

SENATE BILL 653

Unofficial Copy  
M3

1998 Regular Session  
(8lr1863)

*ENROLLED BILL*  
-- Finance/Ways and Means --

Introduced by **Senator Dorman**

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 \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Horse Industry Board and Fund**

3 FOR the purpose of renaming and expanding the State Board of Inspection of Horse  
4 Riding Stables to be the Maryland Horse Industry Board; defining certain  
5 terms; providing for the membership of the Board; *altering certain duties of the*  
6 *Board*; providing for the powers and duties of the Board; creating a certain fund  
7 to be administered by the Board for certain purposes; and generally relating to  
8 the Maryland Horse Industry Board and Fund.

9 BY repealing and reenacting, with amendments,  
10 Article - Agriculture  
11 Section 2-701, 2-703, ~~and 2-704~~ *2-704, and 2-708* to be under the amended  
12 subtitle "Subtitle 7. Maryland Horse Industry Board"  
13 Annotated Code of Maryland  
14 (1985 Replacement Volume and 1997 Supplement)

15 ~~BY repealing~~

1 ~~Article - Agriculture~~  
2 ~~Section 2-708~~  
3 ~~Annotated Code of Maryland~~  
4 ~~(1985 Replacement Volume and 1997 Supplement)~~

5 BY adding to  
6 Article - Agriculture  
7 Section ~~2-708~~ and 2-708.1 and 2-708.2  
8 Annotated Code of Maryland  
9 (1985 Replacement Volume and 1997 Supplement)

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

12 **Article - Agriculture**

13 Subtitle 7. [State Board of Inspection of Horse Riding Stables] MARYLAND HORSE  
14 INDUSTRY BOARD.

15 2-701.

16 (a) In this subtitle, the following words have the meanings indicated.

17 (b) "Board" means the [State Board of Inspection of Horse Riding Stables]  
18 MARYLAND HORSE INDUSTRY BOARD.

19 (c) "Boarding stable" means an establishment that stables five or more horses  
20 and receives compensation for these services.

21 (d) "Equine dealer and breeding stables" includes an establishment in which  
22 five or more horses are sold each year.

23 (e) "Horse" includes horses and ponies.

24 (f) (1) "Horse riding and rental stables" means an establishment in  
25 connection with which one or more horses are let for hire to be ridden or driven, either  
26 with or without the furnishing of riding or driving instruction.

27 (2) "Horse riding and rental stables" includes:

28 (i) Boarding stables;

29 (ii) Equine dealer and breeding stables; and

30 (iii) Sales barns.

31 (g) "Sales barns" includes an establishment where horses are sold.

1 2-703.

2 There is a [State Board of Inspection of Horse Riding Stables] MARYLAND  
3 HORSE INDUSTRY BOARD.

4 2-704.

5 (a) (1) The Board consists of [five] ~~13~~ 12 members, ~~12~~ 11 OF WHOM SHALL  
6 BE appointed by the Governor with the advice of the Secretary.

7 (2) Of the Board members:

8 (i) One shall be a duly qualified and licensed veterinarian;

9 (ii) [Two] ONE shall be AN [officers] OFFICER of a county humane  
10 society;

11 (iii) One shall be an owner of a licensed stable; [and]

12 (iv) One shall be a public member;

13 (V) ONE SHALL BE A REPRESENTATIVE OF THE MARYLAND HORSE  
14 COUNCIL, INC.;

15 (VI) ONE SHALL BE A REPRESENTATIVE OF THE TRAILS AND  
16 RECREATIONAL RIDING COMMUNITY;

17 (VII) ONE SHALL REPRESENT THE ORGANIZED COMPETITIONS AND  
18 SHOWS INDUSTRY;

19 (VIII) ONE SHALL REPRESENT THE MARYLAND THOROUGHBRED  
20 INDUSTRY;

21 (IX) ONE SHALL REPRESENT THE MARYLAND STANDARD BRED  
22 INDUSTRY;

23 (X) ONE SHALL REPRESENT THE ACADEMIC EQUINE COMMUNITY;  
24 AND

25 (XI) ONE SHALL REPRESENT THE EQUINE TRADE AND SUPPORT  
26 INDUSTRIES.

27 (3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE, SHALL SERVE AS  
28 AN EX OFFICIO MEMBER OF THE BOARD.

29 (b) Before taking office, each appointee to the Board shall take the oath  
30 required by Article I, § 9 of the State Constitution.

31 (c) (1) The term of a member is 4 years.

1 (2) The terms of members are staggered as required by the terms  
2 provided for members of the Board on July 1, 1980.

3 (3) At the end of a term, a member continues to serve until a successor is  
4 appointed and qualifies.

5 (4) A member who is appointed after a term has begun serves only for  
6 the rest of the term and until a successor is appointed and qualifies.

7 (d) The Governor may remove a member for incompetency or misconduct.

8 ~~2-708.~~

9 ~~The~~ *Except as provided in § 2-708.2 of this subtitle, the* Board shall pay all funds  
10 collected under this subtitle into the General Fund of this State.}

11 ~~2-708.~~ 2-708.1.

12 THE BOARD SHALL:

13 (1) CARRY OUT THE LICENSING, INSPECTION, AND ENFORCEMENT  
14 PROVISIONS OF THIS SUBTITLE;

15 (2) ADVISE THE DEPARTMENT REGARDING MATTERS AFFECTING THE  
16 HORSE INDUSTRY IN THE STATE;

17 (3) SUPPORT RESEARCH RELATED TO EQUINE HEALTH AND RELATED  
18 ISSUES;

19 (4) PROMOTE THE DEVELOPMENT AND USE OF HORSES IN THE STATE;

20 (5) CREATE PUBLIC AWARENESS OF THE VALUE OF EQUINE ACTIVITIES  
21 AS THEY RELATE TO THE PRESERVATION OF GREEN SPACE AND AGRICULTURAL  
22 LAND; AND

23 (6) DEVELOP AND DISSEMINATE INFORMATION CONCERNING THE  
24 EQUINE INDUSTRY, INCLUDING THE HISTORY AND TRADITION OF BREEDING AND  
25 THE ROLE OF HORSES IN RECREATIONAL ACTIVITIES.

26 ~~2-708.1.~~ 2-708.2.

27 (A) IN THIS SECTION, "FUND" MEANS THE MARYLAND HORSE INDUSTRY  
28 FUND.

29 (B) THERE IS A MARYLAND HORSE INDUSTRY FUND IN THE DEPARTMENT.

30 (C) (1) THE FUND IS A CONTINUING, NONLAPSING, REVOLVING SPECIAL  
31 FUND TO BE MAINTAINED BY THE STATE TREASURER.

32 (2) THE STATE TREASURER SHALL HOLD AND THE STATE  
33 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

1 (D) THE FUND SHALL BE INVESTED AND REINVESTED. ANY INTEREST OR  
 2 OTHER INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED AND PAID INTO  
 3 THE FUND.

4 (E) ~~NO PART OF THE FUND MAY REVERT OR BE CREDITED TO THE GENERAL~~  
 5 ~~FUND OR ANY OTHER SPECIAL FUND~~ AT THE END OF A FISCAL YEAR, ANY UNSPENT  
 6 OR UNENCUMBERED BALANCE IN THE FUND SHALL REVERT TO THE GENERAL FUND  
 7 OF THE STATE, IN ACCORDANCE WITH §§ 7-302 AND 7-303 OF THE STATE FINANCE  
 8 AND PROCUREMENT ARTICLE.

9 (F) THE FUND CONSISTS OF:

10 (1) ~~ALL FEES COLLECTED UNDER THE LICENSING AND INSPECTION~~  
 11 ~~PROVISIONS OF THIS SUBTITLE~~ MONEYS MADE AVAILABLE FROM A NOMINAL FEE,  
 12 NOT TO EXCEED \$10 PER SERVICE, IMPOSED ON THE INDUSTRY AND COLLECTED BY  
 13 THE DEPARTMENT, PURSUANT TO REGULATION;

14 (2) MONEYS MADE AVAILABLE TO THE FUND BY GENERAL, FEDERAL, OR  
 15 SPECIAL FUND APPROPRIATIONS; AND

16 (3) MONEYS MADE AVAILABLE TO THE FUND BY GIFTS, GRANTS OR  
 17 TRANSFERS FROM ANY GOVERNMENT OR UNIT OR INSTRUMENTALITY OF A  
 18 GOVERNMENT OR FROM ANY PRIVATE SECTOR SOURCES.

19 (G) THE BOARD SHALL USE THE MONEYS IN THE FUND IN ACCORDANCE WITH  
 20 THE PROVISIONS OF ~~THIS SUBSECTION TO:~~

21 (1) ~~CARRY OUT THE LICENSING, INSPECTION, AND ENFORCEMENT~~  
 22 ~~PROVISIONS OF THIS SUBTITLE;~~

23 (2) ~~SUPPORT RESEARCH RELATED TO EQUINE HEALTH AND RELATED~~  
 24 ~~ISSUES;~~

25 (3) ~~PROMOTE THE DEVELOPMENT AND USE OF HORSES IN THE STATE;~~

26 (4) ~~CREATE PUBLIC AWARENESS OF THE VALUE OF EQUINE ACTIVITIES~~  
 27 ~~AS THEY RELATE TO THE PRESERVATION OF GREEN SPACE AND AGRICULTURAL~~  
 28 ~~LAND; AND~~

29 (5) ~~DEVELOP AND DISSEMINATE INFORMATION CONCERNING THE~~  
 30 ~~EQUINE INDUSTRY, INCLUDING THE HISTORY AND TRADITION OF BREEDING AND~~  
 31 ~~THE ROLE OF HORSES IN RECREATIONAL ACTIVITIES~~ § 2-708 OF THIS SUBTITLE.

32 (H) EXCEPT FOR THE PURPOSES IN SUBSECTION (G) OF THIS SECTION ~~§ 2-708~~  
 33 ~~§ 2-708.1~~ OF THIS SUBTITLE, THE BOARD MAY NOT USE ANY MONEYS IN THE FUND  
 34 FOR ANY OTHER PURPOSE OF THE BOARD.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Horse  
 36 Industry Board shall report to the Senate Finance Committee and the Senate Budget

1 and Taxation Committee by September 30, 2001 regarding the activities, revenues,  
2 and expenditures supported by this Act.

3 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
4 effect October 1, 1998.