

# MAINE STATE LEGISLATURE

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RS

L.D. 1837

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
FIRST REGULAR SESSION

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.  
1276, L.D. 1837, Bill, "An Act to Amend the Harness Racing Laws"

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Amend the amendment by striking out all of section 12 and  
inserting in its place the following:

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'Sec. 12. 8 MRSA §285-B is enacted to read:

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**§285-B. Dispute resolution; exclusive bargaining agent and  
racetrack**

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1. Mediation. If the exclusive bargaining agent, as defined  
in section 285-A, subsection 1, and the racetrack are not able or  
willing to reach an agreement and resolve issues related to  
traditional contract issues of harness racing, prior to seeking  
enactment of legislation or civil action in a court of law to  
resolve such issues, an independent 3rd-party mediator, chosen  
from a list of 5 mediators approved by the department, must be  
retained. Either party may initiate a request for a mediator.  
The costs of retaining the mediator must be shared by the  
exclusive bargaining agent and the racetrack.

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2. Standards. The mediators shall apply the following  
standards when carrying out the purposes of this section:

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A. Preservation of the harness racing industry in the  
State; and

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B. Creating equity among the parties pertaining to the  
relationship between the exclusive bargaining agent, as

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R. W. S.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1276,  
L.D. 1837

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defined in section 285-A, subsection 1, and the racing tracks.

3. Costs. The costs for the services of the mediator, if any, including per diem expenses and actual and necessary travel and subsistence expenses and the costs of hiring the premises where any mediation proceedings are conducted, must be shared equally by the parties to the proceedings. All other costs must be assumed by the party incurring them.

4. Violation; penalties. Notwithstanding any other provision of this chapter, failure to submit to the mediation process as described in subsection 1 is a violation of this section for which the commission may suspend a license issued under this chapter for up to one year or impose a fine not to exceed \$5,000, or both.'

**SUMMARY**

This amendment strikes all requirements for a harness racing track and the exclusive bargaining agent for the track to submit to binding arbitration.

SPONSORED BY:   
(Representative MARTIN)

TOWN: Eagle Lake