

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2006

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Legislative Document

No. 2042

S.P. 786

In Senate, March 2, 2006

**An Act To Amend the Harness Racing Laws Regarding  
Distributions from the Fund to Supplement Harness Racing Purses**

(EMERGENCY)

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland. (GOVERNOR'S BILL)  
Cosponsored by Representative MAREAN of Hollis and  
Senator: BRYANT of Oxford, Representatives: FLOOD of Winthrop, JODREY of Bethel.

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

4           Whereas, an inequity exists with regard to the timing of  
6 disbursements of funds to supplement harness racing purses; and

8           Whereas, the inequity will have a negative impact on harness  
racing purses provided at certain agricultural fairs in the 2006  
10 racing season; and

12           Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
14 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
16 safety; now, therefore,

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

20           **Sec. 1. 8 MRSA §298, sub-§2,** as enacted by PL 2003, c. 687,  
Pt. A, §3 and affected by Pt. B, §11, is amended to read:

22           **2. Distribution.** On ~~May-30th,--September-30th~~ April 30th,  
24 July 30th, October 30th and January 30th of each year, all  
amounts credited to the fund established by this section as of  
26 the last day of the preceding month and not distributed before  
that day must be distributed to each commercial track, as defined  
28 in section 275-A, subsection 1, and to each agricultural fair  
association that during the preceding trimester has conducted  
30 live racing with pari-mutuel wagering on dates assigned by the  
commissioner pursuant to Title 7, section 65, and to each  
32 licensed racetrack that conducted an extended meet, referred to  
in this subsection as a "licensed racetrack," if the licensed  
34 race track conducted an extended meet during calendar year 2005,  
with each commercial track ~~and---each,~~ agricultural fair  
36 association and licensed racetrack receiving an amount of money  
determined by multiplying the amount of money available for  
38 distribution times a fraction, the numerator of which is the  
total number of live race dashes conducted by the commercial  
40 track ~~or,~~ agricultural fair association or licensed racetrack  
during the preceding time period and the denominator of which is  
42 the total number of race dashes conducted by all commercial  
tracks and, agricultural fair associations and licensed  
44 racetracks during that time period. The payment in January must  
be adjusted so that for the prior ~~3--time--periods~~ year each  
46 commercial track ~~or,~~ agricultural fair association or licensed  
racetrack entitled to a distribution receives that ~~fraction~~  
48 portion of the total money distributed over the full year from  
the fund established by this section, ~~---the---amount~~ that is  
50 determined by multiplying the total amount of money so  
distributed by a fraction, the numerator of which is the

2 number of live race dashes conducted by the commercial track or,  
3 agricultural fair association or licensed racetrack during the  
4 calendar year that qualify for a distribution and the denominator  
5 of which is the total number of race dashes conducted during that  
6 calendar year ~~by all such fairs that qualify for a distribution.~~  
7 For purposes of the subsection a race dash qualifies for a  
8 distribution if the race dash was conducted by a commercial  
9 track, agricultural fair association or licensed racetrack on  
10 dates assigned by the commissioner pursuant to Title 7, section  
11 65 and by all commercial tracks during that calendar year or by  
12 an extended meet conducted by such a commercial track,  
13 agricultural fair association or licensed racetrack, but only to  
14 the extent that dashes conducted by such an extended meet do not  
15 exceed the number of dashes that commercial track, agricultural  
16 fair association or licensed racetrack conducted in calendar year  
17 2005. The funds distributed pursuant to this section must be  
18 used to supplement harness racing purses.

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

22

## 23 SUMMARY

24

25 This bill makes the following changes to the laws concerning  
26 racing.

27 1. It authorizes quarterly payments from the Fund to  
28 Supplement Harness Racing Purses rather than trimester payments.

30

31 2. It bases the first 3 quarterly payments on the number of  
32 race dashes assigned to a racetrack in proportion to the total  
33 number of dashes awarded to all racetracks, rather than the  
34 number of actual dashes raced in that quarter.

35 3. It bases the 4th quarterly payment on the number of  
36 actual dashes raced by a racetrack in proportion to the total  
37 actual dashes conducted by all racetracks.

38

39 4. It includes in the disbursement of funds those licensed  
40 racetracks that conducted an extended meet in 2005.