

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1816

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H.P. 1262

House of Representatives, March 11, 1999

**An Act to Revise the Harness Racing Laws Regarding Off-track Betting.**

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative COWGER of Hallowell. (By Request)

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

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**Sec. 1. 8 MRSA §275-D, sub-§4**, as corrected by RR 1993, c. 2, §6, is amended to read:

**4. Notice to off-track betting facilities; objections.** An applicant shall send written notice of its application for an off-track betting license to any existing off-track betting facility in whose market area the proposed facility will be located and shall present proof to the commission that it has provided the notice. The notice must include all information contained in the application except information described in subsection 2, paragraph Q. An existing off-track betting facility shall notify the commission within 30 days of receiving notice if the facility objects to the location of the proposed facility. The commission shall suspend consideration of the application for the 30-day objection period. If the commission receives an objection from an off-track betting facility in whose market area the facility would be located within the 30-day period, the commission shall reject the application. If the commission does not receive an objection within that period, the commission may proceed to consider the application. For purposes of this section, the market area is the area within a 35-mile 20-mile radius of the off-track betting facility.

**Sec. 2. 8 MRSA §275-D, sub-§6, ¶A**, as enacted by PL 1993, c. 388, §8, is amended to read:

- A. The commission finds that the facility:
- (1) Will not adversely affect the public interest;
  - (2) Will not adversely affect the integrity of live racing;
  - (3) Will not have an adverse impact on the local community;
  - (4) Provides a potential for job creation, including jobs in the racing and wagering industries and other service jobs;
  - (5) Has adequate seating facilities, toilet facilities and parking;
  - (6) Will not adversely affect the value of abutting property;

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(7) Will be operated by an applicant with financial ability to maintain the facility in a manner that meets the standards set forth in this paragraph;

(8) Provides segregated areas for conducting betting separate from the areas in which restaurant or other services are provided to the general public for nonbetting purposes; and

(9) Will not adversely affect existing licensed off-track betting facilities within ~~35~~ 20 miles of the proposed facility.

**SUMMARY**

This bill establishes a 20-mile radius market area for off-track betting facilities.