

MAINE STATE LEGISLATURE

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ROS

L.D. 704

DATE: 5-15-03

(Filing No. H-397)

LEGAL AND VETERANS AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 521, L.D. 704, Bill, "An Act Relating to Harness Racing Laws"

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the harness racing season is already underway for 2003; and

Whereas, what constitutes a "commercial track" and what constitutes a "market area" for commercial racetracks and off-track betting facilities need to be clarified; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, '

Further amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 8 MRSA §263-B, sub-§§2 and 3, as enacted by PL 1997, c. 528, §6, are amended to read:

COMMITTEE AMENDMENT

RES.

COMMITTEE AMENDMENT "A" to H.P. 521, L.D. 704

2 2. **Leadership in policy making.** The department, in
3 conjunction with the commission, shall ~~take--the--lead--in~~
4 developing develop state policy with regard to the harness racing
5 industry and shall address the needs of the industry to remain
6 competitive.

7 3. **Review of statutes.** The department, in conjunction with
8 the commission, shall maintain an ongoing review of the statutes
9 ~~and--rules~~ relating to harness racing and make recommendations to
10 the Governor, and the Legislature ~~and--the--commission~~ regarding
11 the need for changes in statutes ~~and--rules~~ to improve the
12 condition of the harness racing industry and the conduct and
13 regulation of harness racing and off-track betting.'

14 Further amend the bill by striking out all of section 5 and
15 inserting in its place the following:

16 'Sec. 5. 8 MRSA §270, first ¶, as amended by PL 2001, c. 567,
17 §2, is further amended to read:

18 Any person, association or corporation licensed to conduct
19 pari-mutuel betting desiring to hold a harness horse race or meet
20 for public exhibition if pari-mutuel betting is permitted shall
21 apply to the commission for a license to do so. The application
22 must be signed and sworn to by the person or executive officer of
23 the association or corporation and must contain the following
24 information:'

25 Further amend the bill in section 9 in paragraph A in the
26 8th line (page 3, line 34 in L.D.) by striking out the following
27 "track," and inserting in its place the following: 'track' and
28 in the 9th line (page 3, line 35 in L.D.) by inserting after the
29 following: "operation" the following: 'A'

30 Further amend the bill in section 11 in subsection 3 in the
31 last 2 lines (page 4, lines 44 and 45 in L.D.) by striking out
32 the following: "and excluding those municipalities or
33 unorganized territories that do not have boundaries contained
34 entirely by that circle"

35 Further amend the bill in section 12 in subsection 4 in the
36 last 2 lines (page 5, lines 25 and 26 in L.D.) by striking out
37 the following: "and excluding those municipalities or
38 unorganized territories that do not have boundaries contained
39 entirely by that circle"

40 Further amend the bill by striking out all of section 14 and
41 inserting in its place the following:

42 'Sec. 14. 8 MRSA §279-D is enacted to read:

2 **§279-D. Insurance**

4 Beginning January 1, 2004, applicants for an owner's license
6 must provide proof of liability insurance on horses owned by the
8 applicant in an amount not less than \$300,000. Copies of that
liability insurance coverage must accompany the application for
an owner's license.'

10 Further amend the bill by inserting after section 15 the
12 following:

14 'Emergency clause. In view of the emergency cited in the
16 preamble, this Act takes effect when approved.'

18 **SUMMARY**

20 This amendment adds an emergency preamble and emergency
22 clause to the bill and clarifies language regarding the role of
24 the Harness Racing Commission in policy making and review of
26 statutes governing the harness racing industry. It amends the
28 bill by requiring that horsepersons pay up to 1 1/2% of
supplemental purse money to an association of horsepersons. It
also clarifies language that determines the market area for
commercial racetracks and off-track betting facilities. The
amendment also makes the requirement for horse owners liability
insurance effective January 1, 2004.