

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

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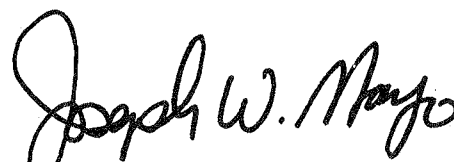
H.P. 1314

House of Representatives, May 5, 1997

An Act to Implement the Recommendation of the Harness Racing Task Force Requiring an Executive Director of the State Harness Racing Commission.

(EMERGENCY)

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative SPEAR of Nobleboro. (GOVERNOR'S BILL)
Cosponsored by Representative CHIZMAR of Lisbon.

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

4
6 **Whereas,** the Harness Racing Task Force, established by
Executive Order No. 6 95/96, has recommended that the position of
full-time chair of the State Harness Racing Commission be
replaced with an executive director position; and

8
10 **Whereas,** the position of full-time chair has been vacant
since July 1995; and

12
14 **Whereas,** the Harness Racing Task Force has determined that
the leadership needs of the State Harness Racing Commission must
be met immediately in order for issues confronting the harness
racing industry to be addressed effectively; and

16
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,

22
24 **Be it enacted by the People of the State of Maine as follows:**

26 **Sec. 1. 8 MRSA §261-A, sub-§6,** as amended by PL 1991, c. 780,
Pt. RR, §2, is further amended to read:

28
30 **6. Chair.** The Governor shall appoint one of the 5
commission members who has no industry affiliation as chair.
Beginning ~~July 1, 1992, this position is a full-time,~~
32 ~~unclassified position and is entitled to an annual salary as~~
~~determined by the Governor within salary range 28.~~ The chair
34 serves at the pleasure of the Governor.

36 **Sec. 2. 8 MRSA §263-A** is enacted to read:

38 **§263-A. Executive director**

40 The chief operating officer of the State Harness Racing
Commission is the executive director.

42
44 **1. Position.** The executive director is an unclassified
position within the department.

46 **2. Appointment.** The executive director is appointed by the
commissioner in consultation with the commission. The executive
48 director serves at the pleasure of the commissioner.

50 **3. Qualifications.** The executive director must have
knowledge of harness racing and a proven record of leadership.

2 4. Duties. The executive director has the following duties:

4 A. Management of the work of the commission, including:

6 (1) Rulemaking;

8 (2) Processing appeals;

10 (3) Licensing of tracks and off-track betting
12 facilities; and

14 (4) Setting race dates; and

16 B. Management of the work of the department regarding
18 harness racing and off-track betting, including:

18 (1) Supervision of all staff involved in harness
20 racing and off-track betting functions;

22 (2) Management of the collection and distribution of
24 revenues under this chapter;

26 (3) Budget development and management;

28 (4) Policy development with regard to harness racing
30 and off-track betting;

32 (5) Management of participant licensing;

34 (6) Enforcement of harness racing and off-track
36 betting statutes and rules;

38 (7) Investigation of harness racing and off-track
40 betting violations;

42 (8) Facilitating the development of positive working
44 relationships in the harness racing industry and State
46 Government; and

48 (9) Making reports to the Governor and Legislature and
50 recommendations to the commissioner regarding harness
racing and off-track betting operations and the need
for changes in statutes and rules.

52 **Sec. 3. 8 MRSA §265**, as amended by PL 1991, c. 579, §7, is
54 further amended to read:

56 **§265. Compensation**

58 Except--as--provided--for--the--chair--in--section--261-A,

2 subsection-5,--members Members of the commission are entitled to
be compensated as provided in Title 5, chapter 379.

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

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SUMMARY

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This bill, which represents one of the recommendations of
the Harness Racing Task Force, eliminates the position of
12 full-time chair of the State Harness Racing Commission and
replaces it with a position of executive director.