

MAINE STATE LEGISLATURE

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H. & S.

L.D. 2169

DATE: 3-19-98

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1542, L.D. 2169, Bill, "An Act to Reduce Costs and Increase Efficiency of the Regulation and Promotion of Harness Racing"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Employment of Harness Race Track Officials'

Further amend the bill in section 1 by striking out all of that part designated "§264." and inserting in its place the following:

'§264. Employees

The department may employ such personnel as it considers necessary to provide adequate oversight and enforcement and to carry out the purposes of this chapter, subject to the Civil Service Law. The department may fix the compensation of the employees on a per diem basis, subject to the Civil Service Law.

Notwithstanding the provisions of this section, all officials whose presence is regularly required at a race meet must be licensed by the commission and hired on an annual basis by the licensee. The commission shall provide the list of approved judges in accordance with section 279-C. The licensee may terminate the employment of a presiding or associate judge hired under this section only with the consent of the commission.

COMMITTEE AMENDMENT

2 In determining whether a presiding or associate judge may be
3 terminated by a licensee, the commission shall consider improper
4 conduct on behalf of the employee, failure to enforce the rules
5 prescribed by the commission, malfeasance, violation of
6 commission rules or behavior detrimental to the conduct of
7 racing.'

8 Further amend the bill by striking out all of sections 6 to
9 and inserting in their place the following:

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11 'Sec. 6. 8 MRSA §285, sub-§3, as enacted by PL 1997, c. 528,
12 §46 and affected by §47, is repealed and the following enacted in
13 its place:

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15 3. Membership. The board consists of 9 members and 2
16 alternates appointed by the commissioner. Full, voting board
17 members must be appointed by the commissioner as follows:

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19 A. Two persons representing commercial tracks: one
20 representing and recommended by each of the 2 commercial
21 harness racing tracks in the State;

22
23 B. One person recommended by an association in the State
24 representing harness horsemen;

25
26 C. Two persons recommended by an association in the State
27 representing Standardbred breeders and owners;

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29 D. One person nominated by the Maine Association of
30 Agricultural Fairs;

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32 E. One person who represents the interests of off-track
33 betting facilities; and

34
35 F. Two persons who are members of the general public with
36 an interest in harness racing.

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38 Alternates must be members of the general public with an interest
39 in harness racing. An alternate may cast a vote as a member of
40 the board upon the absence of a full, voting member.

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42 Members serve 3-year terms.

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44 Sec. 7. 8 MRSA §285, sub-§12, as enacted by PL 1997, c. 528,
45 §46 and affected by §47, is repealed and the following enacted in
46 its place:

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48 12. Report to Legislature. The board shall provide a report
49 to the joint standing committee of the Legislature having

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jurisdiction over matters of harness racing on or before the 15th of February each year. The report must contain:

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A. A discussion of any areas of policy or administration that, in the opinion of the board, should be brought to the attention of the committee;

B. A review of the operations of the board, including a summary of income and expenses of the Harness Racing Promotional Fund and improvement to the economic condition of the harness racing industry in the State; and

C. A discussion of the progress toward meeting the goals of subsection 6.

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

1998-99

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Harness Racing Commission

All Other (\$129,600)

Deappropriates funds designated to hire certain race track officials. These funds are no longer needed.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

1998-99

APPROPRIATIONS/ALLOCATIONS

General Fund (\$129,600)

REVENUES

General Fund (\$103,600)

The changes regarding the hiring of race track officials will result in annual General Fund savings to the State Harness

COMMITTEE AMENDMENT

2 Racing Commission within the Department of Agriculture, Food and
Rural Resources of \$129,600 beginning in fiscal year 1998-99.
4 This will also decrease General Fund revenue by \$103,600 annually
beginning in fiscal year 1998-99 from the elimination of
6 reimbursement for these costs.

8 The Harness Racing Promotional Board will incur some minor
additional costs to report to the Legislature and to compensate 2
10 alternate members of the board. These costs can be absorbed
within the board's existing budgeted resources.'

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14 **SUMMARY**

16 This amendment strikes the entire bill, replacing it with
provisions for hiring and firing race track officials and a
18 requirement that the Harness Racing Promotional Board report to
the joint standing committee of the Legislature having
20 jurisdiction over matters of harness racing.

22 The amendment also adds an appropriation and a fiscal note
to the bill.