

SENATE BILL 653

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M3

1998 Regular Session
8r1863

By: **Senator Dorman**
Introduced and read first time: February 6, 1998
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 26, 1998

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; providing for the powers and
6 duties of the Board; creating a certain fund to be administered by the Board for
7 certain purposes; and generally relating to the Maryland Horse Industry Board
8 and Fund.

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

15 BY repealing
16 Article - Agriculture
17 Section 2-708
18 Annotated Code of Maryland
19 (1985 Replacement Volume and 1997 Supplement)

20 BY adding to
21 Article - Agriculture
22 Section 2-708 and 2-708.1
23 Annotated Code of Maryland

1 (1985 Replacement Volume and 1997 Supplement)

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

4 **Article - Agriculture**

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

7 2-701.

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

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

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

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

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

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

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

20 (i) Boarding stables;

21 (ii) Equine dealer and breeding stables; and

22 (iii) Sales barns.

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

24 2-703.

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

27 2-704.

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

30 (2) Of the Board members:

- 1 (i) One shall be a duly qualified and licensed veterinarian;
- 2 (ii) [Two] ONE shall be AN [officers] OFFICER of a county humane
3 society;
- 4 (iii) One shall be an owner of a licensed stable; [and]
- 5 (iv) One shall be a public member;
- 6 (V) ONE SHALL BE A REPRESENTATIVE OF THE MARYLAND HORSE
7 COUNCIL, INC.;
- 8 (VI) ONE SHALL BE A REPRESENTATIVE OF THE TRAILS AND
9 RECREATIONAL RIDING COMMUNITY;
- 10 (VII) ONE SHALL REPRESENT THE ORGANIZED COMPETITIONS AND
11 SHOWS INDUSTRY;
- 12 (VIII) ONE SHALL REPRESENT THE MARYLAND THOROUGHBRED
13 INDUSTRY;
- 14 (IX) ONE SHALL REPRESENT THE MARYLAND STANDARDBRED
15 INDUSTRY;
- 16 (X) ONE SHALL REPRESENT THE ACADEMIC EQUINE COMMUNITY;
17 AND
- 18 (XI) ONE SHALL REPRESENT THE EQUINE TRADE AND SUPPORT
19 INDUSTRIES.
- 20 (3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE, SHALL SERVE AS
21 AN EX OFFICIO MEMBER OF THE BOARD.
- 22 (b) Before taking office, each appointee to the Board shall take the oath
23 required by Article I, § 9 of the State Constitution.
- 24 (c) (1) The term of a member is 4 years.
- 25 (2) The terms of members are staggered as required by the terms
26 provided for members of the Board on July 1, 1980.
- 27 (3) At the end of a term, a member continues to serve until a successor is
28 appointed and qualifies.
- 29 (4) A member who is appointed after a term has begun serves only for
30 the rest of the term and until a successor is appointed and qualifies.
- 31 (d) The Governor may remove a member for incompetency or misconduct.

1 [2-708.

2 The Board shall pay all funds collected under this subtitle into the General
3 Fund of this State.]

4 2-708.

5 THE BOARD SHALL:

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

8 (2) ADVISE THE DEPARTMENT REGARDING MATTERS AFFECTING THE
9 HORSE INDUSTRY IN THE STATE;

10 (3) SUPPORT RESEARCH RELATED TO EQUINE HEALTH AND RELATED
11 ISSUES;

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

13 (5) CREATE PUBLIC AWARENESS OF THE VALUE OF EQUINE ACTIVITIES
14 AS THEY RELATE TO THE PRESERVATION OF GREEN SPACE AND AGRICULTURAL
15 LAND; AND

16 (6) DEVELOP AND DISSEMINATE INFORMATION CONCERNING THE
17 EQUINE INDUSTRY, INCLUDING THE HISTORY AND TRADITION OF BREEDING AND
18 THE ROLE OF HORSES IN RECREATIONAL ACTIVITIES.

19 2-708.1.

20 (A) IN THIS SECTION, "FUND" MEANS THE MARYLAND HORSE INDUSTRY
21 FUND.

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

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

25 (2) THE STATE TREASURER SHALL HOLD AND THE STATE
26 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

27 (D) THE FUND SHALL BE INVESTED AND REINVESTED. ANY INTEREST OR
28 OTHER INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED AND PAID INTO
29 THE FUND.

30 (E) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO THE GENERAL
31 FUND OR ANY OTHER SPECIAL FUND.

32 (F) THE FUND CONSISTS OF:

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

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

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

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

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

14 ~~(2) SUPPORT RESEARCH RELATED TO EQUINE HEALTH AND RELATED~~
15 ~~ISSUES;~~

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

17 ~~(4) CREATE PUBLIC AWARENESS OF THE VALUE OF EQUINE ACTIVITIES~~
18 ~~AS THEY RELATE TO THE PRESERVATION OF GREEN SPACE AND AGRICULTURAL~~
19 ~~LAND; AND~~

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

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Horse
27 Industry Board shall report to the Senate Finance Committee and the Senate Budget
28 and Taxation Committee by September 30, 2001 regarding the activities, revenues,
29 and expenditures supported by this Act.

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

