

# MAINE STATE LEGISLATURE

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# N I N E T I E T H                      L E G I S L A T U R E

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## Legislative Document

No. 951

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(Transmitted from the Revisor of Statutes under Joint Order)

H. P. 1608

House of Representatives, February 20, 1941.

Referred to Committee on Legal Affairs and sent up for concurrence.  
650 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Downs of Rome by request.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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### AN ACT Relating to Horse Racing for Trotters and Pacers.

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

**Sec. 1. Pari-mutuel betting authorized.** Any agricultural fair association holding yearly agricultural expositions and paying out \$3000 in cash as premiums, prizes and gratuities for agricultural exhibits shall be permitted to operate pari-mutuel racing.

**Sec. 2. Regulations.** Any such agricultural fair association within the enclosure and on the grounds of its own race track where it is holding a pari-mutuel racing meet may sell pari-mutuel pools under such proper regulations as may be prescribed by the racing commissioner. Commissions on such pools shall in no event and at no track exceed 15% and the odd cents of all redistribution shall be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of 10 cents.

**Sec. 3. Payment to state.** Each fair conducting a race meet under this act shall pay to the treasurer of the state for the use of the state a sum equal to 8% of the total contributions to all pari-mutuel pools conducted or made at any race held on their grounds under their supervision.

**Sec. 4. Records.** Every fair association conducting a race meet under this act shall so keep its books and records as to clearly show the number of admissions and the total amount of money contributed to every pari-mutuel pool on each race separately and the amount of money received daily from admission fees, and within 60 days after the conclusion of every race meeting shall submit to the commissioner a complete audit of its accounts certified by a public accountant qualified to practice in the state of Maine.

**Sec. 5. Racing fund.** The treasurer of the state shall keep a separate account to be known as the "racing fund" to which shall be credited all money received from the tax on contributions to pari-mutuel pools as provided for in this act. Said fund shall be used for the general purposes of the state until otherwise ordered by the legislature.

**Sec. 6. Commissioner.** The governor, with the advice and consent of the council shall appoint a "racing commissioner" who shall have the duty and authority to carry out, and enforce the provisions of this act. The commissioner shall be appointed for a term of 3 years and until his successor is duly appointed and qualified. Any vacancy in the office shall be filled in a like manner. The commissioner shall be paid \$2000 per year in full for his salary and the expenses incurred in the performance of his duties. He shall be provided with an office at Augusta, and shall be charged with the duty and given the authority to arrange the dates on which the various agricultural fair expositions are to be held.

**Sec. 7. Bond.** Every fair association operating pari-mutuel racing shall give a bond to the state in such reasonable sum not exceeding \$50,000 as may be fixed by the commissioner of agriculture with a surety or sureties to be approved by the treasurer of state conditioned to faithfully make the payments prescribed by this act and to conduct its races in conformity with this act and the rules and regulations of the United States Trotting Association.

**Sec. 8. R. S., c. 39, § 25, amended.** Section 25 of chapter 39 of the revised statutes, as amended, is hereby further amended by adding at the end thereof the following:

**'Provided, however, that the conducting of pari-mutuel betting by any such society in accordance with law shall not be deemed cause for withholding such society's share of the stipend.'**

**Sec. 9. Repealing clause.** Chapter 120 of the public laws of 1935, and chapters 181, 187, 225, and 227 of the public laws of 1937 are hereby repealed.