

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1205

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S.P. 390

In Senate, March 24, 2021

### An Act To Ensure Equitable Taxation of Off-track Betting Facilities

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Received by the Secretary of the Senate on March 22, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 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 DIAMOND of Cumberland.

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

2 **Sec. 1. 8 MRSA §286, sub-§4**, as amended by PL 2015, c. 200, §3, is further  
3 amended to read:

4 **4. Off-track betting facility interstate simulcasting with commingled pools.** The  
5 distribution of the commission on simulcasting of races with commingled pools originating  
6 at a racetrack in another state by an off-track betting facility is calculated in accordance  
7 with this subsection as a percentage of the commission with respect to the State's share and  
8 as percentages of the net commission with respect to all other participants' shares ~~and is~~  
9 ~~distributed.~~ If the off-track betting facility is eligible to receive a distribution from the  
10 Fund to Stabilize Off-track Betting Facilities established in section 300 or is licensed after  
11 January 1, 2021, the distribution of the commission under this subsection is as follows.

12 A. On exotic wagers:

- 13 (1) The state share is 8.647% for an off-track betting facility located in the same  
14 municipality as a commercial track and 9.801% for all other facilities;  
15 (2) The Sire Stakes Fund share is 5.965%;  
16 (3) The Stipend Fund share is 4.494%;  
17 (4) The purse supplement share is 16.558%;  
18 (5) The Harness Racing Promotional Fund share is 0.962%;  
19 (6) The off-track betting facility share is all amounts not otherwise assigned; and  
20 (7) The off-track betting facility simulcast fund share is 12.951%.

21 B. On regular wagers:

- 22 (1) The state share is 2.739% for an off-track betting facility located in the same  
23 municipality as a commercial track and 4.405% for all other facilities;  
24 (2) The Sire Stakes Fund share is 0.400%;  
25 (3) The Stipend Fund share is 6.590%;  
26 (4) The purse supplement share is 8.399%;  
27 (5) The Harness Racing Promotional Fund share is 1.389%;  
28 (6) The off-track betting facility share is all amounts not otherwise assigned; and  
29 (7) The off-track betting facility simulcast fund share is 18.627%.

30 For an off-track betting facility licensed on or before January 1, 2021 that is not eligible to  
31 receive a distribution from the Fund to Stabilize Off-track Betting Facilities, the  
32 distributions under paragraph A, subparagraphs (1), (2), (3), (4), (5) and (7) and the  
33 distributions in paragraph B, subparagraphs (1), (2), (3), (4), (5) and (7) must be reduced  
34 by 1/2.

35 **SUMMARY**

36 This bill reduces by 1/2, for an off-track betting facility licensed on or before January  
37 1, 2021, the calculated and distributed percentages of the commission with respect to the  
38 State's share and as percentages of the net commission with respect to all other participants'

1 shares in years in which the off-track betting facility is not eligible to receive a distribution  
2 from the Fund to Stabilize Off-track Betting Facilities.