



STATE OF MAINE  
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**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON  
VETERANS AND LEGAL AFFAIRS**

**NEITHER FOR NOR AGAINST LD 2260**

*An Act to Update the Laws Regarding the Sale of Pari-Mutuel Pools for Simulcast Races.*

**March 13, 2024**

Senator Hickman, Representative Supica, and members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Shane Bacon, and I am the Executive Director of the Maine State Harness Racing Commission (HRC). I am speaking on behalf of the Department of Agriculture, Conservation and Forestry, neither for nor against LD 2260, *An Act to Update the Laws Regarding the Sale of Pari-Mutuel Pools for Simulcast Races.*

The HRC makes and enforces the rules of harness racing. We license harness racing participants. We award race dates to applicants, and we promote every aspect of the sport. Pertinent to this bill, we license the betting that occurs at Maine's fair racetracks, commercial racetracks, and off-track betting facilities or OTBs.

Commercial racetrack licensees (of which there are currently two) and OTB licensees (of which there are currently three) are both defined in our statutes (8 MRSA § 275 A-D). That includes rules on where such licensees can operate in relation to each other. Specifically, an OTB cannot operate offering wagering within 35 miles of another OTB, and a racetrack cannot operate offering wagering within 50 miles of another racetrack. LD 2260 would change the status of the state's two commercial racetrack licensees. It would allow them to operate a *de facto* OTB anywhere in the state so long as that facility was not within 50 miles of another racetrack and was either owned or controlled by a federally recognized Indian tribe or in a facility owned or leased by a racing licensee.

We have no opinion at this time as to whether LD 2260 would have a positive or negative impact on the harness racing industry. What we can say is that the kind of facility that this bill would add to the definition of a racetrack—a facility no longer within the enclosure of a racetrack—meets the existing definition of an OTB and, under current law, would need to seek licensure as an OTB.

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I am happy to answer questions now or at the work session.