

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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HOUSE

NO. 864

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*House of Representatives, March 19, 1915.*

*Reported by Mr. McCarty from Committee on Judiciary,  
and ordered printed under joint rules.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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

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AN ACT to create a State Racing Commission.

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*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  
5 or more running race meetings in each year, and to hold,  
6 maintain, and conduct running races at such meetings. At  
7 such meetings the corporation or the owners of the horses  
8 engaged in such races, or others who are not participants  
9 in the racing may contribute purses, prizes, premiums or  
10 stakes to be contested for; but no person or persons other  
11 than the owners of a horse or horses contesting in a race

12 shall have any pecuniary interest in a purse, prize, premium  
13 or stake contested for in such race, or be entitled to, or  
14 receive any portion thereof after such race shall have been  
15 finished; and the whole of such purse, price, premium, or  
16 stake shall be allotted in accordance with the terms and  
17 conditions of such race. Such meeting shall not be held  
18 except during the period extending from the first day of  
19 April to the first day of December, inclusive, in each year.  
20 No running races are authorized or shall be permitted ex-  
21 cept during the period aforesaid, nor except between sun-  
22 rise 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 thorough-  
4 bred stock, and no two of whom shall be members of the  
5 same racing association. The members of said commis-  
6 sion shall hold their offices for a term of four years; and  
7 the first commission shall be appointed within twenty days  
8 after this act shall go into effect. Such commission shall  
9 appoint a secretary, who shall serve during its pleasure,  
10 whose duty it shall be to keep a full and faithful record of  
11 its proceedings, and preserve at its general office all books,  
12 maps, documents, and papers intrusted to its care, and per-  
13 form such other duties as the commission may prescribe.  
14 He shall be paid a salary, to be fixed by the commission  
15 at a rate not exceeding twelve hundred dollars per annum,  
16 which shall be paid by the several racing corporations or

17 associations, the amounts to be paid by each to be appor-  
18 tioned by the commission, which shall on or before the first  
19 day of December in each year assess upon each of said  
20 corporations or associations its just proportion of such sal-  
21 ary. The commission shall bi-annually make a full report  
22 to the legislature of its proceedings for the two-year period  
23 ending with the first day of December preceding the meet-  
24 ing of the legislature, and shall embody therein such sug-  
25 gestions and recommendations as it shall deem desirable.

Sect. 3. Said commission shall have the power to pre-  
2 scribe the rules, regulations and conditions under which  
3 running races shall be conducted in this state, and no such  
4 races shall be conducted except by a corporation or asso-  
5 ciation duly licensed by said commission, as herein pro-  
6 vided. Any corporation or association desiring to conduct  
7 such racing may annually apply to the state racing com-  
8 mission for a license so to do. If in the judgment of the  
9 commission a proper case for the issuance of such license  
10 is shown, it may grant the same for a term of one year;  
11 and every such license shall contain a condition that all  
12 races or race meetings conducted thereunder shall be sub-  
13 ject to the rules, regulations and conditions from time to  
14 time prescribed by the commission, and shall be revocable  
15 by the commission for any violation thereof, or whenever  
16 the continuance of such license shall be deemed by the com-  
17 mission not conducive to the interest of legitimate racing.  
18 But if said license is refused or revoked said commission

19 shall publicly state its reasons for so doing, and said rea-  
20 sons shall be written in full in the minute book of said com-  
21 mission, which shall at all times be subject to inspection  
22 upon application of anyone desiring so to do. Said find-  
23 ing of said commission shall be subject to the review of  
24 the court of competent jurisdiction. Provided, that a re-  
25 fusel of the commission to grant to any racing association  
26 a license, or to assign a racing association at least forty  
27 days in each year, if desired for racing at such association,  
28 and the decision of such commission revoking any license  
29 of any association, shall be subject to review of the courts  
30 of the state.

Sect. 4. Every running race meeting at which racing shall  
2 be permitted for any stake, purse or reward, except as  
3 allowed by this act, is hereby declared to be a public nui-  
4 sance, and every person acting or aiding therein shall be  
5 deemed guilty of a misdemeanor and punished by a fine not  
6 less than five hundred dollars, nor more than one thousand  
7 dollars for each day of such meeting or racing; and in addi-  
8 tion thereto, in a suit brought for the purpose by the state  
9 racing commission in the circuit court of the county where  
10 it 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 annually,

4 and for a period not exceeding six days for such meeting.

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