

§275-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1997, c. 528, §13 (AMD).]

1. Commercial track. "Commercial track" means any harness horse racing track that is a for-profit business and is licensed under this chapter to conduct harness horse racing with pari-mutuel wagering that is not associated with an agricultural fair as defined in Title 7, section 81 and that:

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 initially licensed as a commercial track, unless a lesser number of days of racing was conducted in a year due to:

- (1) Conditions beyond the control of the racetrack owner or operator as approved by the commission; or
- (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 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; or [PL 2021, c. 406, §1 (RPR).]

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 initially licensed as a commercial track, unless a lesser number of days of racing was conducted in a year due to:

- (1) Conditions beyond the control of the racetrack owner or operator as approved by the commission; or
- (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 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. [PL 2021, c. 406, §2 (RPR).]

C. [PL 2019, c. 626, §9 (RP).]

D. [PL 2019, c. 626, §9 (RP).]

For the purposes of this subsection, "region" is determined by measuring a distance of 50 miles from the center of the racing track along the most commonly used roadway, as determined by the Department of Transportation, drawing a circle around the center of the racing track using that 50-mile measurement and excluding those municipalities or unorganized territories that do not have boundaries contained entirely by that circle.

[PL 2021, c. 406, §§1, 2 (AMD).]

1-A. Commercial meet. "Commercial meet" means harness horse racing conducted live at a commercial track.

[PL 1995, c. 408, §4 (NEW).]

1-B. Commission; agency. "Commission," with regard to an agency, means the State Harness Racing Commission.

[PL 1997, c. 528, §14 (NEW).]

1-C. Commission; wagers. "Commission," with regard to wagers, means all amounts not paid or payable to persons winning wagers.

[PL 1997, c. 528, §14 (NEW).]

1-D. Commissioner. "Commissioner" means the Commissioner of Agriculture, Conservation and Forestry.

[PL 1997, c. 528, §14 (NEW); PL 2011, c. 657, Pt. W, §6 (REV).]

2. Commissions.

[PL 1997, c. 528, §15 (RP).]

3. Common pool or commingled pool. "Common pool" or "commingled pool" means a pool in which wagers placed at more than one location are merged for purposes of determining the payout on winning wagers.

[PL 1993, c. 388, §8 (NEW).]

3-A. Department. "Department" means the Department of Agriculture, Conservation and Forestry.

[PL 1997, c. 528, §16 (NEW); PL 2011, c. 657, Pt. W, §5 (REV).]

4. Exotic wagers. "Exotic wagers" means wagers in which the bettor selects 2 or more horses in one or more races in a single wager.

[PL 1993, c. 388, §8 (NEW).]

5. Extended meet. "Extended meet" means a series of harness horse races, except harness horse races conducted by an agricultural society at the time of its annual fair.

[PL 1993, c. 388, §8 (NEW).]

6. Licensee. "Licensee" means a person licensed under section 271 or section 275-D to conduct pari-mutuel wagering on horse racing in this State.

[PL 1993, c. 388, §8 (NEW).]

7. Municipal officers. "Municipal officers" has the same meaning as in Title 28-A, section 2, subsection 21 except that, when an off-track betting facility is proposed in an unincorporated location, the term "municipal officers" means the county commissioners of the county in which the facility is to be located and the term "municipality" means the unincorporated location.

[PL 1993, c. 388, §8 (NEW).]

7-A. Net commission. "Net commission" means the total commission less 4% of the amount wagered.

[PL 2015, c. 200, §1 (NEW).]

8. Off-track betting facility. "Off-track betting facility" means a facility other than a racetrack at which a person is licensed to conduct pari-mutuel wagering on simulcast racing.

[PL 1993, c. 388, §8 (NEW).]

9. Off-track betting licensee. "Off-track betting licensee" means a person who has obtained a license to conduct pari-mutuel wagering at an off-track betting facility.

[PL 1993, c. 388, §8 (NEW).]

9-A. Race date. "Race date" means a scheduled date awarded by the commission pursuant to section 271 for which there is a racing program of not less than 8 separate live races. In the event of cancellation of a portion of the scheduled racing program due to weather, power failure or a decision to cancel by the presiding judge on duty, a minimum of 5 live races actually raced constitutes a race date. If a licensee schedules separate programs for both an afternoon and an evening on the same calendar day and each program qualifies as a race date under this subsection, that licensee is granted one race date for each program.

[PL 2017, c. 231, §15 (AMD).]

9-B. Race day. "Race day" means a scheduled day of racing awarded by the commission pursuant to section 271 on which racing occurred.

[PL 2017, c. 231, §16 (NEW).]

10. Racing licensee. "Racing licensee" means a person who is authorized under section 271 to conduct harness horse racing in this State.

[PL 1993, c. 388, §8 (NEW).]

10-A. Regular meeting. "Regular meeting" means the period of time from the first date a licensee is authorized to conduct live racing through the last date a licensee is authorized to conduct live racing, excluding periods of time longer than 14 days when the licensee is not authorized to conduct live racing. [PL 2017, c. 231, §17 (AMD).]

11. Regular wagers. "Regular wagers" means wagers other than exotic wagers. [PL 1993, c. 388, §8 (NEW).]

SECTION HISTORY

PL 1993, c. 388, §8 (NEW). PL 1995, c. 408, §§4-6 (AMD). PL 1997, c. 474, §3 (AMD). PL 1997, c. 474, §6 (AFF). PL 1997, c. 528, §§13-16 (AMD). PL 1999, c. 482, §2 (AMD). PL 1999, c. 482, §10 (AFF). PL 2003, c. 401, §10 (AMD). PL 2011, c. 657, Pt. W, §§5, 6 (REV). PL 2013, c. 490, §3 (AMD). PL 2015, c. 200, §1 (AMD). PL 2017, c. 231, §§14-17 (AMD). PL 2019, c. 626, §9 (AMD). PL 2021, c. 406, §§1, 2 (AMD).

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