

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 793 - L.D. 1188

**An Act to Amend the Law Governing Facilities Approved by the State
Harness Racing Commission to Sell Pari-mutuel Pools and Common Pari-
mutuel Pools for Simulcast Racing**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Maine harness racing is an important historic sport; and

Whereas, attracting new fans to Maine harness racing is critical to the future well-being of the industry and agriculture; and

Whereas, the 2025 racing season commenced in April and this legislation must take effect as early in the 2025 racing season as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 8 MRSA §275-B, sub-§3, as amended by PL 2023, c. 51, §1, is further amended by repealing the 2nd blocked paragraph.

Sec. 2. 8 MRSA §275-B, sub-§4 is enacted to read:

4. Facilities approved by commission; track located in another county. The commission may authorize a facility approved under subsection 3 to continue operation in the same location as approved under subsection 3 if, notwithstanding subsection 3, the location where the commercial track is licensed to conduct races is no longer located in the same county as the facility approved under subsection 3 and the location where the races are conducted by the commercial track meets the following criteria:

A. The races are conducted at a location within a county contiguous to the county where the commercial track previously conducted the races;

B. The races are not located within the same county as a casino licensed under section 1011; and

C. The races are not located within the same municipality as an off-track betting facility licensed under section 275-D or within a municipality contiguous to a municipality with an off-track betting facility licensed under section 275-D.

A person licensed pursuant to section 271 to conduct harness horse racing with pari-mutuel betting that sells pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility approved under subsection 3 and authorized to continue operation under this subsection may not receive approval for any additional facilities under the provisions of subsection 3.

Sec. 3. Provisional approval. Notwithstanding any provision of law to the contrary, the State Harness Racing Commission may provisionally approve a facility under the Maine Revised Statutes, Title 8, section 275-B, subsection 3 that has made an application to a municipality for the sale of pari-mutuel pools or common pari-mutuel pools at that facility, if that application is awaiting a decision from the municipal officers of the municipality in which the facility is located.

Provisional approval under this section is valid only through December 31, 2025 or until such time as municipal approval is received or denied, whichever is sooner. A facility operating under provisional approval shall cease all operations related to this provisional approval on December 31, 2025 or on the date upon which a municipality denies that facility's application for the sale of pari-mutuel pools or common pari-mutuel pools at that facility if the denial occurs prior to December 31, 2025.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.