§279-B. Fines, suspensions and revocations

To enforce the provisions of this chapter and the rules referred to in section 279-A, the commission is authorized to establish a schedule for fines for each violation of this chapter or the rules. The commission is authorized to levy a fine, after notice and hearing, for each violation of this chapter or the rules. [PL 2007, c. 611, §7 (AMD).]

The commission is further authorized to establish a schedule of suspensions of licenses and may levy suspensions for each violation of this chapter or the rules. [PL 1991, c. 579, §14 (AMD).]

The commission is further authorized to disqualify a horse, and may require the return of any purse won by the horse, if it is found to have carried in its body either a prohibited substance or an exceedance of an allowable level of a permitted medication during any race licensed by the commission. [PL 2019, c. 283, §2 (NEW).]

Any person aggrieved by any fine, disqualification, purse return or suspension imposed by the commission may seek judicial review pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375. [PL 2019, c. 283, §2 (AMD).]

1. Delegation of authority to executive director.
[PL 1991, c. 579, §15 (NEW); MRSA T. 8 §279-B, sub-§1 (RP).]

2. Delegation of authority to commission chair. The commission may delegate to the chair, by rules adopted in accordance with the Maine Administrative Procedure Act, its authority to levy fines, disqualifications, purse returns and suspensions for particular violations or classes of violations. The chair shall exercise this authority in a manner consistent with Title 5, chapter 375. Any person aggrieved by any fine, disqualification, purse return or suspension imposed by the chair may seek judicial review pursuant to the Maine Administrative Procedure Act. This subsection takes effect on July 1, 1992.
[PL 2019, c. 283, §2 (AMD).]

3. Consent agreements. The commission may execute a consent agreement that resolves a complaint or investigation without further proceedings. A consent agreement may be entered into only with the consent of the licensee, the commission and the Department of the Attorney General. Any remedy, penalty, purse return or fine that is otherwise available by law may be achieved by consent agreement, including long-term suspension and permanent revocation of a license or registration. A consent agreement is not subject to review or appeal and may be modified only by a writing executed by all parties to the original consent agreement. A consent agreement is enforceable by an action in Superior Court.
[PL 2021, c. 596, §1 (NEW).]

SECTION HISTORY

PL 1973, c. 215 (NEW). PL 1973, c. 303, §3 (AMD). PL 1975, c. 52 (RPR). PL 1975, c. 623, §5-C (AMD). PL 1977, c. 694, §153 (RPR). PL 1989, c. 203, §3 (AMD). PL 1989, c. 878, §A22 (AMD). PL 1991, c. 579, §§14,15 (AMD). PL 2007, c. 611, §7 (AMD). PL 2019, c. 283, §2 (AMD). PL 2021, c. 596, §1 (AMD).

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.