

STATE OF MAINE

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

—
H.P. 1449 - L.D. 1944

**An Act To Provide the State Harness Racing Commission Greater Efficiency
in Rules Enforcement**

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

Whereas, the State Harness Racing Commission places great value on resolving violations quickly when a potential return of a race purse is called for, and a disqualified participant may retain a purse garnered unfairly while distribution to the rightful recipients may be delayed because of the adjudicatory process; and

Whereas, this legislation authorizes the State Harness Racing Commission to enter into consent agreements to resolve violations of the laws and rules relating to harness racing in a more efficient and timely manner; 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 §279-B, sub-§3 is enacted to read:

3. Consent agreements. The commission may execute a consent agreement that resolves a complaint or investigation without further proceedings. A consent agreement may be entered into only with the consent of the licensee, the commission and the Department of the Attorney General. Any remedy, penalty, purse return or fine that is otherwise available by law may be achieved by consent agreement, including long-term suspension and permanent revocation of a license or registration. A consent agreement is not subject to review or appeal and may be modified only by a writing executed by all parties to the original consent agreement. A consent agreement is enforceable by an action in Superior Court.

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