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 2 3 4	AN ACT to Increase State Revenues by Providing Expanded Opportunities for Harness Racing within the State.
5 * . 6	Be it enacted by the People of the State of Maine as follows:
7 8	Sec. 1. 8 MRSA $\S271$, as repealed and replaced by PL 1985, c. 444, $\S2$, is repealed.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

during the coming year by the person, association or corporation applying for a license; that the appli-1 2 3 cant, its members, directors, officers, shareholders, 4 employees, creditors and associates are of good moral 5 character; and that the applicant is financially ś sponsible, it shall issue a license for the holding 7 of harness horse races or meets for public exhibition 3 with pari-mutuel pools on each of the dates applied for and that license shall expire on the 31st day of 9. 10 December of the succeeding year. The fee for the li-11 cense shall be \$10 for each calendar week or part of 12 a week of harness racing whether or not pari-mutuel pools are sold. The license shall set forth the name 13 14 of the licensee, the place where the races or 15 meets are to be held and the specific dates and time of day or night during which racing may be conducted 16 by the licensee. The location stated in the license 17 18 where the race or race meet is to be held may 19 transferred to any other licensee on the dates set 20 forth in the license during which the racing may 21 conducted, but, with respect to such a transfer, the 22 transfer shall only be made to another licensee 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 Judge, as designated in Title 4, chapter 25, shall 27 have power to revoke any license issued at any time 28 for violation of the commission's rules or licensing 29 30 provisions upon notice and hearing. The license of 31 any corporation shall be automatically revoked, subject to Title 5, chapter 375, upon the change in own-32 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.

2. Date assignments. Once an applicant has been licensed pursuant to subsection 1, it shall be solely within that licensee's discretion to determine on which dates and hours it shall race during the succeeding year. It is the Legislature's intent that free competition and market forces determine how much harness racing shall be available in the State. The commission may promulgate reasonable rules in order to prevent any licensee from intimidating or attempting to intimidate horsemen into racing only at one racetrack.

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1 2 3 4 5 6	3. Agricultural fairs. Notwithstanding subsections 1 and 2, the commission may assign racing dates to agricultural fairs and prohibit private racetracks from operating concurrently with agricultural fairs with which they have not operated concurrently in the past.
7 ·	STATEMENT OF FACT

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8 bill allows qualified privately-owned busi-9 nesses to obtain licenses to conduct harness 10 meets after the Maine State Harness Racing Commission 11 satisfied that the business is in compliance with 12 state law and commission rules; that the business, 13 its members, directors, officers, shareholders, em-14 ployees, creditors and associates are of good moral 15 character and that the business is financially re-16 sponsible. At the same time this bill provides the 17 commission with the authority to prevent 18 anticompetitive conduct by licensees or destructive 19 competition between licensees.

20 It is anticipated that the number of days of har-21 ness racing will increase in response to free market 22 demand, thus generating additional revenue to 23 State through the State's pari-mutuel system and gen-24 erating additional funds for Maine's horse owners, 25 drivers, trainers and breeders, as well as, 26 State's agricultural fairs. It is also anticipated 27 that the increase in days will result in the annual 28 employment of at least 400 of the State's residents.