

## 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

**Legislative Document** 

No. 1611

H.P. 1200

House of Representatives, April 27, 2021

An Act To Amend Maine's Harness Racing Laws Regarding Race Dates and Pari-mutuel Pools

(EMERGENCY)

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative KRYZAK of Acton.

Cosponsored by Representatives: HALL of Wilton, KINNEY of Knox, LANDRY of Farmington, PLUECKER of Warren, SKOLFIELD of Weld, Senators: BLACK of Franklin, CYRWAY of Kennebec, DILL of Penobscot.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, this legislation affects the minimum number of harness horse racing race 4 dates that must be conducted in a year for a track to be considered a commercial track and 5 must take effect prior to the commencement of this year's harness horse racing season; and 6 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 7 8 immediately necessary for the preservation of the public peace, health and safety; now, 9 therefore. 10 Be it enacted by the People of the State of Maine as follows: 11 **Sec. 1. 8 MRSA §275-A, sub-§1, ¶A,** as amended by PL 2019, c. 626, §9, is 12 repealed and the following enacted in its place: 13 A. If the population of the region is 300,000 or more, based on the 1990 U.S. Census, conducted racing on more than 69 days in each calendar year after the track was 14 initially licensed as a commercial track, unless a lesser number of days of racing was 15 16 conducted in a year due to: 17 (1) Conditions beyond the control of the racetrack owner or operator as approved 18 by the commission; or 19 (2) A determination by the commission under section 271, subsection 2, and with 20 the express written approval of the track and of a statewide association of horsemen 21 as defined in section 272-B, that a lesser number of race days is in the best interest 22 of the State's harness horse racing industry; or 23 Sec. 2. 8 MRSA §275-A, sub-§1, ¶B, as amended by PL 2019, c. 626, §9, is repealed and the following enacted in its place: 24 25 B. If the population of the region is less than 300,000, based on the 1990 U.S. Census, conducted racing on more than 34 days in each calendar year after the track was 26 initially licensed as a commercial track, unless a lesser number of days of racing was 27 conducted in a year due to: 28 29 (1) Conditions beyond the control of the racetrack owner or operator as approved 30 by the commission; or 31 (2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of horsemen 32 33 as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry. 34 35 Sec. 3. 8 MRSA §275-B, sub-§3 is enacted to read: 36 **3. Facilities approved by commission.** Notwithstanding any provision of this chapter 37 to the contrary, a person licensed pursuant to section 271 to conduct harness horse racing with pari-mutuel betting may sell pari-mutuel pools and common pari-mutuel pools for 38 39 simulcast races at a facility that is approved by the commission and located within: 40 Twenty-five miles of the racetrack where the licensed race or race meet is 41 conducted; and

B. A municipality with a population greater than 55,000, based on the 2010 U.S. Census.

A person authorized to sell pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility under this subsection may conduct at the facility any other activities incidental to and permitted by that license under section 271.

- **Sec. 4. 8 MRSA §275-C, sub-§1,** as amended by PL 2011, c. 142, §2, is further amended to read:
- **1. Authority.** A person authorized to sell pari-mutuel pools on horse racing may sell common pari-mutuel pools for simulcast races. The sale must be conducted within the enclosure of the licensee's racetrack, at the licensee's slot machine facilities licensed pursuant to section 1011 or, at the licensee's off-track betting facility or at a facility approved by the commission in accordance with section 275-B, subsection 3.

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

15 SUMMARY

This bill amends the definition of "commercial track" to include tracks at which fewer than the statutory minimum number of days of racing is conducted pursuant to a determination by the State Harness Racing Commission that the lesser number is in the best interest of the State's harness horse racing industry and the lesser number of days receives the express written approval of the track and a statewide association of horsemen.

The bill also authorizes a person licensed to conduct harness horse racing with parimutuel betting to sell pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility that is approved by the State Harness Racing Commission. The facility must be located within 25 miles of the racetrack where the licensed race is conducted and within a municipality with a population greater than 55,000, based on the 2010 U.S. Census. It also authorizes the person to conduct at the facility any other activities incidental to and permitted by the person's license.