

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF PARAGRAPH (1) OF THIS SUBSECTION, EFFECTIVE ON JULY 1, 1984, EACH LICENSEE LICENSED UNDER THE PROVISIONS OF THIS SECTION SHALL RETAIN FOR ITS OWN USE 16.25 PERCENT OF THE REGULAR MUTUEL POOL, 18.25 PERCENT OF THE TWO HORSE MULTIPLE MUTUEL POOL, IF ANY, AND 24.25 PERCENT OF THE THREE OR MORE HORSE MULTIPLE MUTUEL POOL, IF ANY, OF ALL MONEY WAGERED ON ALL RACES CONDUCTED BY IT. EACH LICENSEE SHALL PAY TO THE HARNESS RACING BOARD FOR THE USE OF THE STATE AN ANNUAL TAX AT THE RATE OF 0.75 PERCENT OF ALL MONEY WAGERED ON ALL RACES CONDUCTED BY IT.

(4) Each such licensee having a total wager in excess of \$166,666.67 daily average during the racing season, in any one year similarly shall -{pay to the Harness Racing Board for the use of the State, breakage computed to ten cents (10¢) on the entire amount thereof provided, however, that each such licensee shall-{ deduct and retain -{one half of-{ the breakage computed to ten cents (10¢) on the amount wagered on races conducted [at a facility owned] by the licensee[.] WHICH SHALL BE ALLOCATED AS--FOLLOWS---50--PERCENT--SHALL--BE--RETAINED BY THE LICENSEE TO PAY THE COST OF TRACK MAINTENANCE, PHYSICAL IMPROVEMENTS, PAYMENTS ON ANY INDEBTEDNESS RELATED TO THE FACILITY (INCLUDING, WITHOUT LIMITATION, CLUBHOUSE AND GRANDSTAND CONSTRUCTION) PREVIOUSLY OR HEREAFTER INCURRED, AND PERSONNEL-RELATED EXPENSES--AND-50-PERCENT-SHALL-BE-ALLOCATED-FOR PURSE--MONEY. [Any breakage retained by the licensee shall be used for physical improvements (as approved by the State Harness Racing Board for the year 1976 and thereafter) to the facility owned by the licensee. At least one half of those improvements shall be for those areas commonly referred to as "backstretch" areas which shall include, for example, but not be limited to, grooms' quarters, horse stalls, paddock facilities and track kitchens.]

(5) Each such licensee shall similarly pay a license fee of twenty-five dollars (\$25.00) for each day that races are held, provided that the harness racing board shall authorize each licensee under this section to conduct not more than 67 days of racing. The harness racing board is authorized, in its discretion, on or before December 1 of each year to award an additional 54 days for racing for the ensuing year AND FOR CALENDAR YEAR 1984 AND ALL SUBSEQUENT YEARS TO AWARD AN ADDITIONAL 90 DAYS OF RACING IN ADDITION TO THE DAYS PREVIOUSLY AUTHORIZED. FOR THE CALENDAR YEAR 1983 ONLY, THE HARNESS RACING BOARD IS AUTHORIZED, IN ITS DISCRETION, ON OR BEFORE JUNE 30, 1983, TO AWARD AN ADDITIONAL 60 DAYS OF RACING IN ADDITION TO THE DAYS PREVIOUSLY AWARDED FOR 1983. THE ADDITIONAL DAYS, WHETHER AWARDED UNDER THIS SUBSECTION OR UNDER ANY OTHER PROVISION OF THIS ARTICLE, CONSTITUTE A LICENSE OF THESE DAYS TO THE TRACKS TO WHICH THE DAYS ARE AWARDED AND DO NOT PROVIDE ANY RIGHT OF OWNERSHIP IN THE DAYS TO ANY TRACK OR ANY OTHER PERSON. THE BOARD MAY APPROVE AGREEMENTS PERMITTING THE RUNNING OF UP TO 30 DAYS AWARDED TO ANY LICENSEE AT THE TRACK OF ANOTHER LICENSEE UNDER THIS SECTION, EXCEPT THAT, IF TWO LICENSEES DESIRE TO RUN