

**SENATE . . . . . No. 145**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas P. Kennedy**

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*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:	DISTRICT/ADDRESS:
Thomas P. Kennedy	Second Plymouth and Bristol
Michael Brady	9th Plymouth
Christine E. Canavan	10th Plymouth
Geraldine Creedon	11th Plymouth

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

12 Notwithstanding section 2, a running horse racing meeting licensee, excluding the  
13 licensees in Plymouth county and Berkshire county, which is conducting running horse racing

14 meetings in connection with a state or county fair, may, with the permission of the commission,  
15 and following a demonstration by said licensee of its ability to complete no less than 50 per cent:  
16 of the live races performances approved by the commission, simulcast unlimited thoroughbred  
17 horse races and the intrastate live races of the racing meeting licensees in the commonwealth on  
18 any day if such simulcast is conducted in connection with a state or county fair/ for wagering  
19 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.