

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1848

H.P. 1365

House of Representatives, February 8, 1994

Resolve, Concerning the Licensure of Off-track Betting Facilities.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TARDY of Palmyra.

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

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6 **Whereas,** the current law does not adequately address the
problem created when more than one entity applies for a license
to operate an off-track betting facility in the same market area;
and

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10 **Whereas,** the situation may cause confusion with the industry
and may result in harm to certain applicants; and

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14 **Whereas,** the Joint Standing Committee on Agriculture is
directed to submit legislation to address the deficiency in the
law by March 10, 1994, which is prior to the expiration of the
90-day period; and

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

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22 **Sec. 1. Moratorium on new licenses. Resolved:** That
notwithstanding the Maine Revised Statutes, Title 8, section
275-D, the State Harness Racing Commission may not issue any
off-track betting licenses from the effective date of this
resolve until legislation submitted pursuant to section 2 of this
resolve takes effect; and be it further

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26 **Sec. 2. Joint Standing Committee on Agriculture; legislation.**
Resolved: That the Joint Standing Committee on Agriculture shall
report out legislation to the House of Representatives no later
than March 20, 1994. The legislation must establish criteria for
issuing off-track betting facility licenses when there is more
than one applicant within the same available market area for such
a license.

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32 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

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42 **STATEMENT OF FACT**

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46 This resolve places a moratorium on the issuance of
off-track betting facility licenses by the State Harness Racing
Commission and requires the Joint Standing Committee on
Agriculture to develop and establish through legislation criteria

for issuing off-track betting facility licenses when there is
more than one applicant within the same market area.

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This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.