

**§261-A. Commission**

**1. Establishment.** The State Harness Racing Commission as established by Title 5, section 12004-G, subsection 32 and referred to in this chapter as the "commission," shall carry out the functions specified in this chapter. The commission is affiliated with the department as specified in this chapter. [PL 1997, c. 528, §3 (AMD).]

**2. Members.** The commission consists of 5 members appointed by the Governor. One member must be a member of the general public with no industry affiliation. One member must be affiliated with an agricultural society that conducts an annual agricultural fair. The other 3 members must be persons with a knowledge of harness racing. [PL 1991, c. 579, §4 (NEW); PL 1991, c. 579, §18 (AFF).]

**3. Geographic distribution.** The members must be appointed to provide broad geographic representation. [PL 1991, c. 579, §4 (NEW); PL 1991, c. 579, §18 (AFF).]

**4. Term of office.** Members of the commission serve 3-year terms. For appointments that expire in 2003, the Governor shall appoint one commissioner for a term of one year, 2 commissioners for a term of 2 years and 2 commissioners for a term of 3 years. Any vacancy is filled by appointment for the remainder of the unexpired term of that member. Members whose terms expire serve until their successors are qualified and appointed. [PL 2001, c. 63, §1 (AMD).]

**5. Confirmation.** Appointees must be reviewed by the joint standing committee of the Legislature having jurisdiction over agricultural matters and are subject to confirmation by the Legislature. [PL 1991, c. 579, §4 (NEW); PL 1991, c. 579, §18 (AFF).]

**6. Chair.** The Governor shall appoint one of the 5 commission members as chair. The chair serves at the pleasure of the Governor. [PL 2001, c. 63, §2 (AMD).]

**7. Removal.** Except as provided in subsection 6, the Governor may remove any member of the commission for just cause. A member who is subject to removal must be given a copy of the charges against that member and must, upon request, be given an opportunity to be heard upon 10 days' notice. [PL 1991, c. 824, Pt. A, §9 (AMD).]

**8. Conflict of interest.** A commission member may not participate in any matter before the commission in which that member has a direct or indirect pecuniary interest or personal bias or if any other conflict of interest is determined by the commission to exist, either on its own motion or in response to a written complaint. [PL 1991, c. 579, §4 (NEW); PL 1991, c. 579, §18 (AFF).]

**SECTION HISTORY**

PL 1991, c. 579, §4 (NEW). PL 1991, c. 579, §18 (AFF). PL 1991, c. 780, §RR2 (AMD). PL 1991, c. 824, §A9 (AMD). PL 1997, c. 527, §1 (AMD). PL 1997, c. 528, §§3-5 (AMD). PL 2001, c. 63, §§1,2 (AMD).

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