

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of  
the Maine Attorney General as transferred to  
the Maine State Law and Legislative Reference  
Library on January 19, 2022**

Yes No

June 9, 1953

To Maine State Harness Racing Commission  
Re: Two Licenses to Run Concurrently

This office has been asked for a ruling on the question:

"Can the Commission legally issue licenses to two agricultural fair associations at the same time, to operate harness racing meets with their annual fairs, within the same or adjoining counties, between the 1st Monday in August and October 20th?"

It is our opinion that, under Chapter 419 of the Public Laws of 1953, passed by the 96th Legislature, this section now permits the Commission to issue licenses to more than one agricultural fair association for a pari mutuel harness meet in connection with their annual fairs. This amendment prohibits any other person, association or corporation from conflicting with them on their annual fair dates. It does not limit the Commission to issuing only one license on a given date to a fair association, provided that the date or dates are those of their annual fairs. Even an agricultural fair association would be required to get consent of another agricultural fair association if their dates conflicted, if it proposed to run on dates other than its agricultural fair date.

It is the opinion of this office that the following question:

"If Scarborough Downs does not hold running races after Labor Day, can Gorham Raceway legally be granted a license by the Commission to operate harness racing at that time even though it operated against an agricultural fair race meet in the same or an adjoining county, which goes back to the first law referred to above?"

when considered in the light of Section 2 of Chapter 423 of the Public Laws of 1953, passed by the 96th Legislature, cannot be answered the same as the first question. In this section, the Legislature has created an exception in the case of Gorham Raceway. Therefore Gorham Raceway can legally be granted a license by the Commission to operate harness racing after Labor Day each year during the period in question, whether or not an agricultural fair association is holding a harness meet in connection with its annual fair, subject, of course, to the prior right of Scarborough Downs to conduct running racing meets on those dates.

James Glynn Frost  
Deputy Attorney General

jgf/c