

# MAINE STATE LEGISLATURE

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REVISED STATUTES  
OF THE  
STATE OF MAINE  
1954

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1963 CUMULATIVE SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

VOLUME 2

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**Discard Previous Supplement**

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THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1963

made to said licensees by the end of the calendar year. This law shall apply for the full harness racing season of 1961 and subsequent years. (R. S. c. 77, § 16. 1945, c. 297, § 26. 1949, c. 388, § 7. 1953, c. 423, § 4. 1957, c. 391, § 3. 1961, c. 399.)

**Effect of amendments.** — The 1957 amendment increased the percentage from 5½% to 6%. The 1961 amendment added the second paragraph to this section.

## Chapter 87.

### Running Horse Racing Commission.

**Sec. 3. Assistants.** — The commission is authorized to employ such assistants and employees as it may deem necessary to provide adequate policing and to carry out the purposes of this chapter at such compensation on a per diem basis as the commission may prescribe, subject to the provisions of the personnel law. (1949, c. 289. 1955, c. 82.)

**Effect of amendment.**—The 1955 amendment deleted the former second sentence, which forbade the commission to employ any state or local official or employee whose annual compensation from the state or locality exceeded \$1,000.

#### Sec. 9. Issuance of license; fee.

Racing shall be permitted at Scarborough Downs until the hour of midnight each day from May 15th to November 30th each year, except that no racing shall be permitted each year for a period of 4 weeks, beginning in June on the Monday of the last full week therein which has 7 calendar days; provided, however, that if Gorham Raceways does not hold harness races or meets during said 4-week period racing under the provisions of this chapter may be permitted at Scarborough Downs until the hour of midnight of each day during said 4-week period. The license shall set forth the name of the licensee, the place where the races or race meets are to be held and the time and number of days during which racing may be conducted by said licensee. Any such license issued shall not be transferable nor assignable. The hearing officer as designated in chapter 20-A shall have power to revoke any license for good cause upon notice and hearing. The license of any corporation shall automatically cease upon the change in ownership, legal or equitable, of 50% or more of the voting stock of the corporation and the corporation shall not hold a running horse meet for public exhibition without a new license. The fee for such license shall be \$5,000 annually. (1949, c. 289. 1951, c. 404. 1953, c. 423, § 5. 1961, c. 394, § 53.)

**Effect of amendment.**—The 1961 amendment substituted "The hearing officer as designated in chapter 20-A" for "Said commission" at the beginning of the fourth sentence of the second paragraph of this section and deleted "reasonable" following "upon" and before "notice" in that sentence. As the first paragraph was not affected by the amendment, it is not set out.

**Sec. 13. Pari mutuel pools.** — Within the enclosure of any race track where is held a race or race meet licensed and conducted under the provisions of this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said commission is permitted and authorized. Commissions on such pools shall in no event and at no track exceed 17% of each dollar wagered, plus the odd cents of all redistribution to be based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," which breakage shall be retained by the licensee. Said maximum shall include the 6% tax prescribed in section 14. A sum equal to 1% of such total contributions shall be paid to the treasurer of state to be credited to the "stipend" fund provided by section 17 of chapter 32. (1949, c. 289. 1953, c. 423, § 6. 1957, c. 391, § 4.)

**Effect of amendment.** — The 1957 amendment substituted “17%” for “16%” in the second sentence, “6%” for “5½%” in the third sentence, and “1%” for “½%” in the fourth sentence, rewrote the provision pertaining to retention of breakage, and made other minor changes.

**Sec. 14. Tax.**—Each person, association, corporation, trust or partnership licensed to conduct a race or race meet under the provisions of this chapter shall pay to the treasurer of state, to be credited to the general fund, a sum equal to 6% of the total contributions to all pari mutuel pools conducted or made at any race or race meets licensed under the provisions of this chapter. Each person, association, corporation, trust or partnership licensed to conduct a race or race meet under the provisions of this chapter shall also pay to the city or town treasurer in which the racing plant is located the sum of \$25 for each day of racing, provided such person, association, corporation, trust or partnership has a license to conduct races or race meets for more than 8 days during the year for which the license is issued.

A sum equal to 1/6 of the tax on all pari mutuel pools conducted or made at any race or race meet licensed under this chapter shall be paid and returned to the licensees for costs of operation, maintenance and repairs. This paragraph shall apply to the full running race season of 1963 and subsequent years. (1949, c. 289. 1953, c. 423, § 7. 1957, c. 391, § 5. 1963, c. 393.)

**Effect of amendments.** — The 1957 amendment increased the percentage from 5½% to 6% and substituted “under the provisions of this chapter” for “hereunder”. The 1963 amendment added the second paragraph.

**Sec. 17. Records.**—Every person, association or corporation conducting a race or race meet under the provisions of this chapter shall so keep its books and records as to clearly show all financial transactions relating to racing, which books and records shall be subject to audit at any time by the state department of audit. (1949, c. 289. 1955, c. 457.)

**Effect of amendment.**—The 1955 amendment, which became effective on its approval, May 21, 1955, rewrote this section

**Sec. 20-A. Licenses for horse owners, etc.; fees; revocation.** — For the purpose of enabling the (running horse racing) commission to exercise and maintain a proper control over racing conducted under this chapter, the rules, regulations and conditions prescribed by the commission shall provide for the licensing and registering, at fees not to exceed \$10 for each license or registration, of owners, trainers, jockeys, apprentice jockeys, jockey agents, stable employees, authorized agents, valets, partnerships and assumed names. Such rules and regulations may provide for the suspension and revocation of licenses so granted for the violation of any rules or regulations prescribed by the commission. (1961, c. 283.)

**Effective date.**—P. L. 1961, c. 283, adding this section, became effective on its approval, May 10, 1961.