

SENATE No.

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 bill:

An Act relative to state and county fairs.

PETITION OF:

NAME:

Thomas P. Kennedy

DISTRICT/ADDRESS:

Second Plymouth and Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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 SECTION 1.

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

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

11 Notwithstanding section 2, a running horse racing meeting licensee, excluding the licensees in Plymouth
12 county and Berkshire county, which is conducting running horse racing meetings in connection with a state or
13 county fair, may, with the permission of the commission, and following a demonstration by said licensee of its
14 ability to complete no less than 50 per cent of the live races performances approved by the commission, simulcast
15 unlimited thoroughbred horse races and the intrastate live races of the racing meeting licensees in the
16 commonwealth on any day if such simulcast is conducted in connection with a state or county fair/ for wagering
17 purposes or otherwise, from pari-mutuel wagering facilities located within the commonwealth except in Berkshire
18 county; but, if the commission determines that a licensee cannot conduct 50 per cent of live racing performances due
19 to weather conditions, race track conditions, strikes, work stoppages, sickness or quarantine not within the control of
20 the licensee, the commission may permit the licensee to continue simulcasting on that day despite the stoppage of
21 the performances for said reasons. The total number of days of simulcast at the state or county fair, which is licensed
22 by the commission for live running horse racing meetings, shall not exceed the total number of days of the licensee's
23 racing season. The licensee shall simulcast its live racing performances to the greyhound racing meeting licensee
24 located in Bristol county/ the greyhound racing meeting licensee located in Suffolk county, the running horse racing
25 meeting licensee located in Suffolk county, and the harness horse racing meeting licensee located in Norfolk county
26 and receive a fee therefor of 11 per cent/ provided/ however-/ that said simulcast shall not be considered a live-in
27 state racing performance for purposes of the sixth paragraph of section 2.

28 following new section:—

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