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**By: Delegate C. Davis**

Introduced and read first time: February 6, 1997

Assigned to: Appropriations

Reassigned: Ways and Means, February 11, 1997

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Committee Report: Favorable

House action: Adopted

Read second time: March 21, 1997

Recommitted to: Ways and Means, March 23, 1997

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 26, 1997

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## CHAPTER \_\_\_\_

1 AN ACT concerning

2 ~~State Personnel~~ - **Racing Employees - Additional Employees - Compensation and**  
3 **Benefits**

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

13 BY repealing and reenacting, with amendments,

14 Article - Business Regulation

15 Section 11-207

16 Annotated Code of Maryland

17 (1992 Volume and 1996 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

19 MARYLAND, That the Laws of Maryland read as follows:

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1 **Article - Business Regulation**

2 11-207.

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

8 ~~(2) ADDITIONAL EMPLOYEES EMPLOYED BY THE COMMISSION UNDER~~  
 9 ~~PARAGRAPH (1) OF THIS SUBSECTION ARE IN THE SKILLED SERVICE OF THE STATE~~  
 10 ~~PERSONNEL MANAGEMENT SYSTEM.~~

11 ~~(b)~~ The licensee who holds the race meeting for which an additional employee is  
 12 used shall pay:

13 ~~(1) the compensation of the employee;~~

14 ~~(2) the employer contribution for the employee under:~~

15 ~~(i) Social Security;~~

16 ~~(ii) the Employees' Pension System;~~

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

18 ~~(iv) unemployment insurance;~~

19 (1) THE EMPLOYER CONTRIBUTION FOR THE EMPLOYEE UNDER THE  
 20 EMPLOYEES' PENSION SYSTEM;

21 ~~(3)~~ (2) the employer contribution, as determined by the Department of  
 22 Budget and Management, for the retiree under § 2-508 of the State Personnel and  
 23 Pensions Article; and

24 ~~(4)~~ (3) an amount required under § 23-306.1(b) of the State Personnel  
 25 and Pensions Article, if any. ~~†~~

26 ~~(c)~~ ~~(B)~~ A licensee who holds a race meeting shall employ and pay the officials at  
 27 the race meeting, other than stewards and harness judges, including each clerk of the  
 28 course, clerk of the scales, handicapper, paddock judge, patrol judge, placing judge,  
 29 racing secretary, starter, assistant starter, and timer.

30 ~~(d)~~ ~~(C)~~ (1) On request of the Commission, each additional employee and  
 31 track employee shall provide the Commission with the individual's fingerprints.

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

35 ~~(e)~~ Notwithstanding any other provision of this title, if a licensee is required to  
 36 allocate 0.25% of handle to either the Maryland Race Track Employees Pension Fund or  
 37 the Maryland Harness Track Employees Pension Fund, the licensee shall first pay from  
 38 the allocation any amounts required to be paid by the licensee under subsection ~~(b)(2)(ii)~~;

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1 ~~(3) or (4)~~ (B) of this section and the remainder shall be paid to the appropriate pension  
2 fund.}

3 SECTION 2. AND BE IT FURTHER ENACTED, That, ~~as of the effective date of~~  
4 ~~this Act, all individuals employed by the State Racing Commission as additional~~  
5 ~~employees under § 11-207(a) of the Business Regulation Article are included in the~~  
6 ~~skilled service of the State Personnel Management System, without examination or~~  
7 ~~qualification. These employees may not lose any compensation, solely as a result of being~~  
8 ~~placed in the skilled service, nor lose any accumulated leave, leave accrual rates, or other~~  
9 ~~benefits~~ all additional employees employed by the State Racing Commission as provided  
10 in § 11-207 of the Business Regulation Article shall receive at least the level of  
11 compensation, rights, and benefits in effect on January 1, 1997.

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