

# MAINE STATE LEGISLATURE

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

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**Legislative Document**

**No. 1227**

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H. P. 1578

House of Representatives, March 4, 1947

Transmitted by revisor of statutes pursuant to joint order

Referred to the Committee on Military Affairs, sent up for concurrence and 1,000 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Doucette of Lewiston.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SEVEN

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**AN ACT Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing and Dog Racing.**

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

**· TITLE I ·**

**Bonus**

**Sec. 1. Veterans in World War II entitled to bonus.** In order to promote the spirit of patriotism and loyalty, in testimony of the gratitude of the state of Maine, and in recognition of the splendid services of Maine men and women in World War II, every veteran, as hereinafter defined, shall be entitled to receive from the state of Maine, from a fund hereinafter created and called "The Veterans' Bonus Fund," the following sums: \$100 for 1 year's service in the United States, \$200 for over 1 year's service in the United States, and \$300 for service outside of the United States.

**Sec. 2. The word "veteran" defined.** The word "veteran" as used in this title shall mean any male or female officer, soldier, sailor, marine, nurse or any other person regularly enlisted or inducted, who has been a part

of the military or naval forces of the United States in World War II at least 3 months between December 8, 1941 and August 14, 1945, inclusive, unless honorably discharged for physical disability incident to such service, and who was a resident of the state of Maine at the time he or she was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or may be given an honorable discharge or release from such service.

**Sec. 3. Application for bonus, when and where filed; what application shall contain.** Applications for such bonus shall be filed with the adjutant-general, on forms provided by him, within 6 months from the date this act goes into effect; or, in the case of an applicant whose final discharge from service is received after the date this act goes into effect, within 6 months after the date of such discharge. Such application shall state facts sufficient to establish the status of such applicant as veteran as defined herein, and shall be duly verified.

**Sec. 4. "Veterans' Bonus Board" created, powers and duties.** There is hereby created a board to be known as "The Veterans' Bonus Board," to consist of the commissioner of finance, the treasurer of state and the adjutant-general. It shall be the duty of the said board to examine into such applications and make any other examination necessary to establish facts, and approve or disapprove the same. Whenever any such application is approved by said board, it shall be the duty of the adjutant-general to prepare a voucher and transmit the same to the state controller; said state controller shall issue his warrant therefor, for the amount stated therein, and the treasurer of state shall pay the same upon the approval of the governor and council out of said Veterans' Bonus Fund. The board shall have the authority to determine the date when bonus payments shall commence.

**Sec. 5. Board authorized to employ assistance for administration.** The Veterans' Bonus Board is hereby empowered, subject to the provisions of the personnel law, to employ such assistance and, with the approval of the governor and council, to incur such other expense as may be necessary for the administration and the carrying out of the provisions of this title; and the funds necessary for such administration and carrying out of the provisions of this title shall be expended from said Veterans' Bonus Fund.

**Sec. 6. In case of decease of veteran, bonus to be paid to dependents; order of procedure; bonus not subject to assignment nor to claims of creditors.** In the case of the decease of any person who would if alive be entitled to the benefits of this title, the sum herein named shall be paid in

cash to his or her dependents, if any, and otherwise to his or her heirs-at-law; provided that if there is more than one dependent, or heir-at-law, payments shall in either case be made in such proportions as the said Veterans' Bonus Board shall determine, and in determining the order of precedence the following order so far as practicable shall be observed; spouse and children, mother or father, brother or sister, other dependents; provided, however, that no right or payment under this title shall be subject to the claims of creditors, capable of assignment and no assignment of the same shall be valid or binding, regarded as assets legal or equitable of the estate of the deceased or made the basis for administration thereof.

## TITLE II

### Bond Issue

**Sec. 1. Bond issue authorized to provide funds; bonds to mature within 20 years of issue.** For the purpose of carrying out the provisions of this act, the treasurer of state is hereby authorized, with the approval of the governor and council, to issue bonds or notes from time to time as they are needed, to an amount not exceeding in the aggregate \$25,000,000. Such bonds or notes shall be designated "Maine Military Service Loan, Act of 1947," shall mature not more than 20 years from the date thereof, and shall bear such rate of interest, and be in such form and on such terms and conditions, other than those herein specified, as the governor and council may determine. Such bonds shall contain such callable features as governor and council shall determine. Such bonds or notes shall be issued in the name and behalf of the state, and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale thereof shall be expended in the following manner:

**I.** Such sum as may be necessary to the credit of a fund hereby created, which fund shall be known as "The Veterans' Bonus Fund," and from which the payments authorized by Title I shall be made; and

**II.** Such sum as may be necessary to carry out the provisions of Title III.

**Sec. 2. How funds shall be provided for retirement of bonds.** The amount necessary to pay said bonds or notes as they mature, and the interest as it accrues, shall be raised from moneys collected under the provisions of title III. Beginning April 1, 1949 and for each and every succeeding year for 19 years, there shall be allocated from such moneys a sum sufficient for the redemption of such bonds or notes to an amount not exceeding \$1,250,000 per year and such additional sum as may be re-

quired for the payment of interest on all such bonds or notes outstanding. The sum so collected shall be paid into the general fund, and redemption of said bonds or notes and payment of the interest thereon shall be made from said fund.

### TITLE III

**R. S., c. 77-A, additional.** The revised statutes are hereby amended by adding thereto a new chapter to be numbered 77-A, to read as follows:

#### CHAPTER 77-A

##### Running Horse Racing and Dog Racing

**Sec. 1. Definitions.** Terms used in this chapter shall, unless the context otherwise requires, be construed as follows:

“Racing meeting” shall include every meeting within the state where running horses or dogs are raced and where any form of betting or wagering on the speed or ability of horses or dogs shall be permitted, but shall not include any meeting where no such betting or wagering is permitted even though horses or dogs or their owners, are awarded certificates, ribbons, premiums, purses, prizes or a portion of gate receipts for speed or ability shown.

“Race track” shall include the track, grounds, auditorium, amphitheatre and/or bleachers, if any, and adjacent places used in connection therewith, where a running horse or dog racing meeting may be held.

**Sec. 2. Applications for licenses.** Any person desiring to hold or conduct a running horse or dog racing meeting within the state shall make an application to the state racing commission, hereinafter called the commission, for a license to do so. Such application shall state:

I. The name of the applicant.

II. The post-office address of the applicant, and if a corporation, the name of the state under the laws of which it is incorporated, the location of its principal place of business and the names and addresses of its directors and stockholders.

III. The location of the race track where it is proposed to hold or conduct such meeting.

IV. The days on which it is intended to hold or conduct such a meeting, which days shall be successive weekdays, Saturday and Monday being considered successive week days.

V. The hours of each day between which it is intended to hold or conduct racing at such meeting, which hours shall be not before 12 noon for running horse racing and dog racing not later than 7 P. M.

VI. Answers to such other questions as the commission may prescribe, and

VII. That applicant will comply, in case such license be issued, with all applicable laws and with all applicable rules and regulations prescribed by the commission.

Such application shall be filed with the commission at least 10 days prior to the 1st day of the racing meeting which the applicant proposes to hold or conduct. Such application shall be signed and sworn to, if made by an individual, by such individual, if made by 2 or more individuals or a partnership, by 1 of such individuals or by a member of such partnership, as the case may be, if made by a trust, by a trustee of such trust, and if made by an association or corporation, by the president or vice-president thereof. The commission may prescribe forms to be used in making such application.

With such application there shall be delivered to the commission a certified check or bank draft, payable to the commission, weekly in advance for the full amount of the license fee required by this chapter.

Sec. 3. Licenses. If any application for a license, filed as provided by section 2, shall be in accordance with the provisions of this chapter, the commission, after reasonable notice and a public hearing in the city or town wherein the license is to be exercised, may issue a license to the applicant to conduct a racing meeting, in accordance with the provisions of this chapter, at the race track specified in such application; provided, that if the commission has already taken action on an application for any calendar year, after such notice and public hearing, no other public hearing need be granted on any other application from the same applicant relating to the same premises filed prior to the expiration of said year; and provided further, that on an application for a license to conduct a running horse or dog racing meeting in connection with a state or county fair no hearing need be held unless a request signed by at least 1% of the registered voters of the city or town in which the track is located is filed with the commission at least 30 days prior to the 1st day on which the racing meeting requested is proposed to be held.

Such license shall state:

I. The name of the person to whom the same is issued;

- II. The location of the race track where the racing meeting thereby authorized is to be held;
- III. The days on which such meeting may be held or conducted;
- IV. The hours of each day between which racing may take place at such meeting; and
- V. That the required license fee has been received by the commission.
- VI. No license shall be issued which would permit a racing meeting to be held or conducted except under the following conditions:
  - A. Such meeting shall be on a week day or on successive week days, Saturday and Monday being considered successive week days.
  - B. Such a meeting as may be for running horses shall be between the hours of 12 noon and 7 P. M. only.
  - C. Dog racing at such meeting may be between the hours of 12 noon and 7 P. M. only.
  - D. Such running horse racing meetings may be held only between the 18th day of April and the 31st day of October, both dates inclusive, in any year; provided that no running horse racing meeting shall be held between the 15th day of August and the 30th day of September, both dates inclusive, except in connection with a state or county fair.
  - E. Such dog racing meetings may be held only between the 18th day of April and the 31st day of October, both dates inclusive, in any year; provided, that the commission shall order the suspension of a dog racing meeting, except one held in connection with a state or county fair, during any week, between the 15th day of August and the 30th day of September, both dates inclusive, in which a state or county fair is to be conducted by an incorporated agricultural or horticultural society within 50 miles of such racing meeting if on or before the 15th day of April preceding such meeting an affidavit is filed with the commission by the officers of such society stating that in their belief such dog racing meeting will be in competition with said fair.
  - F. No licenses shall be issued for more than an aggregate of 90 racing days in any 1 year at all running horse race meetings combined, not including running horse racing meetings at state and county fairs.
  - G. No licenses shall be issued for more than an aggregate of 200 racing days in any 1 year at all dog racing meetings combined, not including dog racing meetings at state and county fairs.

H. No licenses shall be issued to permit running horse racing meetings to be held or conducted, except in connection with a state or county fair, at the same time at more than 1 race track within the state, nor at any time at a race track located within 50 miles of another race track within the state, 1 mile or more in circumference; provided that licenses may be issued to permit such meetings to be held or conducted at the same time at not more than 2 race tracks if such tracks are 75 miles apart.

I. No licenses shall be issued to permit dog racing meetings to be held or conducted, except in connection with a state or county fair, at the same time at more than 1 race track within the same county or within 25 miles of another dog race track, nor at any time at more than 4 race tracks within the state, nor at a dog race track having a racing strip of less than  $\frac{3}{16}$ ths of a mile for outdoor tracks and  $\frac{1}{5}$  of a mile for indoor tracks.

J. No license shall be issued to any person who is in any way in default, under the provisions of this chapter, in the performance of any obligation or in the payment of any debt to the commission.

K. No license shall be issued to any person who has, within 10 years of the time of filing the application for such license, been convicted of violating the provisions of section 5 of this chapter in retaining more than 10 and 15% of sums deposited by patrons as wagers at a running horse or dog racing meeting plus breaks, as defined in said section.

L. No license shall be transferable, except with the approval of the commission.

M. No licenses shall be issued to permit running horse or dog racing meetings to be held on premises owned by the state or any political subdivision thereof.

N. No licenses shall be issued to permit dog racing meetings to be held or conducted in any location where the surrounding property is substantially of a residential character, as determined by or defined by a zoning ordinance or by-law, if any, controlling such location.

O. No license shall be issued to any person to hold or conduct a running horse or dog racing meeting in connection with a state or county fair, or any exhibition for the encouragement or extension of agriculture, under the reduced license fee provided in section 4, unless the applicant shall first satisfy the commission that the main purpose



of such fair or exhibition is the encouragement or extension of agriculture and that the same constitutes a bona fide exhibition of that character. No such license shall be issued to any person to hold or conduct such a running horse or dog racing meeting for more than 6 days in any calendar year.

P. No license shall be issued unless the person applying therefor shall have executed and delivered to the commission a bond, payable to the commission, in such amount, not exceeding \$35,000, as the commission may determine, with a surety or sureties approved by the commission conditioned upon the payment of all sums which may become payable to the commission under this chapter.

Every license shall be recorded in the office of the clerk of the city or town in which such racing meeting is held or conducted at a time not less than 5 days before the 1st day of such meeting or forthwith upon the issuance of such license if the same shall be issued after such time. After such license is so recorded, a duly certified copy thereof shall forthwith be conspicuously displayed and shall be kept so displayed continuously during said racing meeting in the principal business office at the race track where such meeting is held and at all reasonable times shall be exhibited to any person requesting to see the same.

Sec. 4. License fees. The fee for the license provided for in section 3 shall not exceed \$1,000 for each day of any running horse racing meeting nor exceed \$200 for each day of any dog racing meeting; provided, that the reduced fee, applicable to a license to any person holding or conducting a running horse or dog racing meeting in connection with a state or county fair, or any exhibition for the encouragement or extension of agriculture, shall not exceed \$100 for each day of such running horse or dog racing meeting.

If for any reason or cause, beyond the control of and through no fault or neglect of any licensee and while such licensee is not in default, it should become impossible or impracticable to conduct racing upon any day or successive days specified in a license issued by the commission, the commission at the request of the licensee may, and upon proper showing shall, request the state treasurer to refund to the licensee an amount equal to the license fees paid for days on which such licensee does not hold or conduct a racing meeting under the terms of the license issued for such purpose. Upon receipt of such request, the treasurer of state shall forthwith pay such amount to such licensee.

No license fee for the privilege of holding or conducting a running horse or dog racing meeting, or for any other purpose peculiarly incidental to the holding or conducting of such a meeting, shall be imposed upon or collected from such a licensee by any city or town.

Sec. 5. Pari mutuel betting provided for. Before holding or conducting a racing meeting, every licensee shall provide a place or places, equipped as hereinafter provided, on the grounds where such meeting is held or conducted or adjacent thereto, but not elsewhere, at which such licensee shall conduct and supervise the pari mutuel or certificate system of wagering on the speed or ability of horses or dogs performing in the races held or conducted by such licensee at such meeting, and such pari mutuel or certificate method of wagering upon such races so conducted shall not under any circumstances be held or construed to be unlawful, other statutes of the state to the contrary notwithstanding. Such place or places shall be equipped with automatic betting machines capable of accurate and speedy determination of award or dividend to winning patrons, and all such awards or dividends shall be calculated by a totalisator machine or like machine, except at state or county fairs.

No wagers on any race shall be received by a licensee unless they are made within the grounds aforesaid on the day such race is held by patrons who purchase their betting tickets at the windows or booths provided therefor.

No other place or method of betting, pool making, wagering or gambling shall be used or permitted by the licensee, nor shall this chapter be deemed to authorize or legalize the pari mutuel or certificate system of wagering on any races except running horse and dog races at the track where such pari mutuel or certificate system of wagering is conducted. Each licensee conducting a racing meeting shall become the custodian or depository for such sums as may be deposited with such licensee by patrons as wagers on the speed or ability of any one or more horses or dogs in a race or races and such licensee shall be responsible for such sum so deposited and shall return to the winning patrons so wagering on the speed or ability of any one or more horses or dogs in a race or races all sums so deposited as an award or dividend, according to the acknowledged and recognized rules and method under which such pari mutuel or certificate system has been operated, less the breaks, as defined in this section, and less an amount not to exceed 10% of the total amount so deposited by the patrons wagering on the speed or ability of running horses in a race or races not conducted in connection with a state or county fair, and 15% of the total

amount so deposited by the patrons wagering on the speed or ability of running horses in a race or races conducted in connection with a state or county fair and on the speed or ability of dogs in a race or races, whether or not conducted in connection with a state or county fair, and less the so-called breaks, as defined in this section.

Each person licensed to conduct a running horse racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such horse racing meeting, a sum equal to  $3\frac{1}{2}\%$  of so much of the total amount deposited on the preceding day by the patrons so wagering at such meeting as does not exceed \$700,000,  $4\%$  of such thereof as exceeds \$700,000 but does not exceed \$800,000,  $4\frac{1}{2}\%$  of so much thereof as exceeds \$800,000 but does not exceed \$900,000, and  $5\%$  of so much thereof as exceeds \$900,000, said percentages to be paid from the  $10\%$  withheld, as provided in this section, from the total amount wagered. Each person licensed to conduct a dog racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such dog racing meeting, a sum equal to  $3\frac{1}{2}\%$  of so much of the total amount deposited on the preceding day by patrons so wagering at such meeting as does not exceed \$75,000,  $5\%$  of so much thereof as exceeds \$75,000 but does not exceed \$110,000,  $6\%$  of so much thereof as exceeds \$110,000 but does not exceed \$140,000,  $7\%$  of so much thereof as exceeds \$140,000 but does not exceed \$250,000,  $7\frac{1}{2}\%$  of so much thereof as exceeds \$250,000 but does not exceed \$375,000, and  $8\%$  of so much thereof as exceeds \$375,000, said percentages to be paid from the  $15\%$  withheld, as provided in this section, from the total amount wagered. Each licensee may retain as his commission on the total of all sums so deposited, in addition to his share of the breaks as hereinafter provided, a sum not exceeding the balance of the  $10$  and  $15\%$  withheld, as provided in this section, from the total amount wagered after deducting therefrom the amount hereinbefore required to be paid to the commission. A licensee holding a racing meeting in connection with a state or county fair may retain the  $15\%$  withheld, as provided in this section, from the total amount wagered.

One-half of the odd cents over any multiple of 10c of winnings per \$1 wagered shall be retained by the licensee, and  $\frac{1}{2}$  shall be paid to the commission on the day following each day of a running horse or dog racing meeting. Such odd cents shall in this chapter be called the "breaks".

Sec. 5-A. Recovery of winnings on wagers made. No action to recover winnings upon a wager made under this chapter shall be commenced after

December 31st of the year following the year in which such wager was made, and no such winnings shall be paid by a licensee after said date except pursuant to a judgment in an action so commenced or in settlement of such action. Within 90 days after said December 31st, money held by a licensee for the payment of any such wager for the recovery of which no action has been commenced within the time herein limited shall be paid over to and become a part of the receipts of the commission, and shall thereafter be paid into the state treasury. Any such money for the recovery of which an action has been duly commenced shall be so paid to the commission within 90 days after December 31st of the year in which such action shall have terminated adversely to the plaintiff therein. A notice of the limitation prescribed by this section, in such form as the commission shall prescribe, shall be posted by each licensee in a conspicuous place at each window or booth where pari mutuel tickets are sold.

Sec. 6. Records; penalty. Accurate records and books shall at all times be kept and maintained by each licensee, showing the number, nature and amount of all wagers made in connection with such meeting. The commission, or its duly authorized representative, shall at all reasonable times have access to the records and books of any licensee for the purpose of examining and checking the same, and ascertaining whether or not the proper amount has been or is being paid to the commission as herein provided.

The commission may also from time to time require sworn statements of such wagers and may prescribe blanks upon which such reports shall be made. Any licensee failing or refusing to make such report as herein provided, or failing or refusing to pay the amount found to be due as provided in this chapter, shall be deemed guilty of larceny and upon conviction shall be punished by a fine of not less than \$1,000 nor more than \$10,000.

Sec. 7. Representatives of commission; appointment; duties, etc. The commission may appoint one or more representatives to attend each racing meeting held or conducted under a license issued under this chapter. The compensation of each such representative shall be fixed by the commission.

Each such representative appointed by the commission to attend a racing meeting shall have full and free access to the space or enclosure where the pari mutuel or certificate system of wagering is conducted or supervised for the purpose only of ascertaining whether or not the provisions of this chapter are being properly observed. He shall also, for the same purpose only, have full and free access to the books, records and papers per-

taining to such pari mutuel or certificate system of wagering. He shall investigate, ascertain and report to the commission in writing under oath as to whether or not he has discovered any violation at such meeting of any of the provisions of this chapter, and, if so, the nature and character of such violations. Such report shall be made within 10 days after the termination of the duties of such representative at any racing meeting.

If any such report shows any violation of this chapter, the commission shall transmit a copy of such report to the attorney-general for such action as he shall deem proper.

Sec. 8. Police supervision. The commission may apply to the local police authorities for, and said authorities shall thereupon assign, such number of police officers to be on duty at any racing meeting permitted by this chapter as the commission may deem proper. Police officers so assigned shall report to the commission and shall perform such duties as may be required by the commission. The licensee shall pay to the commission a sum equal to the salaries of police officers so assigned for the period of such racing meeting. The commission shall also fix an amount to cover the necessary expenses of each police officer so assigned not exceeding \$10 per day. A certified check or bank draft, payable weekly in advance to the commission, for the full amount of such salaries and expenses shall be delivered to the commission before 12 o'clock noon of the 1st day of such racing meeting.

Sec. 9. Commission to make rules and regulations. The commission shall have full power to prescribe rules, regulations and conditions under which all running horse or dog racing meetings shall be conducted in the state.

The commission shall have power to prescribe special rules, regulations and conditions applicable to running horse and dog racing meetings held under the licenses granted hereunder in connection with a state or county fair, or any exhibition for the encouragement or extension of agriculture.

Rules and regulations so prescribed shall be printed by the commission and furnished in reasonable numbers to any one who may request them.

Any person violating any such rule or regulation shall, upon a complaint brought by the commission, be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding 1 year, or by both such fine and imprisonment.

Sec. 9A. Fines, penalties, forfeitures. For the purpose of enabling the commission to exercise and maintain a proper control over running

horse and dog racing conducted under the provisions of this chapter, the rules, regulations and conditions prescribed by the commission under section 9 may provide for the licensing and registering at reasonable and uniform fees, of agents, assumed names, colors, partnerships, and minor agreements and may provide for the licensing at reasonable and uniform fees of trainers of horses and dogs and of jockeys participating in such racing and also of owners of dogs. Such rules and regulations may also provide for the suspension and revocation of licenses so granted and for the imposition on persons so licensed of reasonable forfeitures and penalties for the violation of any rule or regulation prescribed by the commission and for the use of the proceeds of such penalties and forfeitures.

Sec. 10. Participation of minors prohibited; employees. Any licensee permitting any minor to participate in the pari mutuel or certificate system of wagering at a racing meeting held or conducted by such licensee shall be punished by a fine of not more than \$100. At least 85% of the persons employed by a licensee at a racing meeting held or conducted by him shall be citizens of the state and shall have been such citizens for at least 2 years immediately prior to such employment.

Sec. 11. Revocation or suspension of licenses. The commission shall have full discretion to refuse or grant a license to any applicant for a license or to suspend or revoke the license of any licensee. If any license is suspended or revoked, the commission shall make a record of its reasons for doing so and such record shall be made available to any person requesting to inspect the same.

Sec. 12. Penalty for holding race in violation of this chapter, etc. No person shall hold or conduct, or assist, aid or abet in holding or conducting, any running horse or dog racing meeting within the state unless such person shall comply with the provisions of this chapter.

Any person holding or conducting or any person aiding or abetting in holding or conducting, any running horse or dog racing meeting within the state in violation of any of the provisions of this chapter shall, unless some other penalty for such violation is provided in this chapter, be punished for each such offense by a fine of not more than \$10,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment. For the purpose of this section, each day on which any running horse or dog racing meeting shall be held or conducted in violation of any of the provisions of this chapter shall be considered a separate and distinct offense.

Sec. 13. Other betting; penalty. Any person making a handbook at any race track within the state, or holding or conducting a gambling pool

or managing any other type of wagering or betting on the results of any running horse or dog race, or aiding or abetting any of the foregoing types of wagering or betting, except as permitted by this chapter, shall for a 1st offense be punished by a fine of not more than \$2,000 and imprisonment of not more than 1 year, and for a subsequent offense by a fine of not more than \$10,000 and imprisonment of not more than 2 years. Any jockey, trainer or owner of horses participating in running horse or dog racing, if found guilty by the commission of unfair riding or crooked tactics, may be barred or suspended from further participation in racing throughout the state.

Sec. 13-A. No license shall be granted by the commission for a running horse or dog racing meeting in any city or town except in connection with a state or county fair, unless the location of the race track where such meeting is to be held or conducted has been once approved by the mayor and aldermen or the selectmen, after a public hearing, 7 days' notice of the time and place of which hearing shall have been given by posting in a conspicuous public place in such city or town and by publication in a newspaper published in such city or town, if there is any published therein, otherwise in a newspaper published in the county wherein such city or town is situated.

Sec. 13-B. Use of drugs, etc., prohibited; penalty. No person shall administer or cause to be administered any drug, internally or externally by injection, drench or otherwise, to any horse for the purpose of retarding, stimulating or in any other manner affecting the speed of such horse in or in connection with a race conducted under the provisions of this chapter. Whoever violates any provision of this section shall be punished by a fine of \$5,000 or by imprisonment for 1 year, or by both such fine and imprisonment.

Sec. 14. Licenses shall not be granted under this chapter for the holding or conducting of any running horse racing meeting or any dog racing meeting within any county unless a majority of the registered voters of such county voting on the questions of granting such licenses when said questions were last submitted to them, as hereinafter provided, have voted in the affirmative.

The state secretary shall cause to be placed on the official ballot to be used in the cities and towns at the biennial state election in the years 1948 and 1952, and in every 4th year thereafter, the following questions:—

- |  |  |
|--|--|
| <p>1. Shall the pari-mutuel system of betting on licensed running horse races be permitted in this county?</p> | <p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> |
| <p>2. Shall the pari mutuel system of betting on licensed dog races be permitted in this county?</p>           | <p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> |

If a majority of the votes cast in a county in answer to question 1 are in the affirmative, such county shall be taken to have authorized the licensing of running horse races therein at which the pari mutuel system of betting shall be permitted.

If a majority of the votes cast in a county in answer to question 2 are in the affirmative, such county shall be taken to have authorized the licensing of dog races therein at which the pari mutuel system of betting shall be permitted.

Sec. 15. Use of proceeds. The receipts paid into the state treasury under this chapter, after deducting therefrom the amount of expenses incurred by the commission in carrying out the provisions of this chapter, shall be used to pay the bonds issued for the payment of a bonus to veterans of World War II.

**TITLE IV**

**Referendum**

This act shall be submitted for approval or rejection to the duly qualified voters of the state of Maine at the next state-wide election to be held on the 2nd Monday of September, 1947. The municipal officers of the cities, towns and plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives to give in their votes upon this act, and the question shall be: "Shall the act providing for the payment of a bonus to Maine veterans of World War II and to provide for the payment thereof by running horse racing and dog racing, as submitted by the 93rd legislature to the people, be accepted?" and the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the act expressing it by making a cross within the square opposite the word "Yes" upon the ballots and those opposed to the act by making a cross within the square opposite the word "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and returns made to the office of the secretary of state in the same manner as



votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation and thereupon this act shall become law. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

#### TITLE V

**Conditional upon adoption of constitutional amendment; act to become effective upon same date as constitutional amendment.** This act shall take effect only under the provisions of title IV and upon the adoption in September, 1947, of the proposed amendment to article IX of the constitution providing for the issuing of state bonds for the purpose of paying a bonus to Maine veterans of World War II and to provide for the payment thereof by running horse racing and dog racing; and in case of such adoption shall take effect on the day said constitutional amendment becomes effective.