

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 257

H.P. 205 House of Representatives, February 5, 1987  
Reference to the Committee on Agriculture suggested and  
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.

Cosponsored by Representatives KETOVER of Portland,  
ALIBERTI of Lewiston, and Senator DUTREMBLE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Increase State Revenues by  
2 Providing Expanded Opportunities for  
3 Harness Racing within the State.  
4

5 Be it enacted by the People of the State of Maine as  
6 follows:

7 Sec. 1. 8 MRSA §271, as repealed and replaced by  
8 PL 1985, c. 444, §2, is repealed.

9 Sec. 2. 8 MRSA §271-A is enacted to read:

10 §271-A. Issuance of licenses

11 1. Licensing. If the commission is satisfied  
12 that all of this chapter and rules prescribed by the  
13 commission have been substantially complied with dur-  
14 ing the past year and will be fully complied with

1 during the coming year by the person, association or  
2 corporation applying for a license; that the appli-  
3 cant, its members, directors, officers, shareholders,  
4 employees, creditors and associates are of good moral  
5 character; and that the applicant is financially re-  
6 sponsible, it shall issue a license for the holding  
7 of harness horse races or meets for public exhibition  
8 with pari-mutuel pools on each of the dates applied  
9 for and that license shall expire on the 31st day of  
10 December of the succeeding year. The fee for the li-  
11 cence shall be \$10 for each calendar week or part of  
12 a week of harness racing whether or not pari-mutuel  
13 pools are sold. The license shall set forth the name  
14 of the licensee, the place where the races or race  
15 meets are to be held and the specific dates and time  
16 of day or night during which racing may be conducted  
17 by the licensee. The location stated in the license  
18 where the race or race meet is to be held may be  
19 transferred to any other licensee on the dates set  
20 forth in the license during which the racing may be  
21 conducted, but, with respect to such a transfer, the  
22 transfer shall only be made to another licensee and  
23 the licensee shall be liable for compliance with all  
24 laws and regulations governing the conduct of harness  
25 racing. Any such license issued shall not be trans-  
26 ferable or assignable. The Administrative Court  
27 Judge, as designated in Title 4, chapter 25, shall  
28 have power to revoke any license issued at any time  
29 for violation of the commission's rules or licensing  
30 provisions upon notice and hearing. The license of  
31 any corporation shall be automatically revoked, sub-  
32 ject to Title 5, chapter 375, upon the change in own-  
33 ership, legal or equitable, of 50% or more of the  
34 voting stock of the corporation and the corporation  
35 shall not hold a harness horse race or meet for pub-  
36 lic exhibition without a new license.

37 2. Date assignments. Once an applicant has been  
38 licensed pursuant to subsection 1, it shall be solely  
39 within that licensee's discretion to determine on  
40 which dates and hours it shall race during the suc-  
41 ceeding year. It is the Legislature's intent that  
42 free competition and market forces determine how much  
43 harness racing shall be available in the State. The  
44 commission may promulgate reasonable rules in order  
45 to prevent any licensee from intimidating or attempt-  
46 ing to intimidate horsemen into racing only at one  
47 racetrack.

