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TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS

NEITHER FOR NOR AGAINST LD 1188

An Act to Include Harness Racing with Other Sports for Purposes of Sports Wagering

March 31, 2025

Senator Hickman, Representative Supica, and members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Shane Bacon. 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 1188, *An Act to Include Harness Racing with Other Sports for Purposes of Sports Wagering*.

Current statute allows three categories of licensees to offer betting on harness racing:

1. Racetracks
2. Off-track betting facilities
3. Facilities approved by the Maine Harness Racing Commission

There are two things worth noting about current statute when considering LD 1188:

- In the case of licensed racetracks, wagering must happen within the racetrack's enclosure or, if applicable, at the licensee's slot machine facility.
- Allowance for the third category, "facilities approved by commission," is scheduled to sunset on January 1, 2026.

LD 1188 accelerates the sunset of the third category, making its elimination effective with the adoption of this emergency legislation.

LD 1188 also creates the option of a new type of pari-mutuel betting facility exclusively for racetrack licensees: in addition to allowing pari-mutuel betting "within the enclosure of the racetrack ... or within the licensee's slot machine facilities," LD 1188 adds "any [racetrack] licensee's facility licensed pursuant to section 1206." Section 1206 contains the provisions of Title 8 governing sports wagering facilities.

The advent of online sports wagering has reshaped Maine's betting landscape. Today, a person using a smartphone can legally place a sports bet from any corner of this state. Given that reality,

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it may strike some as nonsensical that, at a sports wagering facility, one can bet on many sports but not on harness racing. Or that one can bet on a horse race by phone but not in person at a simulcasting facility. This bill recognizes and seeks to deal with this new reality. By allowing a sports wagering facility to also have wagering on horse races (so long as that facility is owned by a racetrack licensee), LD 1188 attempts to put harness racing wagering—the oldest form of wagering in the State of Maine—on an equal footing with other forms of sports betting.

At the same time, relocating licensing regulations from 8 MRS §275-B to 8 MRS §1206 removes guardrails on the location of betting facilities that some may find important. For example, current statute requires that pari-mutuel betting facilities “approved by the commission” are

- located within the same county as the commercial track where the races are conducted,
- not located within the same municipality as an off-track betting facility, and
- approved by the municipality in which the facility is located.

LD 1188 eliminates these restrictions, along with the requirement to “provide the municipality in which the facility is located 5% of the track share of the commission.”

Maine laws governing in-person, off-track betting were introduced in the early 1990s. Given the significant changes in wagering and technology, those laws need updating. LD 1188 takes some important steps in that direction. At the same time, by making the expansion of in-person betting facilities the exclusive province of racetrack licensees, LD 1188 may have unintended consequences.

Thank you for allowing me to submit testimony on LD 1188. I am happy to answer any questions you may have at the work session.