

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1053

S.P. 370

In Senate, March 1, 2005

An Act To Protect Maine Harness Racing from Illegal Wagering

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MARTIN of Aroostook.
Cosponsored by Senator: HASTINGS of Oxford, Representatives: SAVIELLO of Wilton,
SHERMAN of Hodgdon.

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

4 **Sec. 1. 8 MRSA §300-A** is enacted to read:

6 **§300-A. Illegal wagering**

8 **1. Illegal wagering.** A person may not solicit or accept a
bet concerning harness racing in the State by any means unless
licensed under this chapter.

10 **2. Right of action.** A licensee under section 271 may bring
an action against a person or entity engaged in a violation of
subsection 1. The court must award damages for a successful
action brought under this subsection in an amount equaling 20% of
the monetary amount of illegal wagers proved, plus reasonable
costs of collection and attorney's fees.

12 **3. Distribution of damages.** For an action brought under
subsection 2, the plaintiff receives any reasonable costs of
collection and attorney's fees awarded and the commission
receives all other damages awarded. The commission shall
distribute any damages received under this subsection equally
between the Fund to Encourage Racing at Maine's Commercial Tracks
under section 299 and the Fund to Stabilize Off-track Betting
Facilities under section 300.

14 **SUMMARY**

16 This bill makes it illegal to accept or solicit a bet
concerning harness racing in the State by any means without a
license from the State Harness Racing Commission. This bill
allows a private right of action to any licensed commercial
racetrack in the State against anyone conducting illegal wagering
on harness racing in the State, with damages set at 20% of the
monetary amount of the illegal wagering proved plus reasonable
costs of collection and attorney's fees. In a private action
allowed under this bill, the racetrack receives the reasonable
costs of collection and attorney's fees and the commission
receives the rest of the damages, which it is directed to deposit
equally into the Fund to Encourage Racing at Maine's Commercial
Tracks and the Fund to Stabilize Off-track Betting Facilities.