

# MAINE STATE LEGISLATURE

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L.D. 1415

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1052, L.D. 1415, Bill, "An Act to Amend the Laws Regarding Harness Racing"

Amend the bill by inserting after the title and before the enacting clause the following:

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

**Whereas,** certain clarifications of the laws governing harness racing are necessary in order for funds to be distributed appropriately prior to the end of the racing season; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, '

Further amend the bill by striking out all of section 1 and inserting in its place the following:

**'Sec. 1. 8 MRSA §275-E, sub-§1,** as enacted by PL 1993, c. 388, §8, is amended to read:

**1. Commissions.** Except as provided in subsection 2, the total commission on pools of regular wagers is 18% of each dollar wagered and the total commission on pools of exotic wagers is 26% of each dollar wagered, plus the odd cents of all redistribution to be based on each dollar wagered, whether regular wagers or exotic wagers, exceeding a sum equal to the next lowest multiple

**COMMITTEE AMENDMENT**

**RdS**

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of 10, known as "breakage," which must be retained by the licensee. Notwithstanding anything in this chapter to the contrary, the minimum payoff on a winning show wager must be 5% above the amount wagered.

Further amend the bill by inserting after section 2 the following:

'Sec. 3. 8 MRSA §295, sub-§2, as enacted by PL 1997, c. 528, §46, is amended to read:

**2. Distribution.** On May 30th, September 30th and within 30 days after the close of all off-track betting facilities for the year, amounts payable under subsection 1 for distribution in accordance with this subsection must be distributed only for the dates assigned by the commissioner pursuant to Title 7, section 65 to the commercial racetracks and the agricultural fair associations that provide simulcast transmission of live racing in the State. Distribution must be in the proportion that the amount of exotic wagers placed at off-track betting facilities on simulcast races from each licensee up to the last day of the preceding month bears to the total amount wagered of exotic wagers at off-track betting facilities on races simulcast from all commercial racetracks and agricultural fair associations up to that date. The last payment of the calendar year must be adjusted to reflect each licensee's exotic wagers in proportion to the total wagered of the exotic wagers at off-track betting facilities in that calendar year.'

Further amend the bill by inserting before the summary the following:

'**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.'

## SUMMARY

This amendment strikes the changes made to the definition of "commercial track" in the original bill. It retains the section of the original bill that specifies that the horsemen's purse share of the harness racing handle on simulcast races is distributed to the track in the state where the race was actually run. The amendment states that the minimum payoff on a show wager must be 5% above the amount wagered. It also clarifies the section of law that governs the off-track betting simulcast fund by stating that only exotic wagers are factored into the formula that apportions the fund.