

HOUSE No. 260

By Mr. Kennedy of Brockton, petition of Thomas P. Kennedy relative to the simulcasting of races at state and county fairs. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

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:

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

4 The total number of days of simulcast at the state or county
5 fair, which is licensed for live running horse racing meetings,
6 shall not exceed the licensee's racing season. The licensee in Ply-
7 mouth county shall simulcast its live racing performances to the
8 greyhound racing meeting licensee located in Bristol county, the
9 greyhound racing meeting licensee located in Suffolk county, the
10 running horse racing meeting licensee located in Suffolk county,
11 and the harness horse racing meeting licensee located in Norfolk
12 county and receive a fee therefor of 11 per cent; the simulcast
13 shall not be considered a live in-state racing performance for
14 purposes of the sixth paragraph of section 2.

15 Notwithstanding section 2, a running horse racing meeting
16 licensee, excluding the licensees in Plymouth county and Berk-
17 shire county, which is conducting running horse racing meetings
18 in connection with a state or county fair, may, with the permission
19 of the commission, and following a demonstration by said
20 licensee of its ability to complete no less than 50 per cent: of the
21 live races performances approved by the commission, simulcast
22 unlimited thoroughbred horse races and the intrastate live races of
23 the racing meeting licensees in the commonwealth on any day if
24 such simulcast is conducted in connection with a state or county

25 fair/for wagering purposes or otherwise, from pari-mutuel
26 wagering facilities located within the commonwealth except in
27 Berkshire county; but, if the commission determines that a
28 licensee cannot conduct 50 per cent of live racing performances
29 due to weather conditions, race track conditions, strikes, work
30 stoppages, sickness or quarantine not within the control of the
31 licensee, the commission may permit the licensee to continue
32 simulcasting on that day despite the stoppage of the performances
33 for said reasons. The total number of days of simulcast at the state
34 or county fair, which is licensed by the commission for live run-
35 ning horse racing meetings, shall not exceed the total number of
36 days of the licensee's racing season. The licensee shall simulcast
37 its live racing performances to the greyhound facing meeting
38 licensee located in Bristol county/the greyhound racing meeting
39 licensee located in Suffolk county, the running horse racing
40 meeting licensee located in Suffolk county, and the harness horse
41 racing meeting licensee located in Norfolk county and receive a
42 fee therefor of 11 per cent/ provided/ however-/ that said simul-
43 cast shall not be considered a live-in state racing performance for
44 purposes of the sixth paragraph of section 2.

45 following new section:—

46 Chapter 128C of the General Laws is hereby amended by
47 striking out the third paragraph of Section 2A in its entirety.