

SENATE BILL 368

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C6

2000 Regular Session
(01r2234)

ENROLLED BILL
-- Finance/Ways and Means --

Introduced by **Chairman, Finance Committee**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 269

1 AN ACT concerning

2 **Maryland Horse Racing Act - Sunset Extension and Program Evaluation**

3 FOR the purpose of extending the date on which the Maryland Horse Racing Act
4 terminates; requiring that an evaluation in accordance with the Maryland
5 Program Evaluation Act (Sunset Law) be made of the Racing Commission,
6 certain race fund advisory committees, and related regulations on or before a
7 certain date; requiring that the Racing Commission inspect satellite simulcast
8 facilities a minimum number of times each year to determine if the permit
9 holders are continuing to comply with certain requirements; and generally
10 relating to the program evaluation of the Maryland Horse Racing Act.

11 BY repealing and reenacting, with amendments,
12 Article - Business Regulation
13 Section 11-825 and 11-1102
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1999 Supplement)

1 BY repealing and reenacting, without amendments,
2 Article - Business Regulation
3 Section 11-1101
4 Annotated Code of Maryland
5 (1998 Replacement Volume and 1999 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article - State Government
8 Section 8-403(a)
9 Annotated Code of Maryland
10 (1999 Replacement Volume)

11 BY repealing and reenacting, without amendments,
12 Article - State Government
13 Section 8-403(e)
14 Annotated Code of Maryland
15 (1999 Replacement Volume)

16 BY adding to
17 Article - State Government
18 Section 8-403(m)
19 Annotated Code of Maryland
20 (1999 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Business Regulation**

24 11-825.

25 (a) A satellite simulcast facility:

26 (1) shall be in premises owned or leased by a permit holder;

27 (2) may not be within a 35-mile radius of any mile thoroughbred track or
28 harness track unless approved by the track licensee, the group that represents a
29 majority of the applicable owners and trainers licensed in the State and the group
30 that represents a majority of the applicable breeders in the State, considered
31 separately;

32 (3) unless the track agrees otherwise, may not operate during hours on
33 those days that racing with pari-mutuel betting is permitted at a racetrack located in
34 this State within a 35-mile radius of the satellite simulcast facility; and

1 (4) shall offer pari-mutuel betting facilities and amenities that the
2 Commission finds are:

3 (i) comparable to those available in the sports palace facilities of
4 the mile thoroughbred racing licensees including:

5 1. high quality dining, lounge, and seating areas that are of a
6 manner generally found in fine restaurants; and

7 2. teletheatre screen capacity; and

8 (ii) appropriate for the area where the satellite simulcast facility is
9 located.

10 (b) A mile thoroughbred racing licensee or a harness racing licensee shall own
11 or lease the pari-mutuel betting equipment at a satellite simulcast facility and shall,
12 with its employees, operate the equipment.

13 (c) A mile thoroughbred racing licensee or a harness racing licensee shall
14 submit to the Commission all contracts and agreements relating to satellite simulcast
15 betting under this subtitle.

16 (d) (1) The Commission shall periodically be assured by permit holders that
17 facilities continue to meet the requirements of this section.

18 (2) *(I)* The Commission shall inspect satellite simulcast facilities
19 [from time to time] AT LEAST FOUR TIMES EACH YEAR to determine if the permit
20 holders are continuing to comply with the ~~FINANCIAL REQUIREMENTS, SITE~~
21 ~~REQUIREMENTS, AND OTHER~~ provisions of this section.

22 *(II) THE INSPECTIONS UNDER THIS SUBSECTION SHALL INCLUDE*
23 *EVALUATIONS OF THE FINANCIAL AND PHYSICAL CONDITIONS OF EACH SATELLITE*
24 *SIMULCAST FACILITY.*

25 (3) If the Commission finds that a permit holder is not complying with
26 the provisions of this section, the Commission may impose a penalty on the permit
27 holder similar to those penalties levied on licensees as provided under § 11-308 of this
28 title.

29 11-1101.

30 This title is the Maryland Horse Racing Act.

31 11-1102.

32 Subject to the evaluation and reestablishment provisions of the Maryland
33 Program Evaluation Act, this title and all regulations adopted under this title shall
34 terminate on July 1, [2001] 2011.

Article - State Government

1
2 8-403.

3 (a) Except as otherwise provided in subsection (e) of this section, on or before
4 July 1, 2000, an evaluation shall be made of the following governmental activities or
5 units and the statutes and regulations that relate to the governmental activities or
6 units:

7 (1) State Athletic Commission (§ 4-201 of the Business Regulation
8 Article);

9 (2) State Board of Barbers (§ 4-201 of the Business Occupations and
10 Professions Article);

11 (3) State Board of Cosmetologists (§ 5-201 of the Business Occupations
12 and Professions Article);

13 (4) [State Racing Commission (§ 11-201 of the Business Regulation
14 Article);

15 (5) Maryland-Bred Race Fund Advisory Committee (§ 11-531 of the
16 Business Regulation Article);

17 (6) Maryland Standardbred Race Fund Advisory Committee (§ 11-625 of
18 the Business Regulation Article);

19 (7)] State Board of Veterinary Medical Examiners (§ 2-302 of the
20 Agriculture Article);

21 [(8)] (5) State Board of Waterworks and Waste Systems Operators (§
22 12-201 of the Environment Article);

23 [(9)] (6) State Board of Well Drillers (§ 13-201 of the Environment
24 Article);

25 [(10)] (7) the Tobacco Authority (§ 7-201 of the Agriculture Article);

26 [(11)] (8) Maryland Home Improvement Commission (§ 8-201 of the
27 Business Regulation Article); and

28 [(12)] (9) State Board of Inspection of Horse Riding Stables (§ 2-701 of
29 the Agriculture Article).

30 (e) On or before November 30 of the 2nd year before the evaluation date of a
31 governmental activity or unit, the Legislative Policy Committee, based on a
32 preliminary evaluation, may waive as unnecessary the evaluation required under this
33 section.

34 (M) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (E) OF THIS SECTION,
35 ON OR BEFORE JULY 1, 2010, AN EVALUATION SHALL BE MADE OF THE STATE RACING

1 COMMISSION, THE MARYLAND-BRED RACE FUND ADVISORY COMMITTEE, THE
2 MARYLAND STANDARD BRED RACE FUND ADVISORY COMMITTEE, AND THE
3 REGULATIONS THAT RELATE TO THE STATE RACING COMMISSION, THE
4 MARYLAND-BRED RACE FUND ADVISORY COMMITTEE, AND THE MARYLAND
5 STANDARD BRED RACE FUND ADVISORY COMMITTEE.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2000.