

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 408

H.P. 326

House of Representatives, February 8, 2011

Resolve, To Study the Sustainability of the Harness Racing Industry

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative CRAY of Palmyra.

Cosponsored by Representatives: BLACK of Wilton, CEBRA of Naples, GIFFORD of Lincoln, McFADDEN of Dennysville.

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

3 **Whereas,** the Commission To Study the Sustainability of the Harness Racing
4 Industry is established to review the financial viability of the harness racing industry in
5 the State including fairs with harness racing, commercial tracks, off-track betting
6 facilities, the horse breeders program and racing in general and their relationship to the
7 distribution of the traditional harness racing handle; and

8 **Whereas,** the study must be initiated before the 90-day period expires in order that
9 the study may be completed and a report submitted in time for submission to the next
10 legislative session; and

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

15 **Sec. 1. Commission established. Resolved:** That the Commission To Study
16 the Sustainability of the Harness Racing Industry, referred to in this resolve as "the
17 commission," is established; and be it further

18 **Sec. 2. Commission membership. Resolved:** That the commission consists of
19 11 members appointed as follows:

20 1. Two members of the Senate, one member of the party holding the highest number
21 of seats appointed by the President of the Senate and one member of the party holding the
22 2nd highest number of seats appointed by the Senate Minority Leader. At least one
23 Senate member must be serving on the Joint Standing Committee on Agriculture,
24 Conservation and Forestry;

25 2. Two members of the House of Representatives, one member of the party holding
26 the highest number of seats appointed by the Speaker of the House and one member of
27 the party holding the 2nd highest number of seats appointed by the House Minority
28 Leader. At least one House member must be serving on the Joint Standing Committee on
29 Agriculture, Conservation and Forestry;

30 3. Two members appointed by the Commissioner of Agriculture, Food and Rural
31 Resources, one recommended by each of the commercial harness racing tracks;

32 4. Two members recommended by off-track betting facilities and appointed by the
33 Commissioner of Agriculture, Food and Rural Resources;

34 5. Two members recommended by an association of horsemen and appointed by the
35 Commissioner of Agriculture, Food and Rural Resources; and

36 6. One member who is a racing director for an agricultural fair recommended by a
37 statewide agricultural fair association and appointed by the Commissioner of Agriculture,
38 Food and Rural Resources; and be it further

1 **Sec. 3. Chairs. Resolved:** That the Senate member named by the President of
2 the Senate is the Senate chair of the commission and the House of Representatives
3 member appointed by the Speaker of the House is the House chair of the commission;
4 and be it further

5 **Sec. 4. Appointments; convening of commission. Resolved:** That all
6 appointments must be made no later than 30 days following the effective date of this
7 resolve. The appointing authorities shall notify the Executive Director of the Legislative
8 Council once all appointments have been completed. After appointment of all members,
9 the chairs shall call and convene the first meeting of the commission. If 30 days or more
10 after the effective date of this resolve a majority of but not all appointments have been
11 made, the chairs may request authority and the Legislative Council may grant authority
12 for the commission to meet and conduct its business; and be it further

13 **Sec. 5. Duties. Resolved:** That the commission shall study the distribution of the
14 traditional harness racing handle and its impact on the financial viability of all facets of
15 harness racing to include fairs with harness racing, commercial tracks, off-track betting
16 facilities, the horse breeders program and the training and racing of standardbred horses;
17 and be it further

18 **Sec. 6. Staff assistance. Resolved:** That the Department of Agriculture, Food
19 and Rural Resources shall provide necessary staffing services to the commission; and be
20 it further

21 **Sec. 7. Compensation. Resolved:** That the legislative members of the
22 commission only are entitled to receive the legislative per diem, as defined in the Maine
23 Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary
24 expenses related to their attendance at authorized meetings of the commission.

25 **Sec. 8. Report. Resolved:** That, no later than December 7, 2011, the commission
26 shall submit a report that includes its findings and recommendations, including suggested
27 legislation, for presentation to the Joint Standing Committee on Agriculture,
28 Conservation and Forestry. The committee is authorized to introduce legislation related
29 to the report to the Second Regular Session of the 125th Legislature; and be it further

30 **Sec. 9. Outside funding. Resolved:** That the commission shall seek funding
31 contributions to fully fund the costs of the study. All funding is subject to approval by
32 the Legislative Council in accordance with its policies. If sufficient contributions to fund
33 the study have not been received within 30 days after the effective date of this resolve, no
34 meetings are authorized and no expenses of any kind may be incurred or reimbursed.

35 **Emergency clause.** In view of the emergency cited in the preamble, this
36 legislation takes effect when approved.

37 **SUMMARY**

38 This resolve establishes the Commission To Study the Sustainability of the Harness
39 Racing Industry with members from the Legislature and harness racing interests to study

- 1 the distribution of the traditional harness racing handle and its impact on the financial
- 2 viability of all aspects of the harness racing industry.