SENATE DOCKET, NO. 736 FILED ON: 1/20/2011

SENATE . . . . . No. 116

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to state and county fairs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas P. Kennedy	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 736 FILED ON: 1/20/2011

SENATE . . . . . No. 116

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 116) of Thomas P. Kennedy for legislation relative to state and county fairs. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *145* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to state and county fairs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 128C of the General Laws is hereby amended by striking out the first and second paragraphs of Section 2A in their entirety and inserting in place thereof the following language;

The total number of days of simulcast at the state or county fair, which is licensed for live running horse racing meetings, shall not exceed the licensee's racing season. The licensee in Plymouth county shall simulcast its live racing performances to the greyhound racing meeting licensee located in Bristol county, the greyhound racing meeting licensee located in Suffolk county, the running horse racing meeting licensee located in Suffolk county, and the harness horse racing meeting licensee located in Norfolk county and receive a fee therefor of 11 per cent; the simulcast shall not be considered a live in-state racing performance £01- purposes o£ the sixth paragraph of section 2.

Notwithstanding section 2, a running horse racing meeting licensee, excluding the licensees in Plymouth county and Berkshire county, which is conducting running horse racing meetings in connection with a state or county fair, may, with the permission of the commission, and following a demonstration by said licensee of its ability to complete no less than 50 per cent: of the live races performances approved by the commission, simulcast unlimited thoroughbred horse races and the intrastate live races of the racing meeting licensees in the commonwealth on any day if such simulcast is conducted in connection with a state or county fair/ for wagering purposes or otherwise, from pari-mutuel wagering facilities located within the commonwealth

20 except in Berkshire county; but, if the commission determines that a licensee cannot conduct 50
21 per cent of live racing performances due to weather conditions, race track conditions, strikes,
22 work stoppages, sickness or quarantine not within the control of the licensee, the commission
23 may permit the licensee to continue simulcasting on that day despite the stoppage of the
24 performances for said reasons. The total number of days of simulcast at the state or county fair,
25 which is licensed by the commission for live running horse racing meetings, shall not exceed the
26 total number of days of the licensee's racing season. The licensee shall simulcast its live racing
27 performances to the greyhound facing meeting licensee located in Bristol county/ the greyhound
28 racing meeting licensee located in Suffolk county, the running horse racing meeting licensee
29 located in Suffolk county, and the harness horse racing meeting licensee located in Norfolk
30 county and receive a fee therefor of 11 per cent/ provided/ however-/ that said simulcast shall not
31 be considered a live-in state racing performance for purposes of the sixth paragraph of section 2.

32 following new section:— Chapter 128C of the General Laws is hereby amended by
33 striking out the third paragraph of Section 2A in its entirety.