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ANNUAL REPORT ON USE OF FUNDS

PURSUANT TO 8 MRS SECTION 1037

2015

PRESENTED TO THE JOINT STANDING COMMITTEES ON:

**VETERANS AND LEGAL AFFAIRS;
AGRICULTURE, CONSERVATION AND FORESTRY; AND,
APPROPRIATIONS AND FINANCIAL AFFAIRS**

FEBRUARY 15, 2016

SUBMITTED BY:

**HENRY JENNINGS, ACTING EXECUTIVE DIRECTOR
MAINE STATE HARNESS RACING COMMISSION
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

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PAUL R. LePAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE STATE HARNESS RACING COMMISSION
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB
COMMISSIONER
BARBARA DRESSER
CHAIR

February 15, 2016

Senator Scott W. Cyrway, Senate Chair
Representative Louis J. Luchini, House Chair
Joint Standing Committee on Veterans and Legal Affairs

Senator Peter E. Edgecomb, Senate Chair
Representative Craig V. Hickman, House Chair
Joint Standing Committee on Agriculture, Conservation and Forestry

Senator James M. Hamper, Senate Chair
Representative Margaret R. Rotundo, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

Dear Committee Chairs:

This report is being submitted on behalf of the Maine Department of Agriculture, Conservation and Forestry and the Maine State Harness Racing Commission pursuant to 8 MRS Section 1037, Annual Report on Use of Funds. The information contained in the Report conforms to the requirements outlined in Section 1037 as it pertains to commercial tracks; agricultural fairs that conduct harness racing; agricultural fairs that do not conduct harness racing; breeders and owners within the Maine Standardbred Program; and off-track betting facilities.

The Report has been compiled from data that was submitted by licensees that received a share of the funds generated in 8 MRS Section 1036. The figures that are contained in this report are for calendar year 2015.

Respectfully submitted by,

Henry Jennings
Acting Executive Director
Maine State Harness Racing Commission

CC: Walter E. Whitcomb, Commissioner, Dept. of Agriculture, Conservation and Forestry
Barbara J. Dresser, Chair, Maine State Harness Racing Commission

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Commercial Race Tracks

There were two (2) licensed pari mutuel facilities that met the definition of a Commercial Race Track pursuant to 8 MRS Section 275-A. One is located in Scarborough and the other in Bangor.

Scarborough Downs conducted 102 days of live racing offering wagering on 903 dashes and Bangor Raceway conducted 52 days of live racing and offered wagering on 555 dashes to the Off-track Betting facilities in Maine as well as out-of-state. Both facilities were licensed to accept pari mutuel wagers on simulcast races for 363 days.

The revenues received from the Fund To Encourage Racing At Maine's Commercial Tracks were used by the recipients to defray expenses incurred in conducting live racing and accepting pari mutuel wagers throughout the licensing year.

The information required to be reported in 8 MRS Section 1037 subsection 1 is contained on the following pages.

Scarborough Downs

Racino Fund to Encourage
Racing At Maine
Commercial Racetracks

1,013,664.34

Capital Improvements

2015

0

Commercial Meet Fund
Capital Improvements

0.00

OTB Simulcast Fund

201,926.31

Purse Supplement

Handle

250,542.46

Extended Meet

0.00

Commercial Meet

0.00

Live On Track

26,403.40

Interstate On Track

315,071.08

Intertrack to Original Track

1,850.46

OTB Purse to Original Track

12,948.36

Racino Funds

1,799,456.53

Ag. Fair Support Fund Racino

183,544.57

Casino Funds

292,026.24

Ag. Fair Support Fund Casino

99,288.91

OTB to Original Track

Track Share

14,323.45

Payment MHHA

68,080.11

Purse Paid

2,913,100.00

Days Raced

102

Dashes Raced

903

Dashes Available

To OTB Intra State

903

To OTB Inter State

903

Total Live Wagers

1,106,813

Total Intra State Wagers

112,173

Total Inter State Wagers

10,166,587

Track Share

1,547,994.81

Ag. Fair Stipend Fund

121,258.43

Sire Stakes Fund

113,536.29

Promotional Board Fund

25,831.96

Purse Supplement Fund

102,163.66

Commission Operating Budget

176,845.02

Horsemen's Purse On Track

796,846.65

Number of Employees

Full Time

26

Part Time

45

Operating Costs

3,765,998

Profit And Loss

(18,012)

Depreciation Figures

65,543

Administrative Costs of

Reporting Requirements

500

Bangor Raceway

Racino Fund to Encourage
Racing At Maine
Commercial Racetracks

516,770.05

Capital Improvements

2015

10,095

Commercial Meet Fund
Capital Improvements

0.00

OTB Simulcast Fund

61,397.45

Purse Supplement

Handle

127,727.53

Extended Meet

0.00

Commercial Meet

0.00

Live On Track

6,569.65

Interstate On Track

73,881.87

Intertrack to OriginalTrack

1,529.85

OTB Purse to Original Track

4,080.96

Racino Funds

936,594.21

Ag. Fair Support Fund Racino

95,532.61

Casino Funds

151,995.94

Ag. Fair Support Funds Casino

51,678.61

OTB to Original Track

Track Share

4,579.72

Number of Employees

Full Time

4

Part Time

14

Operating Costs

1,770,540

Profit And Loss

(433,107)

Depreciation Figures

61,047

Administrative Costs of

Reporting Requirements

1,100

Payment MHHA

33,104.31

Purse Paid

1,490,300.00

Days Raced

52

Dashes Raced

555

Dashes Available

To OTB Intra State

555

To OTB Inter State

555

Total Live Wagers

276,746

Total Intra State Wagers

75,989

Total Inter State Wagers

2,306,666

Track Share

361,800.52

Ag. Fair Stipend Fund

28,118.52

Sire Stakes Fund

28,114.47

Promotional Board Fund

5,994.67

Purse Supplement Fund

23,713.00

Commission Operating Budget

43,135.96

Horsemen's Purse On Track

80,451.52

Agricultural Fairs that Conduct Harness Racing

There were nine (9) licensed agricultural fairs that conducted harness racing during their annual exhibition. The total number of days these nine agricultural fairs conducted harness racing in 2015 was 56 days. Cumberland Fair conducted one (1) day of racing that is classified as an Extended Meet.

These nine fairs spent a total of \$1,045,226 in premiums and made \$1,203,394 in capital improvements in 2015. These fairs wagered \$1,591,602 at their tracks and paid out \$1,518,800 in purses.

The information required to be reported in 8 MRS Section 1037 subsection 2 is contained on the following page.

It should be noted that absent a requirement in the statute to keep funds received from the racino in Bangor and the casino in Oxford separate, most fairs comingled these funds in either their general operating account or in the horsemen's purse account. Therefore, there is not an independent accounting for the funds received pursuant to 8 MRS Section 286 and 7 MRS Section 86. However, after reviewing the annual reports required for submission to this office, it has been determined that these funds have been used in accordance with the provisions found in 8 MRS Section 286 and 7 MRS Section 86.

2015 Agricultural Fairs that Conduct Harness Racing

Fair	Handle Purse Supplement	Racino Purse Supplement	Casino Purse Supplement	Ag. Fair Racino Purse Supplement	Ag Fair Casino Purse Supplement	On Track Purse Supplement	OTB Purse Supplement	Payment MHHA Funding	Purses Paid	Days Raced	Dashes Raced	Dashes Available to OTB	Total Live Wagered
Cumberland	14,737.79	131,521.74	21,344.11	13,415.22	7,257.00	2,799.49	929.76	3,078.61	184,350.00	6	66	66	116,316
Cumberland Ext.	2,456.30	19,927.54	3,233.96	2,032.61	1,099.55	447.61	0.00	666.78	25,400.00	1	10	0	17,196
Farmington	17,194.09	135,507.25	21,990.90	13,821.74	7,476.91	3,401.52	733.70	4,570.28	183,900.00	7	68	68	136,040
Fryeburg	14,737.79	119,565.22	19,403.74	12,195.65	6,597.27	12,480.75	0.00	4,224.40	184,900.00	6	60	0	521,198
Northern Maine	14,737.79	95,652.17	15,522.99	9,756.52	5,277.82	1,266.96	0.00	3,247.75	122,000.00	6	48	0	59,901
Oxford	9,825.19	79,710.15	12,935.82	8,130.44	4,398.18	1,475.21	657.71	2,674.96	122,350.00	4	40	40	61,740
Skowhegan	17,194.09	137,500.00	22,314.30	14,025	7,586.86	4,036.85	1,172.56	4,654.86	181,400.00	7	69	69	163,235
Topsham	12,281.49	93,659.42	15,199.59	9,553	5,167.86	1,178.29	443.41	3,139.71	130,900.00	5	47	47	67,073
Union	12,281.49	87,681.16	14,229.41	8,943	4,838.00	1,673.26	0.00	2,960.74	122,200.00	5	44	0	67,073
Windsor	22,106.69	189,311.60	30,722.58	19,310	10,445.68	9,634.42	1,747.74	6,469.23	261,400.00	9	95	95	381,830
	137,552.72	1,090,036.24	176,897.40	111,183.70	60,145.12	38,394.35	5,684.89	35,687.32	1,518,800.00	56.00	547.00	385.00	1,591,602.00
Fair	OTB Simulcast Fund	Premiums Approved	Facilities Approved	Bangor Racino Stipend	Oxford Casino Stipend	Premium Stipend	Facility Stipend	Attendance Paid	Attendance Free & Vendor	Attendance Total	Labor Costs	Operating Expenses	
Cumberland	13,656.35	106,297	59,081	45,227.96	26,307.72	9,225	12,506	45,337	5,827	51,164	153,719	457,565	
Farmington	11,457.39	74,494	46,527	31,696.17	18,436.70	6,465	12,506	22,952	2,048	25,000	80,191	210,968	
Fryeburg	0.00	357,135	769,733	151,956.32	88,388.35	30,992	12,506	162,753	42,711	205,464	1,281,135	1,538,414	
Northern Maine	0.00	66,292	25,704	28,206.43	16,406.82	5,753	12,506	18,324	4,133	22,457	67,152	599,751	
Oxford	9,830.24	43,012	6,396	18,301.08	10,645.18	3,733	12,506	8,500	1,500	10,000	16,988	146,498	
Skowhegan	18,326.73	128,435	186,232	54,647.51	31,786.79	11,146	12,506	52,500	2,500	55,000	70,987	372,773	
Topsham	6,761.56	56,763	10,245	24,151.96	14,048.46	4,926	12,506	27,000	0	27,000	49,279	508,060	
Union	0.00	73,568	12,976	31,302.28	18,207.58	6,384	12,506	21,408	5,352	26,760	31,679	203,900	
Windsor	27,630.05	139,230	86,500	59,240.64	34,458.48	12,082	12,506	45,850	49,150	95,000	138,660	625,703	
	87,662.32	1,045,226	1,203,394	444,730.35	258,686.07	90,705	112,554	404,624	113,221	517,845	1,889,791	4,663,632	

Agricultural Fairs that do not Conduct Harness Racing

There were fifteen (15) licensed agricultural fairs that did not conduct harness racing during their annual exhibition in 2015. These fifteen fairs paid out \$610,605 in premiums and made \$382,947 in capital improvements.

The information required to be reported in 8 MRS Section 1037 subsection 3 is contained on the following page.

It should be noted that absent a requirement in the statute to keep the funds received from the racino in Bangor and the casino in Oxford separate, most fairs comingled these funds in their general operating account. Therefore, there is not an independent accounting for the funds received pursuant to 8 MRS Section 286 and 7 MRS Section 86. However, after reviewing the annual reports required for submission to this office, it has been determined that these funds have been used in accordance with the provisions found in 8 MRS Section 286 and 7 MRS Section 86.

2015 Agricultural Fairs that do not Conduct Harness Racing

Fair	Premiums Approved	Facilities Approved	Bangor Racino Stipend	Oxford Casino Stipend	Handle Premium Stipend	Handle Facility Stipend	Attendance Paid	Attendance Free & Vendor	Attendance Total	Labor Costs	Operating Expenses
Acton Fair	42,143	9,165	17,931.33	10,430.11	3,657	1,412	9,892	108	10,000	18,264	99,950
Bangor Fair	74,136	26,882	31,543.95	18,348.16	6,434	2,485	41,928	404	42,332	108,464	327,720
Blue Hill Fair	61,301	0	26,082.82	15,171.58	5,320	2,054	26,619	0	26,619	95,246	229,391
Clinton Fair	47,005	124,305	20,000.05	11,633.42	4,079	1,575	10,842	2,528	13,370	18,748	63,286
Common Ground Fair	39,286	70,010	16,715.71	9,723.02	3,409	1,317	48,885	16,213	65,098	149,182	263,924
Harmony Free Fair	15,589	9,927	6,632.93	3,858.17	1,353	522	10,000	0	10,000	870	48,888
Houlton Fair	89,491	0	38,077.32	22,148.41	7,766	2,999	7,424	688	8,112	8,708	103,937
Litchfield Fair	46,124	9,015	19,625.19	11,415.38	4,003	1,546	7,762	4,087	11,849	17,021	74,573
Monmouth Fair	20,492	7,452	8,719.09	5,071.63	1,778	687	2,837	1,266	4,103	750	27,405
North New Portland Fair	10,159	10,804	4,322.53	2,514.28	882	340	4,148	0	4,148	2,261	0
Ossipee Valley Fair	39,647	18,598	16,869.31	9,812.36	3,441	1,329	5,515	800	6,315	5,200	52,665
Piscataquis Valley Fair	35,547	9,157	15,124.81	8,797.64	3,085	1,191	10,365	1,600	11,965	3,500	87,927
Pittston Fair	27,183	53,348	11,566.03	6,727.61	2,359	911	2,281	1,563	3,844	1,782	20,644
Springfield Fair	48,089	22,461	20,461.28	11,901.70	4,173	1,612	7,100	900	8,000	21,701	80,543
Waterford World's Fair	14,414	11,823	6,132.98	3,567.37	1,251	483	1,357	407	1,764	0	33,973
TOTALS	610,605	382,947	259,805.32	151,120.83	52,989	20,464	196,955	30,564	227,519	451,696.89	1,514,825.05

Maine Standardbred Program

The industry has experienced a decrease in the number of Sire Stakes eligibles participating in overnight events at the various licensed racetracks. There is a need for additional horses to participate in the overnight racing program. Therefore, we continue to import horses from other racing jurisdictions that are unable to compete favorably in their racing program.

2015

Yearlings Nominated	62
Mares Bred	122
Stallions Registered	29
Total Number of Dashes	149
2 year olds	81
Average Purse per Dash	\$11,050
Average Final Purse	\$54,712
Average Consolation Final	\$0.00
3 year olds	95
Average Purse per Dash	\$11,201
Average Final Purse	\$85,435
Average Consolation Final	\$13,950

The revenues generated for 2015 from the operation of the slot facility in Bangor was \$1,198,897.50; from the Oxford Casino was \$620,919.57; and from the wagering handle was \$284,642.53.

Page 13 contains the individuals who received purse money from the Sire Stakes Program and how much each individual earned. It also contains the number of horses that earned purse winnings throughout the racing program.

I have included an accounting of the funds received and the expenditures made from that account. At the end of the 2015 racing year, there was a balance of (\$5,571.15).

Further, I have included a breakdown of the number of participants for calendar year 2015.

2015 STALLIONS REGISTERED AND NUMBER OF MARES COVERED

Art By Keene	1
Banana Joes Bar	0
Baron Biltmore	4
Berley	1
Boy Band	10
Camshaft Hanover	0
Cheyenne Hollywood	7
CR Power Glide	4
Credit Marker	3
Current Cast	6
Deuce Seelster	11
Foreign Authority	0
Gunthatwontewest	4
Lord Valentine	2
Luckcamotion	4
Make it Brief	0
Musclini	5
Noble Venture	20
Pictonian One	1
R S Banker	3
Rare Bunny	0
Shady Character	3
Shipps Super Cruise	3
Solo Speed	0
Tenant In Chief	2
Tequila Spur	0
Victor Blue Chip	6
Western Bay	1
Western Maverick	22

2015 PARTICIPATION STATISTICS

Stallions Registered	30
Mares Bred	120
Yearlings Nominated	83
Two Year Old Continued	91
Two Year Old Sustained	87
	Pacing
	Colts: 26
	Pacing
	Fillies: 26
	Trotting
	Colts: 16
	Trotting
	Fillies: 19
Three Year Old Continued	95
Three Year Old Sustained	84
	Pacing
	Colts: 26
	Pacing
	Fillies: 22
	Trotting
	Colts: 17
	Trotting
	Fillies: 19

2015 STANDARD BRED BREEDERS SIRE STAKES FINANCIAL REPORT

TOTAL HANDLE: 28,112,467

REVENUES:

Revenue from the handle	\$284,642.53
2015 Commercial Meet Fund	0.00
Fees	25,465.00
2014 Surplus, Transfer to 01 Acct.	5,880.67
Revenue from the Racino, 2015	1,198,897.50
Revenue from Oxford Casino, 2013	620,919.57
TOTAL	\$2,135,805.27

EXPENSES:

Total legs	\$1,377,283.00
Finals	550,992.00
Consolation Finals	12,750.00
MHHA Contract 2.2837%	43,831.55
MSBOA Promotion Contract, Handle, 2015	14,232.12
MSBOA Promotion Contract, Racino, 2015	59,944.88
MSBOA Promotion Contract, Oxford, 2015	31,045.98
Printing/Dicap Charges/Other	225.52
Transfer to Commission Operating Budget	51,071.37
TOTAL	\$2,141,376.42

BALANCE 2015: (\$5,571.15)

BALANCE CARRIED FORWARD TO 2016: (\$5,571.15)

Surplus in 2014 was \$5,880.67. This amount was transferred to 2015 revenues to Balance 2014 Accounts.

2015 Purse Distribution to Participants

Owner	No. of Horses Earned Purse Money	Amount Earned	Owner	No. of Horses Earned Purse Money	Amount Earned
Ben Bill & Will Stable	4	\$ 107,072.80	Michael Graffam	1	\$ 25,871.00
Beverly Miller	1	\$ 15,774.51	Michael Graffam, Brad Veilleux	2	\$ 11,805.69
Carolyn Corso	1	\$ 25,816.00	Michael Graffam, Nelson Di Pomp	1	\$ 8,052.60
Carolyn Corso, Lynn-Marie Plouffe	1	\$ 71,084.75	Michael Graffam, P. Richard Shaw	1	\$ 16,188.28
Channa Gorton	1	\$ 2,858.25	Michael Graffam, Robert Tourangeau, Carl Christensen	1	\$ 569.55
Debra and Richard Bartlett	1	\$ 7,001.17	Michael Graham, Pamelas Smith, Nelson Di Pompo	1	\$ 3,669.14
Dennis and Debra Foss	1	\$ 20,041.20	Molly Brobst	1	\$ 18,715.12
Dennis Ruksznis	1	\$ 1,466.53	Norman st. Clair, Donald Harmon, Gretchen Athearn	1	\$ 4,228.44
Diane and Robert Frazier	1	\$ 7,207.86	Owen Davies, Adam Mace, Tim Cluff	1	\$ 37,320.93
Dirk Dunkin , James Erwin Dun	1	\$ 33,247.67	Paul Battis	1	\$ 8,203.79
Donald Dickison	1	\$ 2,808.30	Ragin Cajun Stable	1	\$ 11,761.24
Donald Harmon, Edward Rohr III	1	\$ 4,318.26	Ralph Anderson	2	\$ 17,632.29
Donald Richards	1	\$ 8,662.98	Rasalind Gilman	1	\$ 1,143.30
Donna and John Piacitelli	1	\$ 4,234.74	Robert Causey, Don Marean, Michael Graffam	1	\$ 915.04
Douglas Beckwith	1	\$ 32,072.51	Robert Cushing	1	\$ 3,539.53
East Pond Stables	2	\$ 60,283.25	Robert Holden	1	\$ 8,147.33
Edward Blash	2	\$ 31,537.41	Robert Marston	1	\$ 15,653.25
Florence O'Keefe	2	\$ 73,640.10	Robyn Crochere, Christine Catabia	1	\$ 3,590.91
Francis Hanley	2	\$ 18,240.63	Roger Poulin	1	\$ 2,066.25
Francis and Shawn Hanley	1	\$ 36,918.37	Rosario and Paul Cloutier	1	\$ 578.30
Gary and Kristina Hall	1	\$ 2,895.75	Russell Austin	1	\$ 32,875.38
Gayle Harris	1	\$ 542.20	Scott and Michael McGee	1	\$ 19,562.21
Glenn Harris	1	\$ 3,715.84	Shellie Nichols	1	\$ 518.45
Heidi Gordon, Kim Ireland	1	\$ 34,889.93	Sonja MacDonald	1	\$ 8,472.50
Jack Clements	1	\$ 14,627.34	Stephen Hall	1	\$ 22,238.48
James and Betsey Kelley	2	\$ 7,786.39	Stephen Lacasse	2	\$ 36,474.83
James Hemenway	1	\$ 8,234.42	Susan Muldoon	1	\$ 592.50
James Smallwood	1	\$ 9,246.18	Tammy Sowers	1	\$ 15,818.31
Joseph Trice	1	\$ 81,176.62	Thomas Dillon, Walter Hight	4	\$135,692.83
Joseph Trice and Ronald Cushing	2	\$ 78,753.19	Timothy Farrente	1	\$ 3,414.90
KDK Standardbreds	1	\$ 11,435.50	Tony Dearborn	1	\$ 829.52
KDK Standardbreds and Anthony Sivik	1	\$ 50,427.77	Wallace and Lisa Watson	1	\$ 2,818.08
Kermit Allen	3	\$ 26,600.50	Wendy and Kim Ireland	1	\$ 10,903.08
Kevin Chase	1	\$ 18,436.34	William Arnold, P. Richard Shaw, Michael Graffam	1	\$ 77,010.48
Kevin Switzer	1	\$ 49,729.29	William Phipps	2	\$ 13,464.96
Kevin Sywyk, Lynn-Marie Plouffe and Ronald Cushing	1	\$ 70,056.25	William Phipps, Gretchen Athearn	1	\$ 18,665.75
Kevin Sywyk and Ronald Cushing	1	\$ 37,456.15	William Smythe	1	\$ 26,844.30
Marcella Dowling and Katherine Nason	1	\$ 6,870.51	William Varney	8	\$323,452.38
Michael and Sandra Humphrey	2	\$ 1,482.99	William Varney, Lynn-Marie Plouffe	2	\$ 93,335.25
Michael Andrew	3	\$ 36,406.12			

Off-track Betting Facilities

There were four (4) licensed off-track betting facilities that operated in 2015. Pioneer Gaming LLC is located in Waterville; Winners OTB is located in Brunswick; Winners Circle OTB is located in Lewiston and, OTB Facilitators is located in Sanford.

All four facilities offer pari mutuel wagering on races that originate in Maine as well as races from other states.

The information required to be reported in 8 MRS Section 1037 subsection 5 is contained on the following pages.

It should be noted that the requirement for Section 1037 subsection 5 paragraph A is not included in this report. None of the off-track betting facilities were able to extract this information from the totalizator records that were in their custody.

Off-track Betting Facility Information

Pioneer Gaming LLC
Favorites OTB

Number of Wagers
Amount Wagered
Intrastate

163,570

Interstate

2,820,017

Number of Employees

Full Time

2

Part Time

2

Operating Costs

667,554.00

Primary Location

Waterville

Number of Races

In State

1,920

Capital Improvements

0.00

Distribution of
Wagering Handle

OTB Share

333,376.54

Ag. Fair Stipend

29,922.40

Sire Stakes

33,875.94

Purse Supplement

94,106.22

Promotional Board Fund

6,389.86

Commission Operations

60,793.62

OTB Simulcast Fund

81,432.51

Originating Track Share

10,690.26

Horsemen's Purse Acct.

9,838.48

Racino Fund to Stabilize OTB

95,652.18

Off-track Betting Facility Information

LRI, Inc. D/B/A
Winners Circle OTB

Number of Wagers	
Amount Wagered	
Intrastate	117,455
Interstate	3,598,231
Number of Employees	
Full Time	4
Part Time	8
Operating Costs	651,983.00
Primary Location	Lewiston
Number of Races	
In State	1,920
Capital Improvements	0.00
Distribution of Wagering Handle	
OTB Share	404,466.59
Ag. Fair Stipend	37,187.80
Sire Stakes	36,466.25
Purse Supplement	108,344.98
Promotional Board Fund	7,926.86
Commission Operations	67,975.75
OTB Simulcast Fund	102,655.13
Originating Track Share	9,297.26
Horsemen's Purse Acct.	8,321.85
Racino Fund to Stabilize OTB	95,652.18

Off-track Betting Facility Information

Midcoast OTB D/B/A
Winners.... OTB

Number of Wagers	
Amount Wagered	
Intrastate	41,839
Interstate	3,439,726
Number of Employees	
Full Time	4
Part Time	1
Operating Costs	986,534.26
Primary Location	Brunswick
Number of Races	
In State	1,920
Capital Improvements	0.00
Distribution of Wagering Handle	
OTB Share	387,458.73
Ag. Fair Stipend	35,357.83
Sire Stakes	33,024.25
Purse Supplement	102,336.25
Promotional Board Fund	7,532.63
Commission Operations	62,678.72
OTB Simulcast Fund	99,881.11
Originating Track Share	3,311.80
Horsemen's Purse Acct.	2,967.98
Racino Fund to Stabilize OTB	95,652.18

Off-track Betting Facility Information

OTB Facilitators, LLC
Pioneer Gaming, LLC

Number of Wagers	
Amount Wagered	
Intrastate	24,287
Interstate	2,314,858
Number of Employees	
Full Time	2
Part Time	5
Operating Costs	646,038.00
Primary Location	Sanford
Number of Races	
In State	1,920
Capital Improvements	75,000.00
Pioneer Gaming, LLC.	
Distribution of	
Wagering Handle	
OTB Share	261,380.15
Ag. Fair Stipend	23,673.01
Sire Stakes	22,526.27
Purse Supplement	69,575.57
Promotional Board Fund	5,044.39
Commission Operations	42,510.95
OTB Simulcast Fund	67,017.33
Originating Track Share	1,921.35
Horsemen's Purse Acct.	1,585.90
Racino Fund to Stabilize OTB	95,652.18

APPENDIX



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
MAINE STATE HARNESS RACING COMMISSION
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

PAUL R. LÉPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

BARBARA J. DRESSER
CHAIR

HENRY JENNINGS
ACTING EXECUTIVE
DIRECTOR

January 29, 2016

TO: Licensed Off-track Betting Facilities and Licensed Commercial Race Tracks that Received Funds from the Operation of Slot Facilities in Maine in 2015.

FROM: Henry Jennings, ^{HST} Acting Executive Director

RE: The Reporting Requirements are Found in 8 MRS Section 1037.

Pursuant to 8 MRS Section 1037, the Department of Agriculture, Conservation and Forestry is required by to prepare a report outlining the use of the funds generated in 8 MRS Section 1036 and distributed to recipients pursuant to 8 MRS Sections 281, 298, 299 and 300 and 7 MRS Section 91. These numbers I have access to in my office.

All licensed Off-track Betting Facilities and Commercial Racetracks are to report the number of part-time and full time employees engaged in your operation and the operating costs incurred with your facility. Also, indicate how many wagers were paced on your signal from our-of-state facilities as well as the amount of money received from those facilities for your signal.

Please provide me with the required information on or before February 8, 2016.

I will try to answer any questions you may have regarding this reporting requirement.

Maine Revised Statutes
Title 8: AMUSEMENTS AND SPORTS
Chapter 31: GAMBLING CONTROL BOARD

§1036. ALLOCATION OF FUNDS

1. Distribution for administrative expenses of board. A slot machine operator licensed under section 1011, subsection 2 or a casino operator that is a commercial track that was licensed to operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect and distribute 1% of gross slot machine income to the Treasurer of State for deposit in the General Fund for the administrative expenses of the board.

[2011, c. 417, §7 (AMD) .]

2. Distribution of net slot machine income from casino with commercial track. A slot machine operator licensed under section 1011, subsection 2 or a casino operator that is a commercial track that was licensed to operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect and distribute 39% of the net slot machine income from slot machines operated by the slot machine operator to the board for distribution by the board as follows:

A. Three percent of the net slot machine income must be deposited to the General Fund for administrative expenses of the board in accordance with rules adopted by the board, except that of the amount calculated pursuant to this paragraph, the following amounts must be transferred annually to the Gambling Addiction Prevention and Treatment Fund established by Title 5, section 20006-B:

(1) For the fiscal year beginning July 1, 2011, \$50,000;

(2) For the fiscal year beginning July 1, 2012, \$50,000; and

(3) For the fiscal year beginning July 1, 2013 and for each fiscal year thereafter, \$100,000;

[2009, c. 622, §2 (AMD) .]

B. Ten percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the fund established in section 298 to supplement harness racing purses; [2005, c. 663, §12 (AMD) .]

C. Three percent of the net slot machine income must be credited by the board to the Sire Stakes Fund created in section 281; [2005, c. 663, §12 (AMD) .]

D. Three percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund established in Title 7, section 91; [2007, c. 466, Pt. A, §29 (RPR) .]

E. Ten percent of the net slot machine income must be forwarded by the board to the State Controller and except as otherwise provided in this paragraph credited to the Fund for a Healthy Maine established by Title 22, section 1511 and segregated into a separate account under Title 22, section 1511, subsection 11, with the use of funds in the account restricted to the purposes described in Title 22, section 1511, subsection 6, paragraph E. For the fiscal years ending June 30, 2010, June 30, 2011 and June 30, 2012, the amount credited annually by the State Controller to the Fund for a Healthy Maine under this paragraph may not exceed \$4,500,000 annually and any funds in excess of \$4,500,000 annually during these fiscal years must be credited as General Fund undedicated revenue, and, for the fiscal year ending June 30, 2013, the amount credited by the State Controller to the Fund for a Healthy Maine under this paragraph is \$0; [2011, c. 657, Pt. E, §1 (AMD) .]

F. Two percent of the net slot machine income must be forwarded by the board to the University of Maine System Scholarship Fund created in Title 20-A, section 10909 and to the Board of Trustees of the Maine Maritime Academy to be applied by the board of trustees to fund its scholarship program. The slot machine income under this paragraph must be distributed as follows:

(1) The University of Maine System share is the total amount of the distribution multiplied by the ratio of enrolled students in the system to the total number of enrolled students both in the system and at the Maine Maritime Academy; and

(2) The Maine Maritime Academy share is the total amount of the distribution multiplied by the ratio of enrolled students at the academy to the total number of enrolled students both in the system and at the academy; [2013, c. 118, §1 (AMD) .]

G. One percent of the net slot machine income must be forwarded by the board to the board of trustees of the Maine Community College System to be applied by the board of trustees to fund its scholarships program under Title 20-A, section 12716, subsection 1; [2005, c. 663, §12 (AMD) .]

H. Four percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Fund to Encourage Racing at Maine's Commercial Tracks, established in section 299; however, the payment required by this paragraph is terminated when all commercial tracks have obtained a license to operate slot machines in accordance with this chapter, in which case, that 4% of the net slot machine income must be credited to the General Fund as undedicated revenue; [2011, c. 358, §4 (AMD) .]

I. Two percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Fund to Stabilize Off-track Betting Facilities established by section 300, as long as a facility has conducted off-track wagering operations for a minimum of 250 days during the preceding 12-month period in which the first payment to the fund is required. After 48 months of receiving an allocation of the net slot machine income from a licensed operator, the percent of net slot machine income forwarded to the Fund to Stabilize Off-track Betting Facilities is reduced to 1% with the remaining 1% to be forwarded to the State in accordance with subsection 1; and [2005, c. 663, §12 (AMD) .]

J. One percent of the net slot machine income must be forwarded directly to the municipality in which the slot machines are located. [2005, c. 663, §12 (AMD) .]

[2013, c. 118, §1 (AMD) .]

2-A. Distribution from casino of slot machine income. A casino operator shall collect and distribute 46% of the net slot machine income from slot machines operated by the casino operator to the board for distribution by the board as follows:

A. Twenty-five percent of the net slot machine income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B; [2009, c. 2, §45 (NEW) .]

B. Four percent of the net slot machine income must be forwarded by the board to the University of Maine System Scholarship Fund created in Title 20-A, section 10909 and to the Board of Trustees of the Maine Maritime Academy to be applied by the board of trustees to fund its scholarship program. The slot machine income under this paragraph must be distributed as follows:

(1) The University of Maine System share is the total amount of the distribution multiplied by the ratio of enrolled students in the system to the total number of enrolled students both in the system and at the Maine Maritime Academy; and

(2) The Maine Maritime Academy share is the total amount of the distribution multiplied by the ratio of enrolled students at the academy to the total number of enrolled students both in the system and at the academy; [2013, c. 118, §2 (AMD) .]

C. Three percent of the net slot machine income must be forwarded by the board to the Board of Trustees of the Maine Community College System to be applied by the board of trustees to fund its scholarships program under Title 20-A, section 12716, subsection 1; [2009, c. 2, §45 (NEW) .]

D. Four percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall distribute the funds to the tribal governments of the Penobscot Nation and the Passamaquoddy Tribe; [2009, c. 2, §45 (NEW) .]

E. Three percent of the net slot machine income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board; [2009, c. 2, §45 (NEW) .]

F. Two percent of the net slot machine income must be forwarded directly to the municipality in which the casino is located; [2009, c. 2, §45 (NEW) .]

G. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund established in Title 7, section 91; [2009, c. 2, §45 (NEW) .]

H. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the fund established in section 298 to supplement harness racing purses; [2009, c. 2, §45 (NEW) .]

I. One percent of the net slot machine income must be credited by the board to the Sire Stakes Fund created in section 281; [2009, c. 2, §45 (NEW) .]

J. One percent of the net slot machine income must be forwarded directly to the county in which the casino is located to pay for mitigation of costs resulting from gaming operations; [2011, c. 625, §3 (AMD) .]

K. [2011, c. 625, §3 (AMD); 2011, c. 657, Pt. W, §5 (REV); T. 8, §1036, sub2A, ¶K (RP) .]

L. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Conservation and Forestry to help fund dairy farm stabilization pursuant to Title 7, sections 3153-B and 3153-D; and [2011, c. 625, §4 (NEW); 2011, c. 657, Pt. W, §5 (REV) .]

M. Beginning July 1, 2013, 1/2 of 1% of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Dairy Improvement Fund established under Title 10, section 1023-P. [2011, c. 625, §4 (NEW) .]

If a recipient of net slot machine income in paragraph D, H or I owns or receives funds from a slot machine facility or casino, other than the casino in Oxford County or the slot machine facility in Bangor, then the recipient may not receive funds under this subsection, and those funds must be retained by the Oxford County casino operator.

[2013, c. 118, §2 (AMD) .]

2-B. Distribution from casino of table game income. A casino operator licensed in accordance with section 1011, subsection 2-A, paragraph A shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

A. Ten percent of the net table game income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B; [2009, c. 2, §46 (NEW) .]

B. Three percent of the net table game income must be deposited to the Gambling Control Board administrative expenses Other Special Revenue Funds account, which is a nonlapsing dedicated account; [2011, c. 417, §9 (AMD) .]

C. Two percent of the net table game income must be forwarded directly to the municipality in which the table games are located; and [2009, c. 2, §46 (NEW) .]

D. One percent of the net table game income must be forwarded directly to the county in which the table games are located to pay for mitigation of costs resulting from gaming operations. [2009, c. 2, §46 (NEW) .]

[2011, c. 417, §9 (AMD) .]

2-C. Distribution of table game income from casino with a commercial track. A casino operator that is a commercial track and was licensed to operate slot machines on January 1, 2011 shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

A. Nine percent of the net table game income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board; [2011, c. 417, §10 (NEW) .]

B. Three percent of the net table game income must be deposited to the Gambling Control Board administrative expenses Other Special Revenue Funds account, which is a nonlapsing dedicated account; [2011, c. 417, §10 (NEW) .]

C. Two percent of the net table game income must be forwarded directly to the municipality in which the table games are located; and [2011, c. 417, §10 (NEW) .]

D. Two percent of net table game income must be deposited into the Coordinated Veterans Assistance Fund established in Title 37-B, section 514. [2013, c. 128, §1 (AMD) .]

[2013, c. 128, §1 (AMD) .]

3. Failure to deposit funds. A slot machine operator or casino operator who knowingly or intentionally fails to comply with this section commits a Class C crime. In addition to any other sanction available by law, the license of the operator may be revoked by the board and the slot machines or table games operated by that slot machine operator or casino operator may be disabled, and the slot machines or table games, slot machines' or table games' proceeds and associated equipment may be confiscated by the board and are subject to forfeiture under Title 17-A, section 959 or 960.

[2009, c. 2, §47 (AMD) .]

4. Late payments. The board may adopt rules establishing the dates on which payments required by this section are due. All payments not remitted when due must be paid together with interest on the unpaid balance at a rate of 1.5% per month.

[2003, c. 687, Pt. A, §5 (NEW); 2003, c. 687, Pt. B, §11 (AFF) .]

5. Annual report on use of funds.

[2011, c. 358, §5 (RP) .]

SECTION HISTORY

2003, c. 687, §A5 (NEW). 2003, c. 687, §B11 (AFF). 2005, c. 109, §1 (AMD). 2005, c. 563, §10 (AMD). 2005, c. 663, §§11,12 (AMD). 2007, c. 466, Pt. A, §29 (AMD). IB 2009, c. 2, §§45-47 (AMD). 2009, c. 462, Pt. H, §1 (AMD). 2009, c. 571, Pt. FFF, §1 (AMD). 2009, c. 622, §2 (AMD). 2011, c. 358, §§4, 5 (AMD). 2011, c. 380, Pt. II, §1 (AMD). 2011, c. 417, §§7-10 (AMD). 2011, c. 477, Pt. DD, §1 (AMD). 2011, c. 625, §§3, 4 (AMD). 2011, c. 657, Pt. E, §1 (AMD). 2011, c. 657, Pt. W, §5 (REV). 2013, c. 118, §§1, 2 (AMD). 2013, c. 128, §1 (AMD).

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Maine Revised Statutes
Title 8: AMUSEMENTS AND SPORTS
Chapter 31: GAMBLING CONTROL BOARD

§1037. ANNUAL REPORT ON USE OF FUNDS

Beginning February 15, 2012, the executive director of the State Harness Racing Commission, in consultation with the Commissioner of Agriculture, Conservation and Forestry, annually shall submit a report to the joint standing committees of the Legislature having jurisdiction over slot machines, harness racing, agricultural fairs and appropriations and financial affairs regarding the use of slot machine revenue deposited in funds under section 1036, subsection 2, paragraphs B, C, D, H and I. The executive director and the commissioner shall obtain the information as described in this section. The report required by this section must be completed using budgeted resources. The executive director may not distribute funds listed under section 1036, subsection 2, as applicable, to harness racing tracks, off-track betting facilities, agricultural fairs or the Sire Stakes Fund under section 281 until the information required to submit the report required by this section is provided. [2011, c. 358, §6 (NEW); 2011, c. 657, Pt. W, §6 (REV).]

1. Commercial tracks. A report required by this section must include the following information from commercial tracks licensed in accordance with chapter 11 that receive a distribution of slot machine revenue under section 1036, subsection 2, paragraph B, D or H:

- A. The total amount wagered on live harness races; [2011, c. 358, §6 (NEW).]
- B. The total amount wagered on intrastate simulcast races; [2011, c. 358, §6 (NEW).]
- C. The total amount wagered on interstate simulcast races; [2011, c. 358, §6 (NEW).]
- D. The number of harness races originated in the State and made available for simulcast outside of the State; [2011, c. 358, §6 (NEW).]
- E. The amount of the harness racing handle from wagers at the commercial track kept by that commercial track and the distribution of the handle to the State and industry recipients under section 286; [2011, c. 358, §6 (NEW).]
- F. The amount received from the handle distribution from wagers at other tracks and off-track betting facilities under section 286; [2011, c. 358, §6 (NEW).]
- G. The amount of revenue received in accordance with section 1036, subsection 2, paragraphs B, D and H; [2011, c. 358, §6 (NEW).]
- H. The number of full-time and part-time employees at the commercial track; [2011, c. 358, §6 (NEW).]
- I. The amount, if any, spent on capital improvements to the commercial track and related facilities and a description of those improvements. The first report must include the amount spent since November 2005, shown by year. Subsequent annual reports must include the amount spent on capital improvements the immediately preceding calendar year; [2011, c. 358, §6 (NEW).]
- J. Operating costs for the commercial track; [2011, c. 358, §6 (NEW).]
- K. Profit and loss or depreciation figures for the commercial track; and [2011, c. 358, §6 (NEW).]
- L. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267-A. [2011, c. 358, §6 (NEW).]

[2011, c. 358, §6 (NEW) .]

2. Agricultural fair that conducts harness racing. The report required by this section must include the following with regard to the use of slot machine revenue distributed to an agricultural fair that is licensed under chapter 11 to conduct harness racing:

- A. An estimate of the number of people that attended the agricultural fair, including separate estimates of paid attendance, free-pass attendance, vendor attendance and attendance under a local campground pass; [2011, c. 358, §6 (NEW).]
- B. The total amount wagered on harness races at the agricultural fair; [2011, c. 358, §6 (NEW).]
- C. The number of harness races originated at the agricultural fair and made available for simulcast outside of the State; [2011, c. 358, §6 (NEW).]
- D. The amount of the harness racing handle received by the agricultural fair under section 286; [2011, c. 358, §6 (NEW).]
- E. The amounts, reported separately, of revenue received in accordance with section 1036, subsection 2, paragraphs B and D, the Stipend Fund under Title 7, section 86 and from any other source in accordance with rules adopted under section 263-A, subsection 1, paragraph C and Title 7, section 82, subsection 5 by the Commissioner of Agriculture, Conservation and Forestry or the State Harness Racing Commission; and [2011, c. 358, §6 (NEW); 2011, c. 657, Pt. W, §6 (REV).]
- F. The amount of revenue received to supplement harness racing purses, pay fair premiums, make capital improvements to fairground facilities, racing venues or grandstand operations and labor costs and operating expenses. [2011, c. 358, §6 (NEW).]

[2011, c. 358, §6 (NEW); 2011, c. 657, Pt. W, §6 (REV) .]

3. Agricultural fair that does not conduct harness racing. The report required by this section must include the following with regard to an agricultural fair:

- A. The amount spent to pay fair premiums make capital improvements to fairground facilities and labor costs and operating expenses; [2011, c. 358, §6 (NEW).]
- B. The amounts, reported separately, received from slot machine revenue in accordance with section 1036, subsection 2, paragraph D, the Stipend Fund under Title 7, section 86 and from any other source in accordance with rules adopted under section 263-A, subsection 1, paragraph C and Title 7, section 82, subsection 5 by the Commissioner of Agriculture, Conservation and Forestry or the State Harness Racing Commission; and [2011, c. 358, §6 (NEW); 2011, c. 657, Pt. W, §6 (REV).]
- C. An estimate of the number of people that attended the agricultural fair, including separate estimates of paid attendance, free-pass attendance, vendor attendance and attendance under a local campground pass. [2011, c. 358, §6 (NEW).]

[2011, c. 358, §6 (NEW); 2011, c. 657, Pt. W, §6 (REV) .]

4. Breeders and owners within the Maine Standardbred program. A report required by this section must include the following information from horse breeders and owners within the Maine Standardbred program established pursuant to section 281 who receive a distribution under section 1036, subsection 2, paragraph C:

- A. The number of mares bred by each Maine Standardbred stallion as reported to the State Harness Racing Commission; [2011, c. 358, §6 (NEW).]
- B. An assessment of whether the number of Maine Standardbred horses in the State is sufficient to grow and sustain harness racing in the State; [2011, c. 358, §6 (NEW).]
- C. The number of yearling horses eligible and nominated to participate in sire stakes racing; [2011, c. 358, §6 (NEW).]

D. The amount received from slot machine revenue in accordance with section 1036, subsection 2, paragraph C; [2011, c. 358, §6 (NEW).]

E. The total number of qualifying dashes for sire stakes races and the average purse for each dash sorted by the age of the horse and the average purse for each sire stakes final dash sorted by the age of the horse; and [2011, c. 358, §6 (NEW).]

F. An accounting of the Sire Stakes Fund, including the total amount of the fund at the beginning and end of the racing season and, reported separately, expenditures used to supplement purses, pay breeder promotional contracts, pay advertising costs, make payments to a statewide horsemen association, pay administrative costs and make contributions to the operating account described in section 267-A. [2011, c. 358, §6 (NEW).]

[2011, c. 358, §6 (NEW) .]

5. Off-track betting facility. The report required by this section must include, with regard to a facility licensed to conduct off-track betting on harness racing:

A. The number of individual wagers placed on intrastate and interstate simulcast races and the total amount for each; [2011, c. 358, §6 (NEW).]

B. The number of full-time and part-time employees of the off-track betting facility; [2011, c. 358, §6 (NEW).]

C. The operating costs for the off-track betting facility; [2011, c. 358, §6 (NEW).]

D. The name and primary location of the company licensed to operate the off-track betting facility; [2011, c. 358, §6 (NEW).]

E. The total number of races originating in the State received for simulcast as reported by the off-track betting facility; [2011, c. 358, §6 (NEW).]

F. The amount, if any, spent on capital improvements to the off-track betting facility and a description of those improvements. The first report must include the amount spent since November 2005, shown by year. Subsequent annual reports must include the amount spent on capital improvements the immediately preceding calendar year; [2011, c. 358, §6 (NEW).]

G. The amount of the harness racing handle kept by the off-track betting facility and the distribution of the handle to the State and industry recipients under section 286; [2011, c. 358, §6 (NEW).]

H. The amount received from the handle distribution from wagers at tracks and other off-track betting facilities under section 286; and [2011, c. 358, §6 (NEW).]

I. The amount of revenue received in accordance with section 1036, subsection 2, paragraph I. [2011, c. 358, §6 (NEW).]

[2011, c. 358, §6 (NEW) .]

6. Other recipients. The Fund for a Healthy Maine's program providing prescription drugs for adults who are elderly or disabled, the University of Maine System and the Maine Community College System shall submit reports that include the amount of slot machine revenue received under section 1036, subsection 2 and how that revenue was used to meet the statutory requirements cited in section 1036, subsection 2, paragraphs E, F and G, respectively.

[2011, c. 358, §6 (NEW) .]

SECTION HISTORY

2011, c. 358, §6 (NEW). 2011, c. 657, Pt. W, §6 (REV).

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