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An Act To Implement the Recommendations Regarding the Legislative Review of the Allocation of Slot Machine Revenue

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

Sec. 1. 8 MRSA §1036, sub-§2, ¶H, as amended by PL 2005, c. 663, §12, is further amended to read:

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;

Sec. 2. 8 MRSA §1036, sub-§5, as enacted by PL 2009, c. 571, Pt. FFF, §1, is repealed.

Sec. 3. 8 MRSA §1037 is enacted to read:

§ 1037. Annual report on use of funds

Beginning in 2011, a recipient of slot machine revenue under section 1036, subsection 2, paragraphs B to I shall submit a report as required by this section to the joint standing committees of the Legislature having jurisdiction over appropriations matters and over the operation of slot machines no later than December 1st, annually. An initial report is due no later than December 1, 2011 and must include information as described in this section for calendar years 2009 and 2010 and up to and including October 31, 2011.

1. Commercial tracks. A commercial track licensed in accordance with chapter 11 that receives a distribution of slot machine revenue under section 1036, subsection 2, paragraphs B, D or H shall submit a report that includes for that commercial track:

A. The number of people attending harness races;

B. The number of individual wagers placed on live harness races, the average wager amount and the total amount wagered;

C. The number of individual wagers placed on intrastate simulcast races, the average wager amount and the total amount wagered;

D. The number of individual wagers placed on interstate simulcast races, the average wager amount and the total amount wagered;

E. The number of harness races originated in the State and made available for simulcast outside of the State;

F. 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;

G. The amount received from the handle distribution from wagers at other tracks and off-track betting facilities under section 286;

H. The amount of revenue received in accordance with section 1036, subsection 2, paragraphs B, D and H;

I. The name of the owner and the primary location of the company licensed to operate the commercial track;

J. The number of full-time and part-time employees at the commercial track and the total payroll amount for all receiving compensation from the commercial track;

K. The amount 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 previous calendar year;

L. Operating costs for the commercial track;

M. Profit and loss or depreciation figures for the commercial track; and

N. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267A.

2. Agricultural fair that conducts harness racing. An agricultural fair that is licensed under chapter 11 to conduct harness racing and receive distribution of slot machine revenue under section 1036, subsection 2, paragraphs B and D shall submit a report that includes:

A. The number of people that attended the agricultural fair;

B. The number of individual wagers placed on harness races at the agricultural fair and the total amount wagered;

C. The number of harness races originated at the agricultural fair and made available for simulcast outside of the State;

D. The number of full-time and part-time employees of the agricultural fair;

E. Reimbursements provided to agricultural fair volunteers or other agricultural fair personnel;

F. The amount spent on capital improvements at the agricultural fair location 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 previous calendar year;

G. Operating costs for the agricultural fair;

H. The amount of the harness racing handle retained by the agricultural fair and the distribution of the handle to industry recipients under section 286;

I. The amount of the harness racing handle received by the agricultural fair under section 286;

J. The amount of revenue received in accordance with section 1036, subsection 2, paragraphs B and D; and

K. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267A.

3. Agricultural fair that does not conduct harness racing. An agricultural fair that receives a distribution of slot machine revenue under section 1036, subsection 2, paragraph D shall submit a report that includes:

A. The amount spent on fair premiums using revenue allocated from slot machines;

B. A detailed accounting of slot machine revenue not used for fair premiums, if any; and

C. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267A.

4. Breeders and owners within the Maine Standardbred program. Horse breeders and owners within the Maine Standardbred program established pursuant to section 281 who receive a distribution from the Sire Stakes Fund through the Department of Agriculture, Food and Rural Resources, State Harness Racing Commission shall submit a report that includes:

A. The number and geographic distribution of licensed Maine Standardbred breeders in the State;

B. The number of horses bred by each Maine Standardbred breeder and the number of those horses actively racing in the State and that participate in harness races out of state;

C. An assessment of whether the number of Maine Standardbred horses in the State is sufficient to meet the needs of harness races conducted in the State;

D. The amount received from slot machine revenue in accordance with section 1036, subsection 2, paragraph C;

E. The amount in the Sire Stakes Fund, the amount that is spent to supplement harness racing purses and the average purse amount;

F. A detailed accounting of the other uses of the Sire Stakes Fund, including direct payment to Maine Standardbred breeders, promotional contracts, advertising, payments to a statewide association of horsemen and administrative costs; and

G. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267A.

5. Offtrack betting facility. A facility licensed to conduct off-track betting on harness racing that receives a distribution of slot machine revenue under section 1036, subsection 2, paragraph I shall submit a report that includes for that facility:

A. The number of individual wagers placed on intrastate and interstate simulcast races and the total amount for each;

B. The number of full-time and part-time employees of the off-track betting facility and the total payroll amount for all receiving compensation from the off-track betting facility;

C. The operating costs for the off-track betting facility;

D. The name and primary location of the company licensed to operate the off-track betting facility;

E. The amount 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 previous calendar year;

F. 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;

G. The amount received from the handle distribution from wagers at tracks and other off-track betting facilities under section 286;

H. The amount of revenue received in accordance with section 1036, subsection 2, paragraph I; and

I. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267A.

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.

SUMMARY

This bill implements the recommendations of the Joint Standing Committee on Legal and Veterans Affairs from the 124th Legislature regarding the allocation of slot machine revenue. The bill establishes a system of reporting by those who receive a distribution of net slot machine income under the Maine Revised Statutes, Title 8, section 1036.