

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2087

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H.P. 1475

House of Representatives, January 7, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.  
Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative TARDY of Palmyra.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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**An Act to Allow the Maine Harness Racing Community to Adopt a  
Controlled Medication Program.**

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(EMERGENCY)



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

4  
Whereas, the State Harness Racing Commission is not  
6 authorized to adopt a controlled medication program; and

8  
Whereas, this authorization is needed before the spring  
racing season begins; and

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

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

18  
**Sec. 1. 8 MRSA §279-A**, as amended by PL 1991, c. 579, §13, is  
20 further amended by adding after the 3rd paragraph a new paragraph  
to read:

22  
Notwithstanding section 280, the commission may adopt a  
24 controlled medication program that permits controlled medication  
to be administered to racehorses.

26  
**Sec. 2. 8 MRSA §280**, as amended by PL 1979, c. 731, §19, is  
28 further amended to read:

30 **§280. Use of drugs or appliance; veterinarian**

32  
Any Except as provided in section 279-A, a person who  
34 attempts to or does interfere with, tamper, injure, destroy,  
stimulate or depress by the use of narcotics, drugs, stimulants  
36 or appliances of any kind any horse used for the purpose of  
racing, whether such ~~that~~ horse be ~~is~~ the property of such ~~that~~  
38 person or another, or who causes or instigates, counsels or in  
any way aids or abets such ~~that~~ interference, tampering, injury  
40 or destruction or any person who shall ~~influence~~ influences or  
have ~~has~~ any understanding, arrangement or connivance with any  
42 person associated with or interested in any stable, horse, track  
or race in which any horse participates to prearrange the results  
44 of any such a race shall ~~must~~ be punished by a fine of not more  
46 than \$5,000 or by imprisonment for not more than 3 years, or by  
both. The owner of any horse which ~~that~~ is found to have been  
48 stimulated or doped shall ~~must~~ be denied any part of the purse  
offered for such a race, and the purse shall ~~must~~ be distributed  
50 as in case of a disqualification and all horses of such ~~that~~  
owner shall ~~must~~ be barred from racing in this State for the  
balance of the racing season.

