

Date:

(Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 793, L.D. 1188, “An Act to Include Harness Racing with Other Sports for Purposes of Sports Wagering”

Amend the bill by striking out the title and substituting the following:

'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'

Amend the bill by striking out the emergency preamble and substituting the following:

'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,'

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'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

1 the same location as approved under subsection 3 if, notwithstanding subsection 3, the
2 location where the commercial track is licensed to conduct races is no longer located in the
3 same county as the facility approved under subsection 3 and the location where the races
4 are conducted by the commercial track meets the following criteria:

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

7 B. The races are not located within the same county as a casino licensed under section
8 1011; and

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

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

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

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

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

31 SUMMARY

32 This amendment replaces the bill, changes the title and replaces the emergency
33 preamble.

34 The amendment removes the statutory repeal date from the provision authorizing the
35 State Harness Racing Commission to approve a facility for the sale of pari-mutuel pools
36 and common pari-mutuel pools for simulcast races by a person licensed pursuant to the
37 Maine Revised Statutes, Title 8, section 271 to conduct harness horse racing with pari-
38 mutuel betting.

39 The amendment provides that the State Harness Racing Commission may approve a
40 facility already approved by the commission to sell pari-mutuel pools and common pari-
41 mutuel pools for simulcast races at that facility even if the track where the races are
42 conducted is no longer in the county where the facility is located, as long as the track

1 location meets certain criteria. The track must be located within a county contiguous to the
2 county where the original commercial track conducted races, may not be located within the
3 same county as a casino and may not be located within the same municipality as an off-
4 track betting facility or in a municipality contiguous to a municipality with an off-track
5 betting facility.

6 It also provides that the State Harness Racing Commission may provisionally approve
7 a facility that has applied for approval from the municipal officers of the municipality in
8 which the facility is located, if that application is awaiting a decision. Provisional approval
9 is valid only through December 31, 2025 or until such time as municipal approval is
10 received or denied, whichever is sooner. A facility operating under provisional approval
11 must cease all operations related to the provisional approval on the date the facility's
12 application for municipal approval is denied or on December 31, 2025, whichever occurs
13 first.

14 **FISCAL NOTE REQUIRED**

15 **(See attached)**