

MAINE STATE HARNESS RACING COMMISSION

ANNUAL REPORT CALENDAR YEAR 2022



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**MAINE STATE HARNESS RACING COMMISSION
ANNUAL REPORT
For Calendar Year 2022**

PURSUANT TO 8 MRS SECTIONS 267(2) AND 1037

PRESENTED TO THE JOINT STANDING COMMITTEES ON:

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

February 15, 2023

**SUBMITTED BY:
THE MAINE STATE HARNESS RACING COMMISSION
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION, AND FORESTRY**

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1. Executive Summary

2022 saw a leadership change at the Maine State Harness Racing Commission (MSHRC), with Shane Bacon hired as the new Executive Director. Though a long-time Maine resident, Director Bacon comes from the New York Gaming Commission with an extensive background in national race officiating. In addition, a slate of new commissioners joined the MSHRC, bringing robust experience, knowledge, and dedication to the oversight and improvement of Maine's racing industry. In 2022, the state's two commercial tracks and seven agricultural fairs with racing hosted 137 race days.

Over 2022, the MSHRC focused on enhancing Maine's harness racing rules, improving race officiating, and recruiting more race officials. Examples of rule enhancements included changes in Chapter 7 allowing a horse not to have to qualify after making a break off a qualifier. Other rule changes adopted pertained to improving claiming procedures and racing objections lodged by drivers. The Commission also began discussions regarding pursuing potential changes to breeding regulations to support the future growth in horse supply. In Q4 2022, the MSHRC held race date hearings for 2023 that ultimately reduced a day of racing from each fair due to horse supply constraints and to ensure the health and well-being of horses on the circuit.

Overall, there is guarded optimism for Maine's harness racing industry. Participants welcomed 2022 as Maine and the nation turned the corner on Covid restrictions, allowing greater access and convenience for patrons, horsemen and women, and others. Optimism was further fueled by a developer of a potential new commercial track who presented at the MSHRC's September 20, 2022, meeting. Stakeholders are anxious to see if a new commercial racing facility will be developed in Southern Maine, which will help ensure the future of harness racing in the state.

Background/History of the Commission

The Maine State Harness Racing Commission was originally created by Public Law 1975, Chapter 771, and reconstituted in 1997 to its current structure of five public members appointed by the Governor. One member must be affiliated with agricultural fairs, one must represent the public, and three must have knowledge of harness racing. The Department of Agriculture, Conservation and Forestry provides administrative support and staff.

The Commission is responsible for rulemaking, adjudicating prohibited substance violations and appeals of a race judge's decisions, licensing of participants, tracks, and off-track betting facilities, annually awarding race dates to the applicants, and promoting every aspect of the sport. It meets approximately monthly.

The Commission's staff exerts its presence at Maine's nine harness racing venues in various ways. The staff serves as the Commission's presence at each track while overseeing the administration of Maine's harness racing laws. The State Veterinarian employed by the State monitors the health of participating horses and oversees a sampling program intended to ensure that the inappropriate use of drugs does not taint Maine racing. When prescribed, the State Veterinarian also administers furosemide to horses before racing to prevent pulmonary hemorrhaging.

2. Overview of Commission Operations and Actions

Annually, the Commission's staff engages in a series of oversight and support activities intended to ensure the integrity of the sport, promote fairness and participation, and enhance the industry's economic viability. The Commission operates a licensing program for tracks, racing participants, and off-track betting facilities, which forms the first line of oversight. Every fall, the Commission holds a hearing to award race dates to the racing venues in a manner that best supports the industry's interests. Commission staff and the State Veterinarians are present every race day, providing on-site supervision of horses and racing. The Commission's staff processes enforcement cases and presents appeals to a judge's decisions to the Commission. Finally, the Commission is responsible for promoting and marketing harness racing in the state.

RULEMAKING

During calendar year 2022, the Commission spent substantial time working on Chapters 3 and 7, making updates ranging from claiming procedures to the Starter/Patrol judge role. Chapters 1 and 9 were also discussed as priorities in 2023. Chapter 1 will focus on the state steward taking on the presiding judge's responsibilities and changing the department veterinarian to changing a commission veterinarian. Chapter 9 changes would be to have the stakes program have its own rules for drawing each event. If rulemaking is pursued for those chapters, the Commission is hopeful that the new changes can take effect in early 2023. Administrative rulemaking must be conducted in accordance with the Maine Administrative Procedures Act under Title 5, Chapter 375. All the Commission's rules are considered routine technical rules as defined under Title 5, Section 8071. Routine technical rules do not require legislative review before final agency adoption.

The Department, in conjunction with the Commission, is moving forward with a repeal of statute 281-A to allow clearance within Chapter 9 to update the rules about the breeding program.

GRANTING LICENSES AND AWARDING RACE DATES

The Commission is authorized to issue annual licenses to entities desiring to hold harness races in which wagering is allowed. It also oversees the issuance of race dates to the various racing venues and issues licenses for simulcasting and to off-track betting facilities. Finally, the Commission licenses horse owners, trainers, drivers, grooms, and all other persons participating in harness racing, including pari-mutuel employees and race officials.

During the 2022 racing year, race days were awarded from April – December.

	Days Granted	Days Raced	Days Not Raced
First Tracks LLC	53	52	1
Bangor Raceway	41	41	0
Northern Maine Fair	0	0	0
Topsham Fair	5	5	0
Skowhegan Fair	6	6	0
Union Fair	5	5	0
Windsor Fair	8	7	1
Farmington Fair	7	7	0
Cumberland Fair	8	8	0
Fryeburg Fair	6	6	0
TOTALS	139	137	2

**Off-Track and Inter-Track Betting Facilities
Days Requested**

HC Bangor, LLC, DBA Hollywood Casino, Hotel & Raceway, Bangor, ME	363
Pioneer Gaming, LLC, DBA Sanford OTB, Sanford, Maine	363
Midcoast OTB, Inc., DBA Winner's OTB, Brunswick, ME	363
LRI, Inc., DBA Lewiston Raceway, DBA Winner's Circle OTB, Lewiston, ME	363
Pioneer Gaming, LLC, DBA Favorites, Waterville, ME	363
Davric Maine Racing, LLC, DBA Scarborough Downs, Scarborough, ME	363

**Licenses of Racing Personnel
2022 Licenses Issued**

Type of License	Number Issued
Owner	306 @ \$35
Trainer	21 @ \$35
Driver	19 @ \$35
Driver/Trainer	22 @ \$60
Owner/Driver/Trainer	87 @ \$90
Owner/Driver	12 @ \$60
Owner/Trainer	56 @ \$60
Owner/Limited Trainer	18 @ \$60
Groom	363 @ \$20
Officials	39 @ Various prices
Pari-mutuel Clerks	51 @ \$20
Stables	20 @ \$30
Vendors	6 @ \$50

MAINE SIRE STAKES PROGRAM

The Commission oversees Maine’s Sire Stakes Program, which seeks to encourage the breeding of Standardbred racehorses in Maine. The program requires the registration of participating stallions and mares and the resulting foals that will participate in the program. Revenues from harness racing wagering profits and slot machine profits are designated—by statute—to supplement to supplement Sire Stakes race purses. In 2022, \$2,478,375 was designated to the Sire Stakes purse supplement fund.

During 2022, the Commission staff once again helped organize and implement the Sire Stakes program in collaboration with the Maine Standardbred Breeders and Owners Association (MSBOA) by projecting revenues, calculating the base purse for the legs, assisting with the schedule, and disbursing the purse payments to racing venues. The staff also took part in closing out the Sire Stakes season by attending the draws and assisting with on-site promotions for the 3-year-old Sire Stakes Finals held at Bangor Raceway and the 2-year-old Sire Stakes Finals at Cumberland Raceway.

Horses in the Sire Stakes events are tested for prohibited substances as requested by the Sire Stakes Advisory Committee.

The Commission recognizes the efforts of each track for hosting, promoting, and providing assistance to showcase the Maine Sire Stakes Program. Additionally, the breeders, owners, Advisory Committee, and the MSBOA Board of Directors should be recognized for all their support of the Sire Stakes program.

MEDICATION/TESTING PROGRAMS

BLOOD TESTING PROGRAM

In most cases, blood samples are drawn from two horses after each race, including the winning horse and another horse designated by the Judges or Commission staff. The University of Illinois analyzed samples at Chicago Analytical Forensic Testing Laboratory (AFTL), located in Chicago, Illinois. The laboratory is accredited by the Racing Medication and Testing Consortium (RMTC). It utilizes highly specialized methods to detect prohibited drugs or therapeutic medications that exceed the permitted levels as stated in the Maine State Harness Racing rules.

Initial screening of samples is done primarily using either gas or liquid chromatography coupled with mass spectrometry. These dual instrument methods allow for greater confidence in analyte identification. Confirmatory tests generally utilize the same instrumentation, but the method is refined to target and quantify the specific analyte in question.

During the 2022 racing year, 2,974 post-race equine blood samples were taken. Of that total, there were fourteen positive tests, all of which were found to violate the Commission's rules.

OUT-OF-COMPETITION TESTING PROGRAM

Beginning in 2008, the Commission requested that staff test for "blood doping" agents, such as erythropoietin (EPO). This procedure requires taking blood from the horses at the tracks and training centers on days when the horse is not scheduled to race and submitting it to the laboratory for analysis. In 2022, there were 34 horses tested out of competition, none of which were found to be in violation.

BLOOD GAS TESTING PROGRAM

The Blood Gas Testing Program was established in 1993 at the request of the Commission. The program requires taking blood from horses shortly before they are scheduled to race and submitting it to the laboratory for analysis. In 2022, 410 pre-race samples were taken to test for blood gas anomalies. Out of the 410 tests, zero were found to be in violation.

FUROSEMIDE PROGRAM

The Furosemide Program, formally known as the Controlled Medication Program, was established in 1992 by statute. The program allowed tolerances for horses that are on the furosemide. The Commission voted to eliminate phenylbutazone from the Controlled Medication Program in June 2014.

Consequently, the program now provides for on-site administration of furosemide only by the State Veterinarian on race day. 528 horses were participating in this program in 2022.

HUMAN DRUG TESTING PROGRAM

The Human Drug Testing Program was created to test anyone with a Maine State Harness Racing license while in the paddock on race day. This program was designed to ensure the safety of the licensees and horses, on and off the track. The State Stewards collect urine.

SUMMARY OF FINES AND SUSPENSIONS

During the 2022 racing year, there were 73 violations of on-track racing laws and rules.

Failed to Drive When Programmed	2
Failure to keep a line in each hand	1
Foot out of Stirrup	12
Foot out of Stirrup with Intent.....	5
Late Driver Change	2
Late for Lasix	5
Excessive Use of the Whip.....	11
Interference - Impeding the Progress	3
Miscellaneous.....	32
TOTAL.....	73

COMMISSION ACTION ON 2021 RULE VIOLATIONS

Appeals 0 Still Pending Commission Action 0

ACCOUNT OF COMMISSION’S ACTIONS REGARDING PROMOTION OF HARNESS RACING

The Commission recognized that improving the marketing of Maine harness racing is paramount to its long-term survival. In late 2016, a small group of industry stakeholders began brainstorming ideas to improve marketing and better coordinate marketing between industry associations, fairs, and commercial tracks. Responsibility for the promotion of the sport was transferred to the Department in 2018. The Department coordinates marketing efforts with the tracks, fairs, and horsemen.

During 2022, the Department sought to contain expenditures due to the ongoing pandemic conditions. Marketing efforts were focused on basic, low-cost advertising on Facebook. For the 2022 calendar year, approximately \$17,526 was expended for advertising, while another \$2,950 was spent on Facebook advertising (boosts).

3. Practical Effect of Title 8, Chapter 11 and Recommended Legislation

Title 8, Chapter 11 establishes the State Harness Racing Commission and provides statutory authority for the oversight and regulation of harness racing in the state. It authorizes licensing of participants, tracks, and off-track betting facilities and for allocating race dates between the various racing venues. Chapter 11 contains extensive rulemaking authority for the Commission, which has resulted in the promulgation of eleven chapters of rules.

In general, Chapter 11 provides adequate authority to regulate and support Maine’s harness racing industry. However, the world of harness racing is evolving rapidly to keep pace with quickly changing landscapes involving entertainment and wagering. As a result, the harness racing statutes will need frequent updates going forward for Maine’s industry to remain viable. While changing times present challenges, they also present opportunities. There is optimism that Maine is uniquely positioned to fill a developing void/niche. Live/quality harness racing video appears to be a possible growth opportunity that industry insiders are looking to leverage in the future.

4. Report of the Commission's Financial Position

The Commission derives its operating budget from four revenue sources as follows:

1. The Department's share from the Commission on harness racing wagering profits.
2. Licensing fees associated with racing participants, tracks, race dates, and off-track betting facilities.
3. Revenue from the administration of the furosemide program; and
4. to the degree necessary to remain solvent, periodic administrative assessments against revenue allocated pursuant to Title 8, Section 1036, Subsection 2, paragraphs B, C, D, H, and I.

In essence, the Commission operates under a zero-sum budget principle, insomuch as it attempts to make administrative assessments that ensure that revenues are approximately equal to expenditures by year-end. The table below summarizes both revenues and expenditures for calendar year 2022.

Statement of the Commission's Financial Position-Cash Basis
January 1, 2022 - December 31, 2022
014-01A-0320-07

Beginning cash balance 01/01/22 Commission acct 014-0320-07 Admin units only **192,439.28**

REVENUE

1221 Licenses Harness Horse Racing	2,140.00
1301 Comm Pari Mutuels Harness (CPMH)	263,935.47
1448 Special Licenses & Leases	37,600.00
2631 Registration Fees for CMP (Lasix)	-1,000.00
2689 Cash Over Cash Short - appeals	114,678.00
2689 Cash Over Short Foreign Ex	-200.00
2690 Recovered Cost	50.00
2953 Adjustment of all other balance forward (data entry coding error)	-15,790.68
2978 Di Cap-the account is exempt/any amt entered is pending correction	<u>13,037.28</u>

TOTAL REVENUE **414,450.07**

EXPENDITURES

3100 Salary & Wages	382,808.10
3900 Benefits Costs (Fringe)	<u>183,417.70</u>

TOTAL PERSONAL SERVICES **566,225.80**

4000 Services Not By State	290,353.07
4200 Mileage, Meal & Lodging, In State	10,421.45
4600 Rents	7,422.49
4800 Insurances, Risk Management	1,862.50
4900 General Operating Expenses	39,189.87
5300 OIT Technology	2,516.34
5500 Equipment & Technology	2,481.24
5600 Other Supplies, lab, household, educational, etc.	14,253.93
6400 Grants to Public and Private Organizations	54,000.00
8200 Administrative Charges and Fee	-20.00
8511 Sta Cap Charges	55,228.30
9000 Charges to Assets and Liabilities	23.38

TOTAL ALL OTHER **477,732.57**

TOTAL EXPENDITURES **1,043,958.37**

Ending cash balance 12/31/22 Commission acct 014-0320-07- Admin units only **-437,069.02**

Negative balance will be corrected with an Administrative Assessment in January 2023

5. Summary of Income and Expenses for the Harness Racing Promotional Fund

Statement of the Promotion Fund Financial Position
January 1, 2022 - December 31, 2022
014-01A-0320-07

Beginning cash balance 01/01/22 Promotion Fund Appropriation:		\$ 43,105.71
REVENUE		
1301 COMM PARI MUTUELS HARNESS	\$ 29,371.80	
TOTAL REVENUE		\$ 29,371.80
EXPENDITURES		
49 GENERAL OPERATIONS	\$ 9,519.26	
85 TRANSFERS	1,162.90	
TOTAL EXPENDITURES		<u>\$ 10,682.16</u>
Ending cash balance 12/31/2022 Promotion Fund acct 014-0320-07		<u><u>\$ 61,795.35</u></u>

6. Overview of Wagering Commission Revenue (Handle) and Disbursements

2022 WAGERING DISTRIBUTION FOR THE HANDLE

LIVE RACING:

TRACK:	EXOTIC	STRAIGHT	TOTAL
First Tracks	200,637	97,054	297,691
Bangor Raceway	147,200	78,713	225,913
Topsham	22,805	13,933	36,738
Skowhegan	102,882	54,092	156,974
Union	15,395	8,602	23,997
Windsor	178,491	92,627	271,118
Farmington Fair	48,635	23,421	72,056
Cumberland Fair	63,250	45,041	108,291
Cumberland Extension	6,650	3,469	10,119
Fryeburg	230,488	173,668	404,156
TOTAL LIVE RACING	1,016,432	590,620	1,607,052

INTRA-STATE SIMULCAST:

OTB FACILITY:	EXOTIC	STRAIGHT	TOTAL
LRI INC, d/b/a Lewiston Raceways, Inc.	46,907	29,190	76,097
OTB Facilitators dba Sanford OTB	31,140	12,322	43,462
Pioneer Gaming LLC d/b/a Favorites	55,766	11,620	67,386
Winner's OTB-Midcoast OTB	45,030	19,484	64,514
DAVRIC OTB	24,631	4,614	29,245
TOTAL OTB FACILITY	203,473	77,230	280,703

COMMERCIAL TRACK:

First Tracks	0	0	0
Bangor Raceway	37,204	17,607	54,811
TOTAL COMMERCIAL TRACK	37,204	17,607	54,811

TOTAL INTRA-STATE SIMULCAST	240,677	94,837	335,514
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2022 WAGERING DISTRIBUTION FOR THE HANDLE CONT'D

INTER-STATE SIMULCAST

	EXOTIC HANDLE	STRAIGHT HANDLE	TOTAL HANDLE	EXOTIC COMMISSION	STRAIGHT COMMISSION	TOTAL COMMISSION
OTB FACILITIES						
LRI INC, d/b/a Lewiston Raceways, Inc.	1,580,770	627,752	2,208,522	355,871	107,017	462,888
OTB Facilitators dba Sanford OTB	1,534,146	489,970	2,024,116	340,984	82,699	423,683
Pioneer Gaming LLC d/b/a Favorites	2,142,476	460,543	2,603,019	479,910	79,274	559,184
Winner's OTB-Midcoast OTB	2,037,027	725,553	2,762,579	457,080	122,847	579,927
DAVRIC OTB	1,893,493	603,859	2,497,352	423,831	102,914	526,744
TOTAL OTB FACILITIES	\$ 9,187,912	\$ 2,907,677	\$ 12,095,589	\$ 2,057,676	\$ 494,752	\$ 2,552,427
COMMERCIAL TRACKS						
First Tracks	18,689	9,629	28,318	4,129	1,657	5,786
Bangor Raceway	898,156	341,938	1,240,094	19,835	57,841	77,676
TOTAL COMMERCIAL TRACKS	\$ 916,845	\$ 351,567	\$ 1,268,412	\$ 23,964	\$ 59,499	\$ 83,462
TOTAL INTERSTATE SIMULCAST	\$ 10,104,757	\$ 3,259,244	\$ 13,364,001	\$ 2,081,639	\$ 554,251	\$ 2,635,889
GRAND TOTAL HANDLE WAGERING	\$ 11,361,867	\$ 3,944,701	\$ 15,306,567			

Funds received pursuant to MRS Title 8, Chapter 11, §286 Calculation of Distribution of Commission

	GF/STATE 477X-07	AG FAIR STIPEND 473X-01	SIRE STAKE 476X-01	PURSE SUPPLE 478X-01	PROMO BOARD 0873-01	OTB SIMULCAST 474X-01	AGR FAIR FUND 472X-01	TOTAL
Bangor	22,187	16,023	14,991	13,499	3,413	0	1,168	71,281
First Tracks	5,122	3,791	3,435	3,191	807	0	270	16,616
Cumberland Fair	1,562	1,274	1,013	1,070	271	0	82	5,272
Cumberland Fair Ext.	158	119	106	100	25	0	8	516
Farmington Fair	1,148	846	771	712	180	0	60	3,719
Fryeburg Fair	5,736	4,754	3,700	3,994	1,010	0	302	19,496
Skowhegan State Fair	2,450	1,844	1,635	1,552	392	0	129	8,003
Topsham Fair	552	432	364	363	92	0	29	1,832
Union Fair	369	282	245	237	60	0	19	1,213
Windsor Fair	4,246	3,185	2,835	2,680	678	0	223	13,847
Winner's OTB, Brunswick	48,955	23,820	23,492	70,072	5,078	66,121	2,577	240,114
LRI, Lewiston	38,990	19,443	18,532	55,335	4,143	53,157	2,052	191,653
Pioneer Gaming, Sanford	36,069	17,235	17,423	51,599	3,675	47,967	1,898	175,866
Pioneer Gaming, Waterville	49,458	22,516	24,631	70,384	4,806	62,389	2,603	236,788
Davric OTB	44,409	21,176	21,464	64,252	4,516	59,752	2,337	217,905
	261,410	136,740	134,638	339,042	29,146	289,385	13,758	1,204,121
Total of OTB's	217,880	104,190	105,543	311,642	22,218	289,385	11,467	1,062,326

7. Overview of Wagering & Disbursement Arising from the Bangor Racino

State Revenue from Slot Machines at Hollywood Casino Operation Calendar Year 2022

	Totals
Number of Machines in Play	664
Funds In Bills and Tickets	\$ 349,869,148.76
Funds Out Bills and Tickets	\$ 299,969,087.70
Unclaimed tickets (Dollar Value)	\$ 41,180.72
Net Slot Revenue	\$ 49,941,241.78
Average Slot Win %	\$ 0.09
Total Tax revenue Due the State 1%	\$ 5,518,638.56
Total Tax revenue Due the State 39%	\$ 17,324,814.22
General Fund for Admin Costs of Gambling Control Unit	4% \$ 1,777,255.56
Fund for a Healthy Maine	10% \$ 4,442,260.30
UMS Scholarship Fund*	1.89% \$ 858,295.18
Maine Maritime Academy*	0.11% \$ 29,805.37
Fund To Supplement Purses	10% \$ 4,442,260.30
Agricultural Fair Support Fund	3% \$ 1,332,678.11
Fund To Encourage Racing at Maine's Commercial Tracks	4% \$ 1,776,904.11
Fund to Stabilize OTB Facilities	1% \$ 444,226.06
Sire Stakes Fund	3% \$ 1,332,678.11
ME Com. Col. System Scholarship Fund Maine	1% \$ 444,226.06
Host Municipality - City of Bangor	1% \$ 444,226.06
Total	39% \$ 17,324,814.22

* Allocation change effective 7/1/17

Source: Gambling Control Unit Website Revenue Information for Hollywood Casino 2022

<https://www.maine.gov/dps/gamb-control/casino/2022/hollywood-december-revenue.pdf>

Overview of Wagering Commission Revenue (Bangor Racino) and Distribution for 2022

Racino						
Ag Fair Stipend Premiums	Ag Fair Stipend Purse Supplement	Purse supplement	Sire Stakes	Funds to Encourage Racing	OTB	Total
	\$ 0	\$ 87,852	\$ 93,855		\$ (0)	\$ 181,707
\$ 847,568	\$ 485,111	\$ 4,442,260	\$ 1,332,678	\$ 1,776,904	\$ 444,226	\$ 9,328,747
\$ 847,568	\$ 485,111	\$ 4,530,113	\$ 1,426,533	\$ 1,776,904	\$ 444,226	\$ 9,510,454

Carryover from 2021/Northern Maine Fair Purse Return
 2022 Racino Revenue

Total

Distribution Basis		
Race Day Credits Earned	Number of Dashes	Premiums

Recipients:

Administrative Assessment				34,000	66,000	333,333	100,000	133,334	33,333	700,000
Agricultural Fair Coordinator Assessment				105,764						105,764
See Sire Stakes Report							1,326,533			1,326,533
LRI OTB									102,723	102,723
Sanford-OTB									102,723	102,723
Waterville-OTB									102,723	102,723
Winner's OTB									102,723	102,723
Davric OTB										0
Bangor Raceway	82	380			118,858	1,190,194		673,864		1,982,916
First Tracks	115	544			170,155	1,703,856		969,706		2,843,718
Maine Harness Horsemen's Association					12,489	125,064				137,554
Acton Fair			\$41,961	19,654						19,654
Bangor Fair			\$0	0						0
Blue Hill Fair			\$53,269	24,950						24,950
Clinton Lions Club			\$26,463	12,394						12,394
Common Ground Fair			\$40,972	19,190						19,190
Cumberland Fair	14	58	\$119,735	56,080	18,142	181,661				255,883
Cumberland Fair EXT	2	11		0	3,441	34,453				37,894
Farmington Fair	14	57	\$59,416	27,829	17,829	178,529				224,187
Fryeburg Fair	12	56	\$355,313	166,418	17,516	175,397				359,331
Harmony Free Fair			\$31,839	14,912						14,912
Houlton Fair			\$60,919	28,533						28,533
Litchfield Fair			\$51,775	24,250						24,250
Washington County			\$19,675	458						458
Monmouth Fair			\$7,164	9,215						9,215
New Portland Fair			\$55,788	3,355						3,355
Northern Maine Fair			\$43,275	26,129						26,129
Ossipee Valley Fair			\$58,884	20,269						20,269
Oxford County Fair			\$41,931	27,579						27,579
Piscataquis Valley Fair			\$36,344	19,639						19,639
Pittston Fair			\$115,785	17,022						17,022
Skowhegan State Fair	12	54	\$19,829	54,230	16,890	169,133				240,254
Springfield Fair			\$52,916	9,287						9,287
Topsham Fair	10	36	\$67,956	24,784	11,260	112,755				148,800
Union Fair	10	36	\$978	31,829	11,260	112,755				155,844
Waterford's World Fair			\$16,852	7,893						7,893
Windsor Fair	14	68	\$132,165	61,902	21,269	212,982				296,154

Total distribution/disbursements

\$ 847,568	\$ 485,111	\$ 4,530,113	\$ 1,426,533	\$ 1,776,904	\$ 444,226	\$ 9,510,454
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Total distribution basis

285	1300	\$ 1,511,204
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Distribution based on :

Premiums	Number of Dashes	Number of Dashes	See Sire Stakes Report	Race Day Credits Earned	Disbursed Evenly
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**Overview of Advance Deposit Wagering
& Disbursement Arising from PENN ADW, LLC d/b/a Hollywood Races**

**State Revenue from Advance Deposit Wagering Arising from
PENN ADW, LLC d/b/a Hollywood Races
Calendar Year 2022**

	Totals
ME resident activity on Maine Races	265,608.80
ME resident activity on non-Maine events	5,068,792.40
Total Advance Deposit Wagering Activity	4,170,526.60
Total Tax Revenue Due the State 5%	266,720.12

**DISTRIBUTIION OF REVENUES FROM ADVANCED DEPOSIT
WAGERING RACES CONDUCTED IN STATE**

General Fund	10%	1,328.04
Distribution to Off Track Betting Facilities	20%	2,656.09
Sire Stakes Fund	1%	132.79
Agricultural Fair Support Fund	10%	1,328.05
Fund To Supplement Purses	24%	3,187.32
Race Tracks: (Distributed by Gambling Control Board)	20%	
HC Bangor Raceway		697.55
Sagadahoc Ag/Hort Society		29.77
Skowhegan State Fair		172.02
Knox Ag Society		41.68
Windsor Fair Assoc		171.80
Franklin Cnty Ag Society		88.70
Cumberland Farmers Club/Fair		0.00
Union Fair		0.00
West Oxford Ad Society		202.57
First Tracks Investments, LLC		1,251.94
Distribution to Commercial Tracks	15%	1,992.08
		13,280.40

**DISTRIBUTIION OF REVENUES FROM ADVANCED DEPOSIT
WAGERING RACES CONDUCTED OUTSIDE OF STATE**

General Fund	10%	25,344.00
Distribution to Off Track Betting Facilities	36%	91,238.26
Sire Stakes Fund	1%	2,534.39
Agricultural Fair Support Fund	10%	25,343.97
Fund To Supplement Purses	7%	17,740.76
Race Tracks:		
Distribution to Commercial Tracks	36%	91,238.26
		253,439.63

Source: Gambling Control Unit Website Revenue Information for Hollywood Casino 2022

<https://www.maine.gov/dps/gamb-control/adw/documents/2022/2022-penn-adw-december-revenue.pdf>

8. Overview of Revenue and Disbursements Arising from the Oxford Casino

State Revenue from Slot Machines at Oxford Casino Operation Calendar Year 2022

	Totals
Number of Machines in Play	962
Funds In Bills and Tickets	\$ 820,380,242.30
Funds Out Bills and Tickets	\$ 730,577,989.14
Unclaimed tickets (Dollar Value)	\$ 101,030.68
Net Slot Revenue	\$ 89,903,283.84
Average Slot Win %	7.960%
Total Tax revenue Due the State @ 46%	<u>41,355,510.66</u>

DOE Grades K-12	25%	\$ 22,475,821.30
U of ME Scholarship Sys*	3.77%	\$ 3,492,043.58
Maine Maritime Academy*	0.23%	\$ 104,087.74
ME Comm College System	3%	\$ 2,697,098.47
Tribal Governments Penob & Pass	4%	\$ 3,596,131.41
General Fund for Gambling Control Board	3%	\$ 2,697,098.47
Host Municipality-Town of Oxford	2%	\$ 1,798,065.65
Agricultural Fair Support Fund	1%	\$ 899,032.81
Harness Racing Purse Supplement	1%	\$ 899,032.81
Sire Stakes Fund	1%	\$ 899,032.81
Host County Costs-Oxford	1%	\$ 899,032.81
Dept of AGR Dairy Imp. Fund 7/13	0.50%	\$ 449,516.40
Dept of AGR Maine Milk Fund 7/13	0.50%	\$ 449,516.00
Total 46% Tax	46%	<u>\$ 41,355,510.26</u>

Source: Gambling Control Unit Website Revenue Information for Oxford Casino 2022

* Allocation change effective 7/1/17

Source of this information:

<https://www.maine.gov/dps/gamb-control/casino/2022/oxford-december-revenue.pdf>

Overview of Wagering Commission Revenue (Oxford Casino) and Distribution for 2022

Carryover from 2021
2022 Oxford Casino Revenue

Oxford Casino				
Ag Fair Stipend Premiums	Ag Fair Stipend Purse Supplement	Sire Stakes	Purse Supplement	Total
\$ 0			\$ 0	\$ 0
\$ 593,394	\$ 305,688	\$ 899,082	\$ 899,082	\$ 2,697,247
\$ 593,394	\$ 305,688	\$ 899,082	\$ 899,082	\$ 2,697,247

Distributions/Disbursements:	Distribution Basis			Total
	Race Day Credits Earned	Number of Dashes	Premiums	
Transferred to Ag Fair Coord				
See Sire Stakes Report				
Bangor Raceway	82	380		
First Tracks	115	544		
Maine Harness Horsemen's Association				
Acton Fair			\$41,961	
Bangor Fair			\$0	
Blue Hill Fair			\$53,269	
Clinton Lions Club			\$26,463	
Common Ground Fair			\$40,972	
Cumberland Fair	14	58	\$119,735	
Cumberland Fair EXT	2	11		
Farmington Fair	14	57	\$59,416	
Fryeburg Fair	12	56	\$355,313	
Harmony Free Fair			\$31,839	
Houlton Fair			\$60,919	
Litchfield Fair			\$51,775	
Washington County			\$19,675	
Monmouth Fair			\$7,164	
New Portland Fair			\$55,788	
Northern Maine Fair			\$43,275	
Ossipee Valley Fair			\$58,884	
Oxford County Fair			\$41,931	
Piscataquis Valley Fair			\$36,344	
Pittston Fair			\$115,785	
Skowhegan State Fair	12	54	\$19,829	
Springfield Fair			\$52,916	
Topsham Fair	10	36	\$67,956	
Union Fair	10	36	\$978	
Waterford's World Fair			\$16,852	
Windsor Fair	14	68	\$132,165	

77,141				77,141
		899,082		899,082
	86,692		254,977	341,669
	124,107		365,020	489,126
	9,110		26,793	35,902
14,335				14,335
0				0
18,198				18,198
9,040				9,040
13,997				13,997
40,904	13,232		38,918	93,053
0	2,510		7,381	9,890
20,298	13,004		38,247	71,548
121,381	12,776		37,576	171,732
10,877				10,877
20,811				20,811
17,687				17,687
334				334
6,721				6,721
2,447				2,447
19,058				19,058
14,784				14,784
20,116				20,116
14,324				14,324
12,416				12,416
39,554	12,319		36,234	88,107
6,774				6,774
18,077	8,213		24,156	50,446
23,215	8,213		24,156	55,584
5,757				5,757
45,150	15,513		45,627	106,291

Total distribution/disbursements

\$ 593,394	\$ 305,688	\$ 899,082	\$ 899,082	\$ 2,697,247
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Total distribution basis

285	\$ 1,300	\$ 1,511,204
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Distribution based on :

Premiums	Number of Dashes	See Sire Stakes Report	Number of Dashes
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9. Use of Funds by Commercial Tracks (pursuant to 8 MRS § 1037(1))

Two licensed pari-mutuel facilities met the definition of a Commercial racetrack pursuant to 8 MRS Section 275-A. One is in Cumberland, and the other is in Bangor.

First Tracks conducted 52 days of live racing and offered wagering on 552 dashes, and HC Bangor LLC, DBA Hollywood Casino Hotel & Raceway conducted 41 days of live racing and offered wagering on 391 dashes; both locations offered video broadcast 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 in 2022.

The recipients used the revenues from the Fund to Encourage Racing at Maine's Commercial Tracks to defray expenses incurred in conducting live racing and accepting pari-mutuel wagers throughout the calendar year.

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

10. Use of Funds by Fairs that Conduct Harness Racing (pursuant to 8 MRS §1037 (2))

Seven licensed agricultural fairs were granted live racing licenses and were awarded race dates for the 2022 racing season.

Use of Funds by Commercial Tracks for 2022

Commercial Tracks	First Tracks	Bangor
A. The total amount wagered on live harness races	297,691	225,913
B. The total amount wagered on intrastate simulcast races	0	54,811
C. The total amount wagered on interstate simulcast races	28,318	1,240,094
D. The number of harness races originated in the State and made available for simulcast outside of the State	1,300	1,300
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		
Ag. Fair Stipend	3,791	16,023
Sire Stakes	3,435	14,991
Purse Supplement	3,191	13,499
Promotional Board Fund	807	3,413
Commission Operations	5,122	22,187
Ag. Fair Fund	270	1,168
Racing Handle Kept by Track-Horseman's Purse	7,984	42,908
Racing Handle Kept by Track-Track's Share	50,822	204,969
F. The amount received from the handle distribution from wagers at other tracks and off-track betting facilities under section 286		
Racing Handle received from other Track-Horseman's Purse	0	1,227
Racing Handle received from other Track-Tracks's Share	0	1,868
Racing Handle received from off-track betting facilities-Horseman's Purse	6,677	4,349
Racing Handle received from off-track betting facilities-Track's Share	7,272	4,773
G. The amount of revenue received in accordance with section 1036, subsection 2, paragraphs B, D and H		
B-Section 298-Supplement Harness Racing Purses-Bangor Racino	1,703,856	1,190,194
B-Section 298-Supplement Harness Racing Purses-Oxford Casino	365,020	254,977
Section 290-Supplement Harness Racing Purses-Handle	124,843	98,434
Section 1072-Supplement Harness Racing Purses-ADW Wagers from PENN ADW, LLC d/b/a Hollywood Races	8,497	5,935
D-Title 7, Section 91-Agricultural Fair Support fund-Bangor Racino	170,155	118,858
D-Title 7, Section 91-Agricultural Fair Support fund-Oxford Casino	124,107	86,692
H-Section 299-Fund to Encourage Racing at Maine's Commercial Track-Bangor Racino	969,706	673,864
Section 1072 Commercial Track Support from ADW Wagers from PENN ADW, LLC d/b/a Hollywood Races	62,154	31,077
Section 295-Off-Track Betting Facility Simulcast Fund-Handle	118,127	78,976
H. The number of full-time and part-time employees at the commercial track		
Full-Time Employees	4	2
Part-Time Employees	26	11
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;		
	77,972	49,840
J. Operating costs for the commercial track	1,418,484	1,326,315
K. Depreciation figures for the commercial track	76,725	40,406
K. Profit or (loss) figures for the commercial track	(38,484)	314,315
L. Administrative costs to comply with reporting requirements and contributions to the State Harness Racing Commission's operating account described in section 267-A	6,000	0
First Tracks Capital Improvements:		
Grader - \$26,375		
Storage Building Addition - \$21,597		
Spreader Truck - \$10,000		
Misc. Building Improvements Grandstand and Paddock - \$20,000		
Total	\$ 77,972	
Bangor Capital Improvements:		
Racing Fence Replacement \$49,840.00		
Total	\$ 49,840.00	

11. Use of Funds by Fairs that Do Not Conduct Harness Racing (pursuant to 8 MRS § 1037 (3))

2022 Agricultural Fairs that do not Conduct Harness Racing

Fair	Premiums Approved	Facilities Approved	Bangor Racino Stipend	Oxford Casino Stipend	PN ADW Stipend	Handle Premium Stipend	Handle Facility Stipend	Attendance Paid*	Attendance Free & Vendor*	Attendance Total*	Labor Costs*	Operating Expenses*
Acton Fair	41,961	12,186	19,654	14,335	425	2,113	196	12,313	4,703	17,016	8,160	124,292
Bangor Fair**	0	0	0	0	0	0	0	0	0	0	0	0
Blue Hill Fair	53,269	36,090	24,950	18,198	540	3,013	579	26,307	0	26,307	37,276	330,716
Clinton Fair	26,463	3,044	12,394	9,040	268	1,258	49	7,800	1,200	9,000	3,554	77,452
Common Ground Fair	40,972	164,426	19,190	13,997	415	4,511	2,638	44,812	23,046	67,858	58,511	1,189,713
Harmony Free Fair	31,839	48,891	14,912	10,877	323	2,239	784	10,500	0	10,500	0	60,148
Houlton Fair	60,919	0	0	0	0	2,784	0	3,094	833	3,927	0	60,691
Litchfield Fair	51,775	50,026	24,250	17,687	525	3,169	803	15,141	0	15,141	23,583	58,926
Washington County	978	11,904	458	334	10	236	191	1,372	404	1,776	0	10,533
Monmouth Fair	19,675	24,342	9,215	6,721	199	1,290	391	3,903	4,097	8,000	800	31,922
North New Portland Fair	7,164	1,571	3,355	2,447	73	353	25	4,000	250	4,250	3,435	24,681
Ossipee Valley Fair	43,275	50,694	20,269	14,784	439	2,791	813	8,144	14,527	22,671	33,518	75,987
Oxford Fair	58,884	0	27,579	20,116	597	2,691	0	12,800	200	13,000	11,255	138,305
Piscataquis Valley Fair	41,931	31,117	19,639	14,324	425	2,415	499	0	12,000	12,000	3,500	136,421
Pittston Fair	36,344	1,661	17,022	12,416	368	2,263	603	2,463	624	3,087	0	-14,988
Springfield Fair	19,829	906	9,287	6,774	201	1,241	335	2,400	100	2,500	4,143	50,277
Waterford World's Fair	16,852	770	7,893	5,757	171	965	195	2,309	71	2,380	0	21,422
TOTALS	552,130	437,627	230,069	167,806	4,978	33,331	8,101	157,358	62,055	219,413	187,736	2,376,499

*Information provided by Fair Associations

* Bangor did not have a qualifying event in 2022.

12. Use of Funds by the Maine Standardbred Breeding Program (pursuant to 8 MRS § 1037 (4))

Maine has experienced a decrease in the number of Sire Stakes eligible horses participating in overnight events. Therefore the need continues for additional horses from other racing jurisdictions to participate in Maine's overnight racing program.

2022

Yearlings Nominated	50
Mares Bred	86
Stallions Registered	17
Total Number of Dashes	112
2-year-old	45
Average Purse per Dash	\$15,833
Average Final Purse	\$60,955
Average Consolation Final	\$0.00
3-year-old	67
Average Purse per Dash	\$15,607
Average Final Purse	\$81,106
Average Consolation Final	\$0.00

The revenues generated for 2022 from the operation of the slot facility in Bangor was \$1,332,678; from Advance Deposit Wagering was \$2,667; from the Oxford Casino was \$899,082; and from the wagering handle was \$150,463.

The following pages contain a breakdown of participants for calendar year 2022, an accounting of the funds received and the expenditures made from that account. At the end of the 2022 racing year, there was a balance of \$43,919.

2022 STALLIONS REGISTERED AND NUMBER OF MARES COVERED

Art By Keene	0
Boy Band	0
Cantab Fashion	0
Cheyenne Hollywood	2
Deuce Seelster	11
Dude's The Man	25
Excel Nine	0
McRusty	1
Noble Venture	7
Pembroke Slugger	11
Shipps Supercruise	3
Sinners Prayer	0
To the Hilt	3
Thirty Two Red	17
Victor Blue Chip	0
Western Bay	0
Western Maverick	5
Whataworkout	1

2022 PARTICIPATION STATISTICS

Stallions Registered	18
Mares Bred	86
Yearlings Nominated	49
Two Year Olds Continued	57
Two Year Olds Sustained	55
Pacing Colts	22
Pacing Fillies	15
Trotting Colts	10
Trotting Fillies	8
Three Year Olds Continued	59
Three Year Olds Sustained	56
Pacing Colts	20
Pacing Fillies	15
Trotting Colts	9
Trotting Fillies	12

2022 STANDARDBRED BREEDERS SIRE STAKES FINANCIAL REPORT

REVENUES:

Carried forward	\$	93,855
Handle	\$	134,503
Fees	\$	15,590
Bangor Racino	\$	1,332,678
ADW Wagers	\$	2,667
Oxford Casino	\$	<u>899,082</u>

TOTAL REVENUE \$ 2,478,375

EXPENSES:

Total legs	\$	1,701,106
Finals	\$	568,069
Learn & Earns	\$	800
MHHA Contract 2.980%	\$	58,182
Grant to MSBOA	\$	5,000
Sire Stakes Stallion Directories	\$	648
Stallion Pedigrees	\$	586
Printing/Stacap/other	\$	66
Transfer to Commission Operating Budget:	\$	<u>100,000</u>

TOTAL EXPENSES: \$ 2,434,456

ENDING BALANCE 2022: \$ 43,919

BALANCE CARRIED FORWARD TO 2022: \$ 43,919

13. Use of Funds by Off-Track Betting Facilities (pursuant to 8 MRS § 1037 (5))

Five licensed off-track betting facilities operated in 2022. Pioneer Gaming LLC, DBA Favorites, is located in Waterville; Midcoast OTB, DBA Winner's OTB, is located in Brunswick; LRI, Inc., DBA Winner's Circle OTB, is located in Lewiston; Pioneer Gaming LLC, DBA Sanford OTB is located in Sanford operated the full year. Davric OTB is located in Scarborough and operated January through May.

All five 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 § 1037(5) is contained on the following page.

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

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:

	LRI	Waterville	Sanford	Winners	Davric
Intrastate Wagers	76,097	67,386	43,462	64,514	29,245
Interstate Wagers	2,208,522	2,603,019	2,024,116	2,762,579	2,497,352

B. The number of full-time and part-time employees of the off-track betting facility

	LRI	Waterville	Sanford	Winners	Davric
Full Time Employees	3	2	1	1	5
Part Time Employees	2	1	2	3	4

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

	LRI	Waterville	Sanford	Winners	Davric
	380,551	619,934	502,143	803,121	749,952

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

LRI	Waterville	Sanford	Winners	Davric
LRI, Inc. dba Winners Circle OTB 12 Mollison Way Lewiston	Pioneer Gaming LLC dba Favorites OTB 38 College Ave Waterville	Pioneer Gaming LLC dba Sanford OTB 890 Main St Sanford	Midcoast OTB dba Winners OTB 20 Farley Road Brunswick	Davric Maine Racing, LLC Clubhouse building, 1 Scarborough Downs Road Scarborough

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).]

	LRI	Waterville	Sanford	Winners	Davric
	1,300	1,300	1,300	1,300	249

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).]

	LRI	Waterville	Sanford	Winners	Davric
	0	0	0	0	0

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).]

	LRI	Waterville	Sanford	Winners	Davric
Kept by the off-track betting facility	277,497	328,675	251,618	345,394	311,586

Distribution of Wagering Handle:

	LRI	Waterville	Sanford	Winners	Davric
Ag. Fair Stipend	19,443	22,516	17,235	23,820	21,176
Sire Stakes	18,532	24,631	17,423	23,492	21,464
Purse Supplement	55,335	70,384	51,599	70,072	64,252
Promotional Board Fund	4,143	4,806	3,675	5,078	4,516
Commission Operations	41,043	52,061	37,967	51,531	46,746
OTB Simulcast Fund	53,157	62,389	47,967	66,121	59,752
Originating Track Share	6,022	5,336	3,440	5,106	2,316
Horsemen's Purse Acct.	5,170	4,978	3,075	4,531	2,172

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).]

	LRI	Waterville	Sanford	Winners	Davric
	202,844	247,101	182,381	249,751	222,393

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

	LRI	Waterville	Sanford	Winners	Davric
	102,723	102,723	102,723	102,723	0

J. The amount of revenue received to be distributed to all off-track betting facilities in accordance with section 1072, subsection 1 & 2, paragraph B. [2015, c. 499, §8 (NEW).]

	LRI	Waterville	Sanford	Winners	Davric
	21,652	21,652	21,652	21,652	7,285