

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL NO. 298

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute “Horse Racing”; in line 13, strike “and generally relating to uncashed pari-mutuel tickets” and substitute “authorizing the State Racing Commission to issue a license to hold thoroughbred horse racing at a mile track to a certain racing association in Allegany County; altering a certain prohibition against issuing a license or awarding racing days for racing at mile tracks; limiting the award of licenses and racing days to certain mile tracks; authorizing the Commission to award racing days up to the number requested by an applicant; repealing certain limitations on the number of racing days that may be awarded by the Commission; repealing the authority of the Commission to award certain additional racing days under certain circumstances; limiting the conduct of certain pari-mutuel betting by certain licensees under certain circumstances; establishing requirements on a certain sending track for intertrack betting purposes; requiring that certain lottery revenues for a certain fiscal year be distributed to a special fund to be used only for certain purposes; requiring that the purses and bred funds be increased according to a certain formula; requiring that all funds for purses and bred funds under this Act be in addition to and not supplant certain other funds; establishing certain conditions on the distribution of certain funds; providing for the termination of certain provisions of this Act; and generally relating to uncashed pari-mutuel tickets, funds, and licenses for horse racing in the State”; in line 16, strike “and 11-803” and substitute “11-803, and 11-811(c)”; and after line 22, insert:

“BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 11-510, 11-511, and 11-811 (e)

Annotated Code of Maryland

(1998 Replacement Volume)

BY adding to

Article - Business Regulation

(Over)

Section 11-804.2
Annotated Code of Maryland
(1998 Replacement Volume)".

AMENDMENT NO. 2

On page 3, after line 20, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Business Regulation

11-510.

(a) [Subject to] EXCEPT AS PROVIDED IN subsection (b) of this section, the Commission may not issue a license, or award racing days, for racing at a [new or additional] MILE track [, unless a race was held at the track at least once each year for the 3 years immediately before May 6, 1943].

(b) [For racing at a new track location that is authorized by statute, the] THE Commission may issue a license and award racing days ONLY to:

(1) the Maryland Jockey Club of Baltimore City, Inc.[, if it abandons the Pimlico Race Course for racing]; [or]

(2) the Laurel Racing Assoc., Inc.[, if it abandons the Laurel Race Course for racing]; AND

(3) ONE OTHER RACING ASSOCIATION FOR RACING AT A TRACK LOCATED IN ALLEGANY COUNTY THAT IS OWNED AND OPERATED BY THE RACING ASSOCIATION.

11-511.

(a) (1) On or before December 1, the Commission shall award all racing days for the next calendar year.

(2) However, the Commission may meet after December 1 to award racing days that are requested in applications.

(b) [Except as provided in subsection (c) of this section, the] THE Commission may [not] award for any calendar year[:

(1) more than 266 regular racing days; or

(2) more than 158 regular racing days to 1 person] UP TO THE NUMBER OF RACING DAYS REQUESTED BY AN APPLICANT.

(c) [(1) The Commission may award not more than 80 additional racing days on conditions that the Commission may set:

(i) requiring substantial changes or major repairs to or on the property that a licensee owns or leases to hold a race meeting; or

(ii) making requirements for the availability, capacity, improvement, or location of parking facilities that may be based on a master plan that the licensee develops after consultation with community organizations.

(2) If a licensee fails to meet a condition set under this subsection, the Commission may revoke and reallocate any additional racing days awarded to the licensee.

(d)] The decision of the Commission on the award of a racing day is final.

11-804.2.

NOTWITHSTANDING § 11-804(C) OF THIS SUBTITLE, A LICENSEE THAT HAS NOT CONDUCTED RACING BEFORE JANUARY 1, 1999, MAY ONLY CONDUCT PARI-MUTUEL BETTING UNDER § 11-804 OF THIS SUBTITLE:

(1) AT THE TRACK OF THE LICENSEE; OR

(Over)

(2) AT A SATELLITE SIMULCAST FACILITY, OR ITS PREDECESSOR, AT WHICH SATELLITE SIMULCAST WAGERING WAS NOT CONDUCTED PRIOR TO JANUARY 1, 1999.

11-811.

(c) The Commission may authorize intertrack betting involving tracks of:

(1) mile thoroughbred racing licensees;

(2) harness racing licensees;

(3) Fair Hill; or

(4) the State Fair Society.

(e) (1) Laurel Race Course, a track where racing is conducted by the State Fair Society or Rosecroft Raceway may be a receiving track only if live racing was held there in the previous calendar year on at least 75% of the racing days available to it.

(2) Ocean Downs may be a receiving track only if at least 40 days of live racing were held there in the previous calendar year.

(3) Pimlico Race Course may be a receiving track only if at least 90 days of live racing were held there in the previous calendar year.

(4) A track where racing is conducted by Fair Hill may be a sending track only on days when Fair Hill is licensed to conduct and actually conducts live racing.

(5) A TRACK IN ALLEGANY COUNTY MAY BE A SENDING TRACK ONLY:

(I) ON DAYS WHEN THE TRACK IS LICENSED TO CONDUCT AND ACTUALLY CONDUCTS LIVE RACING; AND

(II) FOR LIVE RACES CONDUCTED AT THE TRACK.

[(5)] (6) The Commission may waive a requirement of this subsection if the receiving track could not meet the requirement because of:

- (i) an act of God; or
- (ii) what the Commission finds to be an emergency.”.

AMENDMENT NO. 3

On page 3, before line 21, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding § 9-120 of the State Government Article, after cumulative distributions for fiscal year 1999 to the General Fund under § 9-120(b)(1)(ii) of the State Government Article total \$363,715,730, \$10,000,000 of the remaining revenue that would otherwise be paid to the General Fund under § 9-120(b)(1)(ii) of the State Government Article shall be distributed to a special fund to be used only to increase purses at harness racing tracks, mile thoroughbred tracks, and Timonium Race Course and to supplement existing bred funds in accordance with this Act.

(b) If lottery revenues do not provide the \$10,000,000 for the purposes specified in subsection (a) of this section, the Governor may request a deficiency appropriation during the 2000 Session to make up the difference.

(c) In accordance with § 7-209 of the State Finance and Procurement Article, the Governor by budgetary amendment shall allocate money from the special fund created under subsection (a) of this section in the manner specified under subsection (d) of this section.

(d) The amount credited to the special fund created under subsection (a) of this section shall be used as follows:

(Over)

- (1) 11% to increase the bred funds to be allocated as follows:
 - (i) 70% to the Maryland-Bred Race Fund; and
 - (ii) 30% to the Standard Bred Race Fund; and
- (2) 89% to increase purses at harness racing tracks and thoroughbred racing tracks to be allocated as follows:
 - (i) 70% to purses at the mile thoroughbred racing tracks and Timonium; and
 - (ii) 30% to purses at the harness racing tracks which shall be allocated 85% for Rosecroft Raceway and 15% for Ocean Downs.
- (e) For each racetrack licensee, funds provided for purses and bred funds under this section shall not be allocated until:
 - (1) The racetrack licensee submits to the Governor and General Assembly no later than June 15, 1999 a detailed plan for substantial improvements in track facilities, management and marketing;
 - (2) The Legislative Policy Committee has up to 30 days to review and comment on the plan; and
 - (3) The Governor approves the plan.
- (f) In developing the plan required under subsection (e) of this section, each racetrack licensee shall:
 - (1) Consult with representatives from affected neighborhood or community groups; and

(2) Ensure that any improvements to facilities proposed in the plan are compatible with existing local ordinances.

(g) The provisions of subsections (e) and (f) of this section do not apply to a racetrack licensee that conducts fewer than 15 days of live racing a year.

(h) All funds provided for purses and bred funds at harness racing tracks, mile thoroughbred racing tracks, and Timonium Race Course by this Act shall be in addition to and may not supplant:

(1) Amounts allocated for purses and bred funds under current agreements between the harness racing tracks and the organization that represents a majority of owners and trainers of standardbred horses in the State; and

(2) Amounts otherwise provided in statute for purses and bred funds at mile thoroughbred racing tracks and Timonium Race Course.

(i) The purses shall be distributed at mile thoroughbred racetracks and Timonium Race Course according to a formula determined by the State Racing Commission in consultation with the racetrack licensees and the organization that represents a majority of owners and trainers of thoroughbred horses in the State.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2000, with no further action required by the General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 4

On page 3, in line 21, strike “2.” and substitute “5.”.