

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1408

H.P. 991

House of Representatives, March 14, 2007

An Act Concerning Harness Racing Association Funding

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAREAN of Hollis.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: CARTER of Bethel, CRAY of Palmyra, GIFFORD of Lincoln, MOORE of
Standish, PIOTTI of Unity, PRATT of Eddington.

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

2 **Sec. 1. 8 MRSA §272-B**, as enacted by PL 2003, c. 401, §9, is repealed and the
3 following enacted in its place:

4 **§272-B. Association funding**

5 Notwithstanding any other provision of this chapter, up to 3% of funds designated to
6 supplement purses may be paid to a statewide association of horsemen in accordance with
7 this section. A statewide association of horsemen, referred to in this section as "the
8 association," means an association of horsemen whose officers are authorized by the
9 membership to negotiate with a person licensed to conduct racing under section 271 on
10 behalf of the association's membership.

11 **1. Payment from licensee to association.** A licensee described in section 271 shall
12 pay to an association determined eligible under subsection 2 an amount not to exceed 3%
13 of each of the following:

14 A. Disbursements from the Sire Stakes Fund under section 281 for the purpose of
15 supplementing purses;

16 B. The purse supplement share calculated under section 286 for distribution under
17 section 290;

18 C. The funds designated from the commercial meet account to supplement purses
19 under section 287, subsection 2;

20 D. The funds designated from the extended meet account to supplement purses under
21 section 289, subsection 2, paragraph B;

22 E. The fund to supplement harness racing purses established under section 298 and
23 receiving payment pursuant to section 1036, subsection 2, paragraph B; and

24 F. Disbursements from the Agricultural Fair Support Fund under Title 7, section 91,
25 subsection 2, paragraph A.

26 **2. Eligibility for disbursement.** To be eligible to receive funding under subsection
27 1, an association must submit to the commission the following:

28 A. A copy of the annual budget approved by a majority of the association's members
29 present and voting at the annual business meeting of the association;

30 B. A letter signed by the officers of the association stating that a majority of
31 association members present and voting in a separate vote at the annual meeting
32 approved seeking funds under this section; and

33 C. A letter signed by the officers of the association indicating the date on which the
34 votes referenced in paragraphs A and B were taken and attesting that the votes were
35 taken in accordance with the association's bylaws.

36 **3. Limitations.** An association receiving payments under this section may not
37 expend any portion of the payments for an item that did not appear in the association's
38 budget approved by its members and submitted under subsection 2.

1 **4. Payment.** Each year, upon receipt and verification of the information required
2 under subsection 2, the commission shall advise licensees of the maximum amount
3 payable to the association under subsection 1. Total payments made each year to the
4 association under this section may not exceed the association's budget for that year.

5 **5. Rulemaking.** The commission may adopt rules necessary to establish a process
6 for calculating and disbursing funds under this section. The rules may include a process
7 for recovery of funds received or expended in noncompliance with this section. Rules
8 adopted under this subsection are routine technical rules as defined in Title 5, chapter
9 375, subchapter 2-A.

10

SUMMARY

11 This bill authorizes the payment of up to 3% of funds designated for supplementing
12 purses to be used to support a statewide association of horsemen authorized to negotiate
13 on its members' behalf.