

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 519

S.P. 209

In Senate, February 19, 2013

An Act To Establish Advance Deposit Wagering for Harness Racing

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TUTTLE of York.
Cosponsored by Representative LONGSTAFF of Waterville.

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

2 **Sec. 1. 8 MRSA §268**, as amended by PL 1999, c. 394, §1, is further amended by
3 adding at the end a new paragraph to read:

4 The commission may adopt rules allowing advance deposit wagering at off-track
5 betting facilities, including rules regarding the manner in which advance deposit
6 wagering accounts may be established, the manner in which deposits may be accepted
7 into and wagers may be made from advance deposit wagering accounts and requirements
8 for participation and for the licensing of employees, off-track betting facilities and
9 providers of advance deposit wagering services. Rules adopted pursuant to this paragraph
10 are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

11 **Sec. 2. 8 MRSA §275-A, sub-§§2-A and 2-B** are enacted to read:

12 **2-A. Advance deposit wagering.** "Advance deposit wagering" means a form of
13 pari-mutuel wagering in which the bettor places funds in a wagering account
14 administered by an advance deposit wagering operator and then authorizes the operator to
15 place wagers from the account on the bettor's behalf.

16 **2-B. Advance deposit wagering operator.** "Advance deposit wagering operator"
17 means an off-track betting facility that is a host facility for advance deposit wagering.

18 **Sec. 3. 8 MRSA §275-A, sub-§7-A** is enacted to read:

19 **7-A. Net commission.** "Net commission" means the total commission derived from
20 advance deposit wagering after subtracting the amount of the contract cost of the advance
21 deposit wagering operator in contracting with an advance deposit wagering service
22 provider and an amount equal to 6.5% of the total commission that is retained by the
23 advance deposit wagering operator for expenses of the advance deposit wagering
24 operation.

25 **Sec. 4. 8 MRSA §286, sub-§§8 and 9** are enacted to read:

26 **8. Advance deposit wagering intrastate simulcasting with commingled pools.**
27 The distribution of the commission on advance deposit wagering in simulcasting of races
28 with commingled pools originating at a racetrack within the State is calculated as a
29 percentage of the net commission and distributed as follows.

30 A. On exotic wagers:

- 31 (1) The state share is 2.578%;
32 (2) The Sire Stakes Fund share is 1.551%;
33 (3) The Stipend Fund share is 1.169%;
34 (4) The horsemen's purse share is 7.871%;
35 (5) The Harness Racing Promotional Fund share is 0.25%;
36 (6) The track share is 7.922%; and

1 (7) The advance deposit wagering operator share is 4.659%.

2 B. On regular wagers:

3 (1) The state share is 0.813%;

4 (2) The Sire Stakes Fund share is 0.072%;

5 (3) The Stipend Fund share is 1.186%;

6 (4) The horsemen's purse share is 5.062%;

7 (5) The Harness Racing Promotional Fund share is 0.25%;

8 (6) The track share is 7.899%; and

9 (7) The advance deposit wagering operator share is 2.718%.

10 **9. Advance deposit wagering interstate simulcasting with commingled pools.**

11 The distribution of the commission on advance deposit wagering in simulcasting of races
12 with commingled pools originating at a racetrack in another state is calculated as a
13 percentage of the net commission and distributed as follows.

14 A. On exotic wagers:

15 (1) The state share is 9.801%;

16 (2) The Sire Stakes Fund share is 5.965%;

17 (3) The Stipend Fund share is 4.494%;

18 (4) The purse supplement share is 16.558%;

19 (5) The Harness Racing Promotional Fund share is 0.962%;

20 (6) The off-track betting facility simulcast fund share is 12.951%;

21 (7) The advance deposit wagering operator share is an amount equal to
22 24.6345% plus an additional 8.2115% for each off-track betting facility that is a
23 partner in advance deposit wagering with the advance deposit wagering operator,
24 the total share amount of this subparagraph to be shared equally among all
25 advance deposit wagering partners; and

26 (8) The off-track betting facility that is not a partner in advance deposit wagering
27 share is an amount equal to 49.269% minus the amount of share in subparagraph
28 (7), to be shared equally among all off-track betting facilities that are not advance
29 deposit wagering partners.

30 B. On regular wagers:

31 (1) The state share is 4.405%;

32 (2) The Sire Stakes Fund share is 0.400%;

33 (3) The Stipend Fund share is 6.590%;

34 (4) The purse supplement share is 8.399%;

35 (5) The Harness Racing Promotional Fund share is 1.389%;

1 the State through the Internet to distribute 22% of the total commission of this Internet
2 gambling activity to various state harness racing funds and purposes.