

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 722

S. P. 289

In Senate, February 13, 1945.

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Currier of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to State Racing Commission and Pari Mutuel.

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

Sec. 1. R. S., c. 77, § 1, amended. The 1st sentence of section 1 of chapter 77 of the revised statutes is hereby amended to read as follows: 'The state racing commission, as heretofore established, and hereinafter in this chapter called the "commission", shall consist of ~~3~~ 5 members who shall be appointed and may be for cause removed by the governor with the advice and consent of the council.'

Sec. 2. R. S., c. 77, § 2, amended. The 2nd sentence of section 2 of chapter 77 of the revised statutes is hereby amended to read as follows: '~~Two Three~~ of the members of the commission shall constitute a quorum to do business.'

Sec. 3. R. S., c. 77, § 6, amended. Section 6 of chapter 77 of the revised statutes is hereby amended to read as follows:

'**Sec. 6. Compensation.** Each member of the commission shall receive a salary of ~~\$1,000~~ \$1,500 a year and his reasonable expenses, including transportation, incurred in the performance of his duties.'

Sec. 4. R. S., c. 77, § 7, amended. Section 7 of chapter 77 of the revised statutes is hereby amended to read as follows:

'Sec. 7. Disbursements. The compensation of the commissioners, expenses of the commissioners, compensation of assistants, and other necessary expenses of the commission, including suitable furniture, equipment, supplies, and office expenses shall be charged to and paid out of the fund received under the provisions of this chapter, but in no 1 year shall the total compensation and expenses aforesaid exceed ~~\$12,000~~ \$20,000.'

Sec. 5. R. S., c. 77, § 9, amended. Section 9 of chapter 77 of the revised statutes is hereby amended to read as follows:

'Sec. 9. Rules and regulations. The commission shall make rules and regulations for the holding, conducting, and operating of all ~~harness~~ horse races or meets for public exhibition held in this state and for the operation of race tracks on which any such race or meet is held. No such race or meet shall be held on Sunday. No meeting shall be allowed for more than 6 days in any 30-day period, except that between the 1st day of ~~July~~ June and the 1st Monday of August, a meeting may be allowed for not exceeding ~~18 days on mile tracks~~ 45 racing days. ~~In the event such an 18 day meeting is held, no further meetings where pari mutuel betting is permitted, shall be allowed during the same calendar year. No part of this chapter shall be construed to apply to any racing whatever except harness horse races.'~~

Sec. 6. R. S., c. 77, § 10, amended. Section 10 of chapter 77 of the revised statutes is hereby amended to read as follows:

'Sec. 10. Races. No person, association, or corporation, shall hold, conduct, or operate any ~~harness~~ horse race or meet for public exhibition, if pari mutuel betting is permitted, within the state without a license from the commission.'

Sec. 7. R. S., c. 77, § 11, amended. The 1st paragraph of section 11 of chapter 77 of the revised statutes is hereby amended to read as follows:

'Any person, association, or corporation desiring to hold a ~~harness~~ horse race or meet for public exhibition shall apply to said commission for a license to do so. The application shall be signed and sworn to by the person or executive officer of the association or corporation and shall contain the following information:'

Sec. 8. R. S., c. 77, § 14, amended. Section 14 of chapter 77 of the revised statutes is hereby amended to read as follows:

'Sec. 14. Penalty. Any person, association, or corporation holding or conducting, or any person or persons aiding or abetting in the holding or

conducting of any ~~harness~~ horse race or meet for public exhibition within the state without a license duly issued by said commission, or any person, association, or corporation who violates any of the provisions of this chapter or who violates any of the rules and regulations prescribed by the commission shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than 1 year, or by both such fine and imprisonment.'

Sec. 9. R. S., c. 77, § 15, amended. The last 2 sentences of section 15 of chapter 77 of the revised statutes are amended to read as follows: 'Commissions on such pools shall in no event and at no track exceed ~~10%~~ 12% and the odd cents of all redistribution to be made on all mutual contributions exceeding a sum equal to the next lowest multiple of 5. Said maximum shall include the ~~3½%~~ 5½% tax hereinafter prescribed.'

Sec. 10. R. S., c. 77, § 16, amended. Section 16 of chapter 77 of the revised statutes is hereby amended to read as follows:

'Sec. 16. Tax on pari mutuel pools. Each person, association, or corporation licensed to conduct a race or race meet under the provisions of this chapter shall pay to the treasurer of state for the use of the state a sum equal to ~~3½%~~ 5½% of the total contributions to all pari mutuel pools conducted or made at any race or race meet licensed under the provisions of this chapter. Of the amount so paid to the treasurer of state, 3½% of said total contributions shall be distributed in accordance with the provisions of section 3, a sum equal to 1% of said total contributions shall be expended for old age assistance, a sum equal to ½% of said total contributions shall be expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture and the sum equal to ½% of said total contributions shall be expended under the direction of the Maine development commission.'