

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 255

House of Representatives, Feb. 18, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Judiciary.

Committee on Reference.

Presented by Mr. Connellan of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to create a State Racing Commission.

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

Section 1. Any corporation formed for the purpose of
2 racing and breeding or improving the breed of horses and
3 conducting races and contests of speed, shall have the power
4 and right, subject to the provisions of the Act to hold one or
5 more race meetings in each year, and to hold, maintain, and
6 conduct running races at such meetings. At such meetings
7 the corporation or the owners of the horses engaged in
8 such races, or others who are not participants in the racing
9 may contribute purses, prizes, premiums or stakes to be con-
10 tested for; but no person or persons other than the owners

11 of a horse or horses contesting in a race shall have any
12 pecuniary interest in a purse, prize, premium or stake con-
13 tested for in such race, or be entitled to, or receive any por-
14 tion thereof after such race shall have been finished; and
15 the whole of such purse, prize, premium, or stake shall be
16 allotted in accordance with the terms and conditions of such
17 race. Such meeting shall not be held except during the pe-
18 riod extending from the first day of April to the first day
19 of December, inclusive, in each year. No running races are
20 authorized or shall be permitted except during the period
21 aforesaid, nor except between sunrise and sunset.

Sect. 2. A State Racing Commission is hereby established,
2 to consist of five persons to be appointed by the Governor,
3 three of whom shall be breeders and raisers of thoroughbred
4 stock, and no two of whom shall be members of the same
5 racing association. The members of said commission shall
6 hold their offices for a term of four years; and the first
7 commission shall be appointed within twenty days after this
8 Act shall go into effect. Such Commission shall appoint a
9 Secretary, who shall serve during its pleasure, whose duty
10 it shall be to keep a full and faithful record of its proceed-
11 ings, and preserve at its general office all books, maps, doc-
12 uments, and papers intrusted to its care, and perform such
13 other duties as the Commission may prescribe. He shall be
14 paid a salary, to be fixed by the Commission at a rate not
15 exceeding twelve hundred dollars per annum, which shall
16 be paid by the several racing corporations or associations.

17 the amounts to be paid by each to be apportioned by the
18 Commission, which shall on or before the first day of De-
19 cember in each year assess upon each of said corporations
20 or associations its just proportion of such salary. The Com-
21 mission shall bi-annually make a full report to the Legisla-
22 ture of its proceedings for the two-year period ending with
23 the first day of December preceding the meeting of the Leg-
24 islature, and shall embody therein such suggestions and rec-
25 ommendations as it shall deem desirable.

Sect. 3. Said Commission shall have the power to pre-
2 scribe the rules, regulations and conditions under which run-
3 ning races shall be conducted in this State, and no such
4 races shall be conducted except by a corporation or associa-
5 tion duly licensed by said Commission as herein provided.
6 Any corporation or association desiring to conduct such
7 racing may annually apply to the State Racing Commission
8 for a license so to do. If in the judgment of the Commis-
9 sion a proper case for the issuance of such license is shown,
10 it may grant the same for a term of one year; and every
11 such license shall contain a condition that all races or race
12 meetings conducted thereunder shall be subject to the rules,
13 regulations and conditions from time to time prescribed
14 by the Commission, and shall be revocable by the Commis-
15 sion for any violation thereof, or whenever the continuance
16 of such license shall be deemed by the Commission not con-
17 ducive to the interest of legitimate racing. But if said li-
18 cense is refused or revoked said Commission shall publicly

19 state its reasons for so doing, and said reasons shall be writ-
20 ten in full in the minute book of said Commission, which
21 shall at all times be subject to inspection upon application of
22 any one desiring so to do. Said finding of said Commission
23 shall be subject to the review of the court of competent
24 jurisdiction. Provided, that a refusal of the Commission
25 to grant to any racing association a license, or to assign a
26 racing association at least forty days in each year, if desired
27 for racing at such association, and the decision of such
28 Commission revoking any license of any association: shall
29 be subject to review of the courts of the State.

Sect. 4. Every running race meeting at which racing shall
2 be permitted for any stake, purse or reward, except as al-
3 lowed by this Act, is hereby declared to be a public nuisance.
4 and every person acting or aiding therein shall be deemed
5 guilty of a misdemeanor and punished by a fine not less
6 than five hundred dollars, nor more than one thousand dol-
7 lars for each day of such meeting or racing; and in addition
8 thereto, in a suit brought for the purpose by the State Rac-
9 ing Commission in the Circuit Court of the county where it
10 may be proposed to conduct such unauthorized racing, an
11 injunction may be obtained against the same.

Sect. 5. This Act shall not apply to trotting meetings, or
2 races, nor to races conducted by any State, County or other
3 Fair Association, holding not more than one meeting an-
4 nually, and for a period not exceeding six days for such
5 meeting.

Sect. 6. All Acts and parts of Acts inconsistent herewith
2 are hereby repealed.