



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 457

H.P. 296

House of Representatives, February 24, 2015

An Act To Redistribute the Agricultural Fair Support Fund

(EMERGENCY)

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SAUCIER of Presque Isle.
Cosponsored by Senator BREEN of Cumberland and
Representatives: CHIPMAN of Portland, LONGSTAFF of Waterville, LUCHINI of Ellsworth,
MARTIN of Sinclair, McCABE of Skowhegan, SCHNECK of Bangor, WHITE of Washburn.

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,** agricultural fairs require funding to support and promote a successful fair
4 season in 2015; and

5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
6 the meaning of the Constitution of Maine and require the following legislation as
7 immediately necessary for the preservation of the public peace, health and safety; now,
8 therefore,

9 **Be it enacted by the People of the State of Maine as follows:**

10 **Sec. 1. 7 MRSA §91,** as amended by PL 2013, c. 368, Pt. RR, §1, is further
11 amended to read:

12 **§91. Agricultural Fair Support Fund**

13 **1. Fund created.** The Treasurer of State shall establish an account to be known as
14 "the Agricultural Fair Support Fund" and shall credit to it all money received under Title
15 8, section 1036, subsection 2, paragraph D and Title 8, section 1036, subsection 2-A,
16 paragraph G. The fund is a dedicated, nonlapsing fund. All revenues deposited in the
17 fund must be disbursed in accordance with this section, except that assessments and
18 advances may be withdrawn in accordance with Title 8, section 267-A.

19 **2. Disbursement from a casino operated by a commercial track.** No later than
20 January 31st of each year, all funds received under Title 8, section 1036, subsection 2,
21 paragraph D held as of the end of the previous calendar year in the Agricultural Fair
22 Support Fund must be distributed by the Treasurer of State as follows:

23 A. Thirty-four percent of these funds must be distributed to all commercial tracks as
24 defined in Title 8, section 275-A and to all fair licensees that during the previous year
25 were licensed to and did accept pari-mutuel wagers on harness horse races. These
26 funds must be distributed in the manner prescribed in Title 8, section 298; and

27 B. Sixty-six percent of these funds must be divided in the following manner. The
28 commissioner may expend annually up to 13% of the funds available under this
29 paragraph for administrative and inspection services provided under this chapter and
30 the remaining funds must be distributed among all fair licensees that were licensed
31 during the previous year. These funds must be distributed to licensees according to
32 the proportions established by section 86, subsection 5 and may be used at the
33 licensee's discretion. To receive distribution under this paragraph, a licensee holding
34 pari-mutuel racing in the previous year must have been in compliance with section
35 89.

36 **3. Disbursement from a casino licensed after January 1, 2010.** No later than
37 January 31st of each year, unless otherwise provided by this paragraph, all funds received
38 under Title 8, section 1036, subsection 2-A, paragraph G held as of the end of the
39 previous calendar year in the Agricultural Fair Support Fund must be distributed by the
40 commissioner to all fair licensees that during the previous year were licensed to and did

1 accept pari-mutuel wagers on harness horse races. Distributions must be according to the
2 proportions established by section 86, subsection 5 and may be used at the licensee's
3 discretion. To receive distribution under this subsection, a licensee holding pari-mutuel
4 racing in the previous year must have been in compliance with section 89. The
5 commissioner may expend annually up to 13% of the funds available under this
6 subsection for administrative and inspection services provided under this chapter.

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

9 **SUMMARY**

10 Current law divides slot machine revenue credited to the Agricultural Fair Support
11 Fund between commercial harness racing tracks and agricultural fairs licensed to accept
12 wagers on harness racing. This bill requires that slot machine revenue from the casino
13 located in Oxford County and credited to the fund be distributed only to agricultural fairs
14 licensed to accept wagers on harness racing and not to commercial tracks.