

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1611

H.P. 1200

House of Representatives, April 27, 2021

**An Act To Amend Maine's Harness Racing Laws Regarding Race
Dates and Pari-mutuel Pools**

(EMERGENCY)

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

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KRYZAK of Acton.
Cosponsored by Representatives: HALL of Wilton, KINNEY of Knox, LANDRY of
Farmington, PLUECKER of Warren, SKOLFIELD of Weld, Senators: BLACK of Franklin,
CYRWAY of Kennebec, DILL of Penobscot.

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,** this legislation affects the minimum number of harness horse racing race
4 dates that must be conducted in a year for a track to be considered a commercial track and
5 must take effect prior to the commencement of this year's harness horse racing season; and

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

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

11 **Sec. 1. 8 MRSA §275-A, sub-§1, ¶A,** as amended by PL 2019, c. 626, §9, is
12 repealed and the following enacted in its place:

13 A. If the population of the region is 300,000 or more, based on the 1990 U.S. Census,
14 conducted racing on more than 69 days in each calendar year after the track was
15 initially licensed as a commercial track, unless a lesser number of days of racing was
16 conducted in a year due to:

17 (1) Conditions beyond the control of the racetrack owner or operator as approved
18 by the commission; or

19 (2) A determination by the commission under section 271, subsection 2, and with
20 the express written approval of the track and of a statewide association of horsemen
21 as defined in section 272-B, that a lesser number of race days is in the best interest
22 of the State's harness horse racing industry; or

23 **Sec. 2. 8 MRSA §275-A, sub-§1, ¶B,** as amended by PL 2019, c. 626, §9, is
24 repealed and the following enacted in its place:

25 B. If the population of the region is less than 300,000, based on the 1990 U.S. Census,
26 conducted racing on more than 34 days in each calendar year after the track was
27 initially licensed as a commercial track, unless a lesser number of days of racing was
28 conducted in a year due to:

29 (1) Conditions beyond the control of the racetrack owner or operator as approved
30 by the commission; or

31 (2) A determination by the commission under section 271, subsection 2, and with
32 the express written approval of the track and of a statewide association of horsemen
33 as defined in section 272-B, that a lesser number of race days is in the best interest
34 of the State's harness horse racing industry.

35 **Sec. 3. 8 MRSA §275-B, sub-§3** is enacted to read:

36 **3. Facilities approved by commission.** Notwithstanding any provision of this chapter
37 to the contrary, a person licensed pursuant to section 271 to conduct harness horse racing
38 with pari-mutuel betting may sell pari-mutuel pools and common pari-mutuel pools for
39 simulcast races at a facility that is approved by the commission and located within:

40 A. Twenty-five miles of the racetrack where the licensed race or race meet is
41 conducted; and

1 B. A municipality with a population greater than 55,000, based on the 2010 U.S.
2 Census.

3 A person authorized to sell pari-mutuel pools and common pari-mutuel pools for simulcast
4 races at a facility under this subsection may conduct at the facility any other activities
5 incidental to and permitted by that license under section 271.

6 **Sec. 4. 8 MRSA §275-C, sub-§1**, as amended by PL 2011, c. 142, §2, is further
7 amended to read:

8 **1. Authority.** A person authorized to sell pari-mutuel pools on horse racing may sell
9 common pari-mutuel pools for simulcast races. The sale must be conducted within the
10 enclosure of the licensee's racetrack, at the licensee's slot machine facilities licensed
11 pursuant to section 1011 or, at the licensee's off-track betting facility or at a facility
12 approved by the commission in accordance with section 275-B, subsection 3.

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

15 **SUMMARY**

16 This bill amends the definition of "commercial track" to include tracks at which fewer
17 than the statutory minimum number of days of racing is conducted pursuant to a
18 determination by the State Harness Racing Commission that the lesser number is in the best
19 interest of the State's harness horse racing industry and the lesser number of days receives
20 the express written approval of the track and a statewide association of horsemen.

21 The bill also authorizes a person licensed to conduct harness horse racing with pari-
22 mutuel betting to sell pari-mutuel pools and common pari-mutuel pools for simulcast races
23 at a facility that is approved by the State Harness Racing Commission. The facility must
24 be located within 25 miles of the racetrack where the licensed race is conducted and within
25 a municipality with a population greater than 55,000, based on the 2010 U.S. Census. It
26 also authorizes the person to conduct at the facility any other activities incidental to and
27 permitted by the person's license.