

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 292

H.P. 212

House of Representatives, February 21, 1989

Reference to the Committee on Agriculture suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative ALIBERTI of Lewiston.

Cosponsored by Senator COLLINS of Aroostook, Representative CHONKO of Topsham and Representative TARDY of Palmyra.

STATE OF MAINE

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

An Act to Establish Harness Racing and Fair Dates for Multiple Years.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 8 MRSA §271, sub-§1, as enacted by PL 1985, c. 444,**
5 **§2, is amended to read:**

7 1. **Licensing.** If the commission is satisfied that all of
9 this chapter and rules prescribed by the commission have been
11 substantially complied with during the past-year license period
13 and will be fully complied with during the coming-year license
15 period by the person, association or corporation applying for a
17 license; that the applicant, its members, directors, officers,
19 shareholders, employees, creditors and associates are of good
21 moral character; that the applicant is financially responsible;
23 and that the award of racing dates to the applicant is
25 appropriate under the criteria contained in subsection 2, it may
27 issue a license for the holding of harness horse races or meets
29 for public exhibition with pari-mutuel pools which shall expire
31 on-December-31st 3 years following the date of issuance. The fee
33 for the license shall be \$10 for each calendar week or part of a
35 week of harness racing whether or not pari-mutuel pools are
37 sold. The license shall set forth the name of the licensee, the
39 place where the races or race meets are to be held and the
41 specific dates and time of day or night during which racing may
be conducted by the licensee for the entire license period. The
location stated in the license where the race or race meet is to
be held may be transferred to any other licensee on the dates set
forth in the license during which the racing may be conducted,
but, with respect to such a transfer, the transfer shall only be
made to another licensee and the licensee shall be liable for
compliance with all laws and regulations governing the conduct of
harness racing. Any such license issued shall not be
transferable or assignable. The Administrative Court Judge, as
designated in Title 4, chapter 25, may revoke any license issued
at any time for violation of the commission's rules or licensing
provisions upon notice and hearing. The license of any
corporation shall be automatically revoked, subject to Title 5,
chapter 375, 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 harness horse race or meet for
public exhibition without a new license.

43 **Sec. 2. 8 MRSA §271, sub-§2, §§G, H and J, as enacted by PL**
45 **1985, c. 444, §2, are amended to read:**

47 G. The quality of the licensee's observance and enforcement
of this chapter and the rules promulgated pursuant to this
chapter during the past year license period;

49 H. The extent to which the licensee fully utilized racing
dates granted to it for the past year license period;

51

1 J. The likely availability of race-worthy horses throughout
the year license period; and

3 **Sec. 3. 8 MRSA §273** is amended to read:

5 Any person, association or corporation holding or
7 conducting, or any person or persons aiding or abetting in the
holding or conducting of, any harness horse race or meet for
9 public exhibition within the State without a license duly issued
by said commission, or any person, association or corporation who
11 violates any of the provisions of this chapter or who violates
any of the rules and regulations prescribed by the commission
13 ~~shall be punished by a fine of not more than \$5,000 or by~~
~~imprisonment for not more than one year, or by both~~ is guilty of
15 a class D crime. In addition, the commission may take action,
17 pursuant to the Maine Administrative Procedure Act, Title 5,
chapter 375, subchapter VI, to revoke the license and the
19 assigned harness racing dates of any person, association or
corporation which violates any of the rules prescribed by the
21 commission.

23 **STATEMENT OF FACT**

25 This bill extends the period for which licenses for holding
27 harness horse races may be issued to 3 years. This will allow
racing dates to be set for the entire 3-year period.