

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2022

S.P. 781

In Senate, December 21, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 21, 1989. Referred to the Committee on Agriculture and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TITCOMB of Cumberland.

Cosponsored by Representative GREENLAW of Standish and Representative SIMPSON of Casco.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

Resolve, to Establish the Commission to Study the Harness Racing Industry .

(EMERGENCY)



2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

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6 Whereas, it is necessary that this legislation be enacted as
an emergency measure in order that the commission may complete
its study and that any recommendations may be implemented in a
8 timely manner; and

10 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
12 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
14 safety; now, therefore,

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

18 **Sec. 1. Commission established. Resolved:** That the Commission
to Study the Harness Racing Industry is established; and be it
20 further

22 **Sec. 2. Commission membership. Resolved:** That the commission
shall consist of the following members: 2 members representing
24 the Harness Racing Commission; one member representing the Maine
State Fair Association; one member representing Scarborough
26 Downs; one member representing Lewiston Raceway; one member
representing the Maine Harness Horsemen's Association; one member
28 representing the Standard Bred Breeders Association; and one
member representing the public. The Governor shall appoint all
30 the members from a list of nominations provided to the Governor
by the Commissioner of Agriculture, Food and Rural Resources; and
32 be it further

34 **Sec. 3. Appointments; meetings. Resolved:** That all
appointments shall be made no later than 30 days following the
36 effective date of this resolve. The Commissioner of Agriculture,
Food and Rural Resources shall be notified by the Governor once
38 the selections have been made. The commissioner shall call the
first meeting of the commission. The commission shall select a
40 chair from its membership; and be it further

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

46 1. Determine whether the harness racing industry is a
48 viable industry and the amount of income, if any, it produces to
the State;

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2 2. Develop improved methods of drug testing and oversight
of drug use in the industry;

4 3. Examine the laws and rules governing the industry with a
goal of establishing better enforcement mechanisms for violations
6 of the laws or rules; and

8 4. Examine adequacy of current fee structures in the
industry; and be it further

10 **Sec. 5. Report. Resolved:** That the commission shall submit
12 its report, together with any necessary implementing legislation,
to the First Regular Session of the 115th Legislature by December
14 1, 1990; and be it further

16 **Sec. 6. Staff assistance. Resolved:** That the commission shall
request from the Legislative Council sufficient staff assistance
18 to carry out these duties; and be it further

20 **Sec. 7. Reimbursement. Resolved:** That all members of the
commission who are not state employees be reimbursed for
22 expenses, as defined in the Maine Revised Statutes, Title 5,
section 12002, upon application to the Department of Agriculture,
24 Food and Rural Resources for those expenses; and be it further

26 **Sec. 8. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

28 1989-90

30 **AGRICULTURE, FOOD & RURAL RESOURCES,**
32 **DEPARTMENT OF**

34 **Commission to Study the Harness**
36 **Racing Industry**

38 All Other \$19,550

40 Provides funds for the
travel, printing, contractual
42 services and miscellaneous
expenses of the Commission to
Study the Harness Racing
44 Industry. These funds shall
not lapse but shall carry
46 forward to June 30, 1991.

48 **Emergency clause.** In view of the emergency cited in the
preamble, this Act shall take effect when approved.
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STATEMENT OF FACT

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This resolve establishes the Commission to Study the Harness Racing Industry. The commission will examine at the viability of the industry, means to improve oversight of drug use in the industry, current fee schedules and enforcement mechanisms. The commission will make its report, including any necessary implementing legislation, by December 1, 1990.