

~~AS PROVIDED IN THIS ARTICLE, EXCEPT IN ACCORDANCE WITH A LICENSE DULY ISSUED AND UNSUSPENDED OR UNREVOKED BY THE COMMISSION, SHALL BE FINED NOT LESS THAN \$500 AND NOT MORE THAN \$10,000 FOR EACH DAY OF THE UNAUTHORIZED MEETING, OR SHALL BE IMPRISONED.~~

~~23.~~

~~WAGERING AND BETTING ON HARNESS HORSE RACING BY THE USE OF PARI MUTUEL MACHINES IS AUTHORIZED ONLY WITHIN THE ENCLOSURE OF A HARNESS HORSE RACE TRACK AND ONLY DURING THE CONDUCT OF A RACING MEET THAT IS LICENSED AND CONDUCTED UNDER THIS ARTICLE.~~

~~24.~~

~~(A) (1) EACH LICENSEE LICENSED UNDER THE PROVISIONS OF THIS ARTICLE SHALL AT ITS OPTION, BE PERMITTED TO AVAIL ITSELF OF THE PARI MUTUEL BETTING PRIVILEGES GRANTED IN THIS ARTICLE, RETAINING FOR ITS OWN USE 13 1/2 PERCENT OF THE REGULAR MUTUEL POOL AND 14 1/2 PERCENT OF THE MULTIPLE MUTUEL POOL, IF ANY, OF ALL MONEY WAGERED NOT IN EXCESS OF \$125,000 DAILY AVERAGE AND 10 PERCENT OF THE REGULAR MUTUEL POOL AND 11 PERCENT OF THE MULTIPLE MUTUEL POOL, IF ANY OF ALL MONEY WAGERED IN EXCESS OF \$125,000 DAILY AVERAGE ON ALL RACES CONDUCTED BY IT DURING THE YEAR.~~

~~(2) REGULAR MUTUEL POOL MEANS A SEPARATE WAGERING POOL IN WHICH AN INTEREST IS REPRESENTED BY A SINGLE TICKET EVIDENCING A SINGLE WAGER ON ONE HORSE. MULTIPLE MUTUEL POOL MEANS A SEPARATE WAGERING POOL IN WHICH AN INTEREST IS REPRESENTED BY A SINGLE WAGER ON TWO OR MORE HORSES.~~

~~(B) WITHIN FIVE DAYS AFTER THE CLOSE OF EACH MEETING, EACH LICENSEE SHALL PAY TO THE COMMISSION FOR THE USE OF THE STATE AN ANNUAL TAX AT THE RATE OF 3 1/2 PERCENT OF ALL MONEY WAGERED NOT IN EXCESS OF \$125,000 DAILY AVERAGE, AND 7 PERCENT OF ALL MONEY WAGERED IN EXCESS OF \$125,000 DAILY AVERAGE ON ALL RACES CONDUCTED BY IT DURING THE YEAR.~~

~~(C) (1) EACH LICENSEE HAVING A TOTAL WAGER IN EXCESS OF \$166,666.67 DAILY AVERAGE DURING THE RACING SEASON, IN ANY ONE YEAR SHALL PAY TO THE COMMISSION FOR THE USE OF THE STATE, BREAKAGE COMPUTED TO 10 CENTS ON THE ENTIRE AMOUNT THEREOF PROVIDED, HOWEVER, THAT EACH LICENSEE SHALL DEDUCT AND RETAIN ONE HALF OF THE BREAKAGE COMPUTED TO THE 10 CENTS ON THE AMOUNT WAGERED ON RACES CONDUCTED AT A FACILITY OWNED BY THE LICENSEE.~~

~~(2) ANY BREAKAGE RETAINED BY THE LICENSEE SHALL BE USED FOR PHYSICAL IMPROVEMENTS (AS APPROVED BY THE COMMISSION) TO THE FACILITY OWNED BY THE LICENSEE. AT LEAST ONE HALF OF THOSE IMPROVEMENTS SHALL BE FOR THOSE AREAS COMMONLY REFERRED TO AS "BACKSTITCH" AREAS WHICH INCLUDES, FOR EXAMPLE, BUT IS NOT LIMITED TO,~~