission shall consider factors that include, but are not
15 limited to, the following:

16 A. The public interest;

18 B. The integrity of live racing;

20 C. The impact on the local community;

22 D. The potential for job creation, including jobs in the
23 racing and wagering industry and other service jobs; and

24 E. The quality of the physical facilities and all services
25 to be provided.

28 4. Annual report. The commission shall report annually to
29 the joint standing committee of the Legislature having
30 jurisdiction over agriculture matters on the effect of off-track
31 betting facilities on the local economy, the public interest, the
32 integrity of live racing and other matters as the commission
33 finds appropriate. The commission may include any
34 recommendations for necessary changes in laws governing off-track
35 betting.

38 5. Betting commissions. Within the enclosure of any
39 off-track betting facility, where the sale of pari-mutuel pools
40 by the licensee is being conducted, commissions on pools of
41 regular wagers other than exotic wagers may not exceed 18% of
42 each dollar wagered and commissions on pools of exotic wagers may
43 not exceed 26% of each dollar wagered. In addition, the odd
44 cents of all redistribution, based on each dollar wagered,
45 whether regular wagers or exotic wagers, exceeding a sum equal to
46 the next lowest multiple of 10, known as "breakage," must be
47 retained by the pari-mutuel licensee. For the purpose of this
48 chapter, "exotic wagers" means those in which the bettor selects
49 2 or more horses in one or more races in a single wager.

50 6. Allocation of revenues. The licensee shall pay a sum
51 equal to 0.250% of the total contributions to the commission to
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2 be credited to the Stipend Fund established by Title 7, section
3 62.

4 The licensee shall pay a sum equal to 2.566% of the total
5 contributions on exotic wagers and a sum equal to 1.073% of the
6 total contributions on regular wagers to the commission to be
7 credited to the Sire Stakes Fund, established by section 281.

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9 The licensee shall credit 4.347% of the total contributions on
10 exotic wagers and 1.533% of the total contributions on regular
11 wagers to the horsemen's purse account.

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13 The licensee shall pay a sum equal to 1% of the total
14 contributions to the commission to be used by the commission to
15 promote harness racing as a drug-free sport.

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18 **STATEMENT OF FACT**

19 This bill establishes a process to allow off-track betting
20 at facilities that will also simulcast live racing being
21 conducted in Maine. These facilities must provide a clubhouse
22 atmosphere and other amenities in addition to wagering
23 opportunities in order to qualify for approval by the State
24 Harness Racing Commission.