

Date:

(Filing No. H- )

# VETERANS AND LEGAL AFFAIRS

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## STATE OF MAINE HOUSE OF REPRESENTATIVES 130TH LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 628, L.D. 860, “An Act To Clarify the Laws Concerning Off-track Betting Facility Licenses”

Amend the bill by striking out all of section 1 and inserting the following:

**'Sec. 1. 8 MRSA §275-D, sub-§10**, as enacted by PL 1997, c. 528, §24, is repealed and the following enacted in its place:

**10. Transfer or assignment of license.** An off-track betting facility license may be transferred or assigned upon submission of an application for transfer or assignment and approval by the commission. The commission shall deny the application unless the off-track betting facility to be operated by the transferee or assignee will be located in the same municipality as the existing off-track betting facility and may deny the application for the reasons set forth in subsection 5, paragraph D, subparagraphs (2) to (6).'

Amend the bill by inserting after section 2 the following:

**'Sec. 3. PL 2019, c. 626, §16** is amended to read:

**Sec. 16. Commercial track ceases operation prior to March 1, 2021.** If the State Harness Racing Commission as established by the Maine Revised Statutes, Title 8, section 261-A determines that a commercial track ceased or agreed to cease operation prior to March 1, 2021 following a request from a bona fide statewide organization of horsemen in whole or in part to facilitate the prospect that a modernized commercial track might open, notwithstanding the requirements of Title 8, section 275-D, subsections 2, 3, 4, 5 and 6, the commission may grant a license to the operator of the former commercial track or an entity controlled by its owners to operate an off-track betting facility in the same municipality of the commercial track at or after the commercial track ceases operation as a commercial track.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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## **SUMMARY**

This amendment, which is the minority report of the committee, requires the State Harness Racing Commission to deny an application to transfer or to assign an off-track betting facility license unless the new off-track betting facility will continue to be located in the same municipality as the existing off-track betting facility.

The amendment also clarifies that, except for the requirements related to initial licensure of an off-track betting facility, all of the other provisions of the Maine Revised Statutes, Title 8, section 275-D apply to an off-track betting facility licensed under Public Law 2019, chapter 626, section 16.