

L.D. 2022

(Filing No. S-556)

STATE OF MAINE SENATE 114TH LEGISLATURE SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A " to S.P. 781, L.D. 2022, "Resolve, to Establish the Commission to Study the Harness Racing Industry"

Amend the resolve by striking out all of sections 2 to 8 and inserting in their place the following:

'Sec. 2. Commission membership. **Resolved:** That the commission consists of the following 11 members: 20 2 Senators appointed by the President of the Senate; 4 members of the House of Representatives appointed by the Speaker of the House of 22 Representatives; and 5 nonlegislative members to include one 24 driver, one trainer and one breeder of harness racing horses, one member representing the Maine Association of Agricultural Fairs 26 and one member representing the public. Three of the 6 legislative appointments must be members of the Joint Standing 28 Committee on Agriculture. The Governor shall appoint the nonlegislative members who must represent geographically diverse areas of the State; and be it further 30

32 Sec. 3. Appointments; meetings; chair. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon 36 making those appointments. The Chair of the Legislative Council shall call the first meeting of the commission no later than May 15, 1990. The commission shall select a legislative member as chair; and be it further 40

Sec. 4. Duties. Resolved: That the commission undertake a study of the harness racing industry with the goal of ensuring the integrity of that industry. As part of this study the commission shall:

COMMITTEE AMENDMENT "A" to S.P. 781, L.D. 2022

Determine whether the harness racing industry is a viable industry and the amount of income, if any, the industry
 produces for the State;

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- 6 2. Review the level of public control of the harness racing industry and recommend appropriate changes;
- Examine the role and duties of the State Harness Racing
 Commission and recommend appropriate changes to strengthen and support the commission;
- Examine the laws and rules governing the industry with
 the goal of establishing better enforcement mechanisms for
 violations of the laws or rules;
- 5. Investigate the ability of industry participants to earn 18 a living and examine the need to establish a list of rights and due process procedures that horse owners, trainers, drivers and 20 grooms may not be denied while participating in a meet; and
- 6. Examine and make recommendations on any issue that threatens the integrity and stability of the industry including,
 but not limited to, the following:
- A. The need to develop improved methods of drug testing and oversight of drug use in the industry, including possible
 roles for the University of Maine;
- 30 B. The role of the Attorney General in regulating the industry;
- C. Establishment of racing date schedules for more than one 34 year at a time;
- 36 D. Disbursement of the handle under existing laws;

38 E. Regulation of qualifying times; and

40 F. The adequacy of current fee structures in the industry; and be it further

Sec. 5. Report. Resolved: That the commission complete its meetings by October 1, 1990, and submit its report, together with any necessary implementing legislation, to the First Regular Session of the 115th Legislature and the Executive Director of the Legislative Council by November 1, 1990; and be it further

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Sec. 6. Staff assistance. Resolved: That the commission request
 from the Legislative Council sufficient staff assistance to carry out these duties. The Attorney General shall provide assistance
 as requested by the commission; and be it further

COMMITTEE AMENDMENT " A" to S.P. 781, L.D. 2022

Sec. 7. Reimbursement. Resolved: That legislative members of the commission are entitled to receive per diem and expenses and nonlegislative members are reimbursed for expenses upon application to the Legislative Council; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1989-90

\$12,400

COMMISSION TO STUDY THE HARNESS 14 RACING INDUSTRY

16 All Other

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18 Provides funds for the travel, printing, contractual services and expenses of the 20 Commission to Study the Harness Racing Industry. These funds may not lapse but 22 must be carried forward to June 30, 1991.'

STATEMENT OF FACT

This amendment changes the membership and appointment method of commission members and specifies additional commission duties.

The amendment replaces an 8-member commission appointed by 32 the Governor and made up entirely of industry representatives and State Harness Racing Commission members with an 11-member 34 commission of 6 Legislators; a representative of the Maine Association of Agricultural Fairs; a driver, a trainer and a 36 breeder of harness racing horses; and a public member. Legislators are appointed by the President of the Senate and the 38 Speaker of the House of Representatives. Nonlegislative members of the commission are appointed by the Governor.

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The duties of the commission are expanded to a complete 42 examination of the harness racing industry, including the appropriate level of public control, the role of the State 44 Harness Racing Commission, the need to clarify rules and improve enforcement of those rules, the rights and due process afforded 46 industry participants and the process for assigning racing dates. The commission may request staff assistance from the 48 Legislative Council and the Attorney General is directed to provide assistance on request.

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The amendment decreases the appropriation request by \$7,150.

Page 3-LR2805(2)

Reported by Senator Twitchell for the Committee on Agriculture. Reproduced and Distributed Pursuant to Senate Rule 12. (3/6/90) (Filing No. S-556)