

MAINE STATE LEGISLATURE

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Date: 4/7/08

L.D. 2184
(Filing No. H- 953)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1554, L.D. 2184, Bill, "An Act To Implement the Recommendations of the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry"

Amend the bill in section 3 in paragraph P in the last line (page 1, line 13 in L.D.) by inserting after the following: "Resources" the following: 'at adjudicatory hearings before the commission'

Amend the bill by striking out all of sections 4 and 5 and inserting the following:

Sec. 4. 8 MRSA §263-C, sub-§4, ¶A, as repealed and replaced by PL 2003, c. 687, Pt. B, §2 and affected by §11, is amended to read:

A. Management of the work of the commission, including:

- (1) Rulemaking;
- (2) Processing appeals;
- (3) Licensing of tracks and off-track betting facilities;
- (4) Setting race dates; ~~and~~
- (5) Making reports to the Governor and Legislature and recommendations to the commissioner regarding harness racing and off-track betting operations and the need for changes in statutes and rules; and
- (6) Presenting evidence in adjudicatory hearings before the commission regarding alleged violations of this chapter or rules adopted in accordance with this chapter; and

Amend the bill in section 6 in §273 in the last line (page 2, line 31 in L.D.) by inserting after the following: "~~both~~" the following: 'when a license is required under sections 269 and 270'

COMMITTEE AMENDMENT

R.OFS.

COMMITTEE AMENDMENT "A" to H.P. 1554, L.D. 2184

1 Amend the bill in section 9 in §279-E in the first paragraph in the 3rd line (page 3,
2 line 15 in L.D.) by inserting after the following: "licensee" the following: 'qualified to
3 race'

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment clarifies that the executive director of the State Harness Racing
8 Commission is authorized to present evidence in adjudicatory hearings before the
9 commission as part of the executive director's duties for the commission. It amends the
10 Maine Revised Statutes, Title 8, section 273 to clarify that a penalty for conducting a race
11 without a license only applies when a license is required because pari-mutuel betting is
12 permitted. It also clarifies that only horses qualified to race are subject to out-of-
13 competition testing. It removes the section of the bill that proposes transferring money
14 from 5 dedicated funds to an account to support laboratory testing.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 2184

LR 3472(02)

An Act To Implement the Recommendations of the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor cost increase - Highway Fund

Fiscal Detail and Notes

This legislation could result in a reduction in dedicated revenue to the Department of the Attorney General. Currently, the Harness Racing Commission pays for legal services by funding a portion of an Assistant Attorney General position. Determining exactly how much work could be performed by the executive director of the Harness Racing Commission in lieu of the Assistant Attorney General position can not be determined at this time. The Department of the Attorney General will secure revenue from another source to make up the potential loss of revenue. Therefore, there will be no decrease to the allocation related to the position in the Office of the Attorney General.

Additional costs to the Department of Agriculture, Food and Rural Resources can be absorbed within existing budgeted resources. Currently, the Harness Racing Commission investigates all cases where it has been alleged that a horse was given prohibited substances. This legislation indicates that the Department of Public Safety, State Police may assist in these investigations if requested by the Commission. It is assumed that the Commission would continue to investigate the majority of these cases and the State Police would not be called in frequently. Therefore, any additional costs to the Department of Public Safety can be absorbed within existing budgeted resources.