
By: Delegate C. Davis

Introduced and read first time: February 6, 1997

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Racing Employees - Additional Employees**

3 FOR the purpose of providing that certain employees of the State Racing Commission
4 shall be included in the skilled service of the State Personnel Management System;
5 providing that the employees shall be transferred without examination or further
6 qualification and without diminution of compensation or benefits; repealing certain
7 provisions of law requiring licensees who hold race meetings to make certain
8 payments relating to the employees transferred under this Act; and generally
9 relating to employees of the State Racing Commission.

10 BY repealing and reenacting, with amendments,
11 Article - Business Regulation
12 Section 11-207
13 Annotated Code of Maryland
14 (1992 Volume and 1996 Supplement)

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

17 **Article - Business Regulation**

18 11-207.

19 (a) (1) On the recommendation of the executive director, the Commission may
20 employ additional employees or agents, including auditors, experts, guards, inspectors, a
21 breathalyzer operator at each harness racing track, scientists, Commission secretaries,
22 specimen collectors, veterinarians, and others whom the Commission considers to be
23 essential at or in connection with a race meeting in the best interests of racing.

24 (2) ADDITIONAL EMPLOYEES EMPLOYED BY THE COMMISSION UNDER
25 PARAGRAPH (1) OF THIS SUBSECTION ARE IN THE SKILLED SERVICE OF THE STATE
26 PERSONNEL MANAGEMENT SYSTEM.

27 [(b) The licensee who holds the race meeting for which an additional employee is
28 used shall pay:

29 (1) the compensation of the employee;

30 (2) the employer contribution for the employee under:

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1 (i) Social Security;

2 (ii) the Employees' Pension System;

3 (iii) the Health Insurance Program for State Employees; and

4 (iv) unemployment insurance;

5 (3) the employer contribution, as determined by the Department of Budget
6 and Management, for the retiree under § 2-508 of the State Personnel and Pensions
7 Article; and

8 (4) an amount required under § 23-306.1(b) of the State Personnel and
9 Pensions Article, if any.]

10 [(c)] (B) A licensee who holds a race meeting shall employ and pay the officials at
11 the race meeting, other than stewards and harness judges, including each clerk of the
12 course, clerk of the scales, handicapper, paddock judge, patrol judge, placing judge,
13 racing secretary, starter, assistant starter, and timer.

14 [(d)] (C) (1) On request of the Commission, each additional employee and
15 track employee shall provide the Commission with the individual's fingerprints.

16 (2) The fingerprints shall be taken by a representative of a law enforcement
17 agency of the State or federal government, an employee of the Commission, or a qualified
18 private security agency that the Commission designates.

19 [(e) Notwithstanding any other provision of this title, if a licensee is required to
20 allocate 0.25% of handle to either the Maryland Race Track Employees Pension Fund or
21 the Maryland Harness Track Employees Pension Fund, the licensee shall first pay from
22 the allocation any amounts required to be paid by the licensee under subsection (b)(2)(ii),
23 (3) or (4) of this section and the remainder shall be paid to the appropriate pension
24 fund.]

25 SECTION 2. AND BE IT FURTHER ENACTED, That, as of the effective date of
26 this Act, all individuals employed by the State Racing Commission as additional
27 employees under § 11-207(a) of the Business Regulation Article are included in the
28 skilled service of the State Personnel Management System, without examination or
29 qualification. These employees may not lose any compensation, solely as a result of being
30 placed in the skilled service, nor lose any accumulated leave, leave accrual rates, or other
31 benefits.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1997.