

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 813

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Maryland Racing Facility Redevelopment Act" and substitute "Racing Act of 2000"; in line 20, after "licensees;" insert "altering certain provisions relating to certain funds paid to the Maryland Million, Ltd., Maryland-Bred Race Fund, and the Maryland Standardbred Race Fund;"; in line 24, strike "making this Act contingent on the taking effect of another Act" and substitute "creating a certain fund; requiring that certain lottery revenues for a certain fiscal year be distributed to a special fund to be used only for certain purposes; requiring the Maryland Stadium Authority to review certain capital improvements which are funded by proceeds of certain bonds; authorizing the Governor to request certain deficiency appropriations under certain circumstances; requiring that the purses and bred funds be increased according to a certain formula; providing for the time during which a certain licensee in Allegany County may hold live or simulcast racing; altering certain provisions relating to the distribution of money from uncashed pari-mutuel tickets; altering certain conditions under which certain licensees may conduct certain pari-mutuel betting; altering certain conditions under which a certain track in Allegany County may be a receiving track and sending track for the purpose of intertrack betting; altering the amounts that certain licensees may deduct from certain pari-mutuel betting; altering the allocation of the amounts deducted from certain pari-mutuel betting; requiring that each licensee consult with certain persons and ensure that certain improvements are compatible with existing local ordinances under certain circumstances; providing for the termination of certain portions of this Act; providing for a delayed effective date of a portion of this Act".

AMENDMENT NO. 2

On page 1, in line 26, strike "without" and substitute "with"; in line 28, strike "11-615, and 11-616" and substitute "11-403(a), 11-406, 11-504(a), 11-514, 11-515, 11-613(c), 11-803, 11-804.2, and 11-811(e)(5) and (6)"; and strike in their entirety lines 31 and 32.

On page 2, strike in their entirety lines 1 through 4, inclusive; in line 7, strike "and 11-515.1"

(Over)

and substitute “, 11-515.1, 11-515.2, and 11-811(e)(6) and (7)”;

in the same line, strike “11-1206” and substitute “11-1208”; in line 14, strike “11-514, 11-515, and 11-614” and substitute “11-616”; after line 16, insert “(As enacted by Chapter 750 of the Acts of the General Assembly of 1997)”; in line 19, after “11-517” insert “, 11-521, and 11-630”; after line 21, insert:

“BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 11-402

Annotated Code of Maryland

(1998 Replacement Volume and 1999 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 11-803

Annotated Code of Maryland

(1998 Replacement Volume and 1999 Supplement)

(As enacted by Chapter 748 of the Acts of the General Assembly of 1997)”;

strike in their entirety lines 22 down through 26, inclusive; and after line 29, insert:

“WHEREAS, Maryland is home to historic Pimlico Race Course which was founded in 1870 and Laurel Park which was founded in 1991; and

WHEREAS, Pimlico Race Course and Laurel Park are in need of modernization; and

WHEREAS, Rosecroft Race Course was constructed in 1949 and the last major renovation was in 1991; and”.

AMENDMENT NO. 3

On page 3, in line 27, strike “except as provided in § 11-521 of this title,”; in line 28, strike “nonharness”; and strike in their entirety lines 31 through 33, inclusive.

On page 4, strike in their entirety lines 1 through 8, inclusive, and substitute:

“11-403.

(a) The Comptroller shall pay from the Special Fund an annual grant of:

(1) \$825,000 to the Maryland Agricultural Fair Board to promote State and county agricultural fairs and exhibits;

(2) \$100,000 to Prince George's County to replace money formerly received from the admissions and amusement tax;

(3) \$40,000 to the Great Frederick Fair to support exhibition harness racing with money for construction and maintenance of new stalls, track maintenance, and purses;

(4) \$50 to the City of Bowie for each day that the training facilities are open at the Bowie Race Course Training Center;

(5) \$75,000 to the Maryland Agricultural Education Foundation, Inc., to promote and enhance statewide agricultural education; [and]

(6) an amount not to exceed \$30,000 in fiscal year 1998 and \$20,000 in each fiscal year thereafter to the Great Pocomoke Fair, Inc. to support exhibition harness racing with money for construction and maintenance of new stalls, track maintenance, and purses;

(7) \$500,000 TO THE MARYLAND MILLION, LTD. TO SUPPORT AND PROMOTE THE RUNNING OF MARYLAND MILLION RACES; AND

(8) \$350,000 TO THE MARYLAND STANDARDBRED RACE FUND FOR THE SIRE STAKES PROGRAM.”.

AMENDMENT NO. 4

On page 4, in line 11, strike “paid into the General Fund of the State” and substitute “ALLOCATED IN THE FOLLOWING WAY:

(Over)

(1) 70% TO THE MARYLAND-BRED RACE FUND; AND

(2) 30% TO THE MARYLAND STANDARD BRED RACE FUND, TO BE DIVIDED EQUALLY BETWEEN THE SIRE STAKES PROGRAM AND THE FOALED STAKES PROGRAM.

11-504.

(a) (1) A licensee may [not] hold LIVE racing after 6:15 p.m. BUT NOT LATER THAN 9:00 P.M. [unless] IF:

[(1)] (I) circumstances beyond the control of the licensee cause a delay;

[(2)] (II) the racing day is of national prominence; or

[(3) the racing consists of betting on races held at an out-of-state track, and the racing is:]

(III) THE RACING IS APPROVED BY THE HARNESS TRACK LICENSEE WHOSE TRACK IS CLOSEST TO THE LICENSEE'S TRACK, THE GROUP THAT REPRESENTS A MAJORITY OF THE OWNERS AND TRAINERS WHO RACE HORSES AT THAT HARNESS TRACK, AND THE GROUP THAT REPRESENTS A MAJORITY OF THE HARNESS BREEDERS IN THIS STATE.

(2) A LICENSEE MAY HOLD RACING AFTER 6:15 P.M. THAT CONSISTS OF BETTING ON RACES HELD AT AN OUT-OF-STATE TRACK, IF THE RACING IS:

(i) authorized under § 11-804 of this title; and

(ii) approved by the harness track licensee whose track is closest to the licensee's track, the group that represents a majority of the owners and trainers who race horses at that harness track, and the group that represents a majority of the harness breeders in this State.

(3) NOTWITHSTANDING ANY APPROVAL FOR RACING AFTER 6:15 P.M., ELECTRICAL OR ARTIFICIAL ILLUMINATION, NECESSARY FOR THE PURPOSE OF HOLDING LIVE RACING, MAY NOT BE PERMITTED AT PIMLICO RACE COURSE.

(4) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OR (2) OF THIS SUBSECTION, A LICENSEE IN ALLEGANY COUNTY MAY HOLD LIVE OR SIMULCAST RACING AFTER 6:15 P.M., BUT NOT LATER THAN 11:30 P.M., UNLESS CIRCUMSTANCES BEYOND THE CONTROL OF THE LICENSEE CAUSE A DELAY”;

and strike lines 12 through 19, inclusive.

AMENDMENT NO. 5

On page 5, in line 2, after “TO” insert “THE RACING REDEVELOPMENT BOND FUND FOR”; after line 22, insert:

“[11-521.

(a) \$500,000 in money from uncashed pari-mutuel tickets that are from bets made into the mutuel pools of mile thoroughbred licensees shall be paid to the Maryland Million, Ltd., as a grant to support and promote the running of Maryland Million races.

(b) There is a special fund to be used only for marketing, purses, and promotion activities directly related to the running of the Maryland Million races.

(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 under subsection (b) of this section as a grant to the Maryland Million, Ltd., for marketing, purses, and promotional activities directly related to the running of Maryland Million races.]”.

On pages 5 through 6, strike in their entirety the lines beginning with line 23 on page 5 down through line 33 on page 6, inclusive, and substitute:

“[11-630.

(Over)

Money from uncashed pari-mutuel tickets that are from bets made into the betting pools of harness licensees shall be paid to the Fund and allocated to the Sire Stakes Program.]

11-803.

(a) If a winning ticket is not redeemed within 1 year, the licensee into whose betting pool the bet was placed shall pay the amount needed to redeem the ticket to [:

(1) the Maryland Standardbred Race Fund under § 11-630 of this title for bets made into the betting pools of a harness licensee;

(2) the Commission, for bets made into the betting pools of a mile thoroughbred licensee, to be credited as follows:

(i) \$500,000 to the special fund under § 11-521 of this title; and

(ii) the remainder to the special fund under Subtitle 4 of this title; or

(3) the Commission [for all other bets,] to be credited to the special fund under Subtitle 4 of this title.

(b) Every year for the preceding calendar year, each licensee shall:

(1) report to the Commission the amount payable to the [Maryland Standardbred Race Fund or the] Commission under this section; and

(2) pay that amount to the [Maryland Standardbred Race Fund or the] Commission [,whichever is applicable].

(c) (1) The license of a licensee shall be revoked if the licensee:

(i) fails to report when money under this section is due; or

(ii) knowingly or willfully submits a report that understates the amount due.

(2) A license whose license is revoked under this subsection may not hold a license for at least one year.

11-804.2.

Notwithstanding § 11-804(c) of this subtitle, a licensee [that has not conducted racing before January 1, 1999,] IN ALLEGANY COUNTY may [only] conduct pari-mutuel betting under § 11-804 of this subtitle ON A DAY WHEN THE COMMISSION HAS AUTHORIZED THE LICENSEE TO HOLD RACING ONLY:

(1) at the track of the licensee; [or

(2) at a satellite simulcast facility, or its predecessor, at which satellite simulcast wagering was not conducted prior to January 1, 1999.]

(2) AT A SATELLITE SIMULCAST FACILITY:

(I) IN WHICH THE LICENSEE HAS MAJORITY OWNERSHIP INTEREST; AND

(II) WHICH COMPLIES WITH THE REQUIREMENTS OF § 11-825(A) OF THIS SUBTITLE; OR

(3) AT A RECEIVING TRACK LOCATED MORE THAN 35 MILES FROM ANY OF LAUREL PARK, PIMLICO RACE COURSE, AND ROSECROFT RACEWAY.

11-811.

(e) (5) A track in Allegany County may be a sending track only:

(I) TO ANY RECEIVING TRACK:

[(i)] 1. on days when the track is licensed to conduct and actually conducts live racing; and

[(ii)] 2. for live races conducted at the track; OR

(II) TO A RECEIVING TRACK LOCATED MORE THAN 35 MILES FROM ANY OF LAUREL PARK, PIMLICO RACE COURSE, AND ROSECROFT RACEWAY:

1. ON ANY DAY THE COMMISSION HAS AUTHORIZED THE LICENSEE TO HOLD RACING; AND

2. FOR LIVE AND SIMULCAST RACES CONDUCTED AT THE TRACK.

(6) SUBJECT TO § 11-804.2 OF THIS SUBTITLE, NOTHING IN PARAGRAPH (5) OF THIS SUBSECTION SHALL LIMIT THE ABILITY OF A TRACK IN ALLEGANY COUNTY TO ACT AS A SENDING TRACK TO A SATELLITE SIMULCAST FACILITY.

(7) A TRACK IN ALLEGANY COUNTY MAY BE A RECEIVING TRACK:

(I) DURING ITS OPENING YEAR IF IT HAS SCHEDULED AT LEAST 21 DAYS OF LIVE RACING TO OCCUR WITHIN 12 MONTHS OF ITS OPENING AND THE COMMISSION HAS GRANTED ITS APPLICATION TO RACE ON THOSE DAYS; AND

(II) IN SUBSEQUENT YEARS IF AT LEAST 21 DAYS OF LIVE RACING WERE HELD AT THE TRACK IN THE PREVIOUS CALENDAR YEAR.

[(6)] (8) 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. 6

On page 7, after line 4, insert:

“(B) “AUTHORITY” MEANS THE MARYLAND STADIUM AUTHORITY.”;

in lines 5, 7, and 11, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(C)”, “(D)”, and “(F)”, respectively; in line 8, strike “WHEN” and substitute “AT THE TIME”; in line 9, strike “§ 11-614” and substitute “§ 11-616”; after line 10, insert:

“(E) “FUND” MEANS THE RACING FACILITY REDEVELOPMENT BOND FUND ESTABLISHED UNDER § 11-616 OF THIS SUBTITLE.”;

in line 11, strike “A SATELLITE SIMULCAST” and substitute “TRAINING”; in line 12, after “LICENSEE” insert “OR A COMBINATION OF ELIGIBLE RACING LICENSEES”; in line 17, after “REVIEW” insert “, IN ACCORDANCE WITH THE PROVISIONS OF § 11-1203 OF THIS SUBTITLE,”; and in line 19, strike “MAY APPROVE” and substitute “SHALL SUBMIT TO THE AUTHORITY FOR APPROVAL UNDER §§ 11-1204 AND 11-1207 OF THIS SUBTITLE,”.

On page 8, in line 3, strike “AND”; in line 6, after “ENTERPRISES” insert “AND COMMITS TO A MINORITY PARTICIPATION GOAL OF AT LEAST 14% OF THE AMOUNT OF THE CONTRACTS; AND

(6) THE AUTHORITY HAS REVIEWED THE MASTER PLAN AND PROVIDED INPUT TO THE COMMISSION”;

after line 6, insert:

“(C) IF THE COMMISSION DISAPPROVES A MASTER PLAN, THE COMMISSION SHALL STATE FINDINGS OF FACT FOR THE DISAPPROVAL.

(D) IF A MASTER PLAN IS DISAPPROVED, THE LICENSEE MAY ADDRESS THE

(Over)

COMMISSION'S STATED REASONS FOR DISAPPROVAL AND RE-SUBMIT THE PLAN.

(E) UPON APPLICATION BY THE LICENSEE, THE COMMISSION MAY APPROVE AMENDMENTS TO THE PLAN SUBJECT TO THE PROVISIONS OF THIS SECTION.

(F) THE CORPORATION MAY RELEASE FUNDS TO AN ELIGIBLE LICENSEE ONLY AFTER THE LICENSEE COMPLIES WITH THE PROVISIONS OF §§ 11-1204 AND 11-1207 OF THIS SUBTITLE.”;

in line 7, strike “(C)” and substitute “(G)”;

strike beginning with “RACE” in line 12 down through “APPLICATION” in line 13 and substitute “RACING FACILITY REDEVELOPMENT PROGRAM IF THE ELIGIBLE LICENSEE COMPLIES WITH THE PROVISIONS OF THIS SECTION AND § 11-1207 OF THIS SUBTITLE”;

strike beginning with the first comma in line 22 down through the comma in line 23;

in line 24, strike “THE COMMISSION SHALL APPROVE AN APPLICATION” and substitute “AN ELIGIBLE LICENSEE’S REQUEST FOR ASSISTANCE”;

in line 25, after “EXPENDITURES” insert “SHALL”;

strike beginning with “THE” in line 26 down through “SUBTITLE” in line 28 and substitute “BE APPROVED BY THE AUTHORITY UNDER § 11-1207 OF THIS SUBTITLE”;

in line 29, strike “THE APPLICANT PROVIDES” and substitute “IF THE APPLICANT IS A MILE THOROUGHBRED LICENSEE, PROVIDE”;

in the same line, after the second “APPLICANT” insert “AND ITS AFFILIATES”;

in line 30, strike “CAPITAL EXPENDITURES” and substitute “EXPENDITURES FOR PHYSICAL IMPROVEMENTS IN ADDITION TO THE ASSISTANCE GRANTED UNDER THIS SUBTITLE”;

strike beginning with “THE” in line 31 down through “REQUESTED” in line 32 and substitute “EACH YEAR BONDS ISSUED BY THE CORPORATION ARE OUTSTANDING”;

and strike beginning with “AVERAGE” in line 33 down through “1998” in line 35 and substitute “AMOUNT ALLOCATED TO THE RACING FACILITY REDEVELOPMENT BOND FUND BY THE APPLICANT AND ITS AFFILIATES UNDER § 11-515 OF THIS TITLE IN THAT YEAR”.

AMENDMENT NO. 7

On page 9, in line 1, strike “COMMISSION” and substitute “AUTHORITY”;

strike beginning with “TOTAL” in line 5 down through the colon in line 6 and substitute:

“(A) EXCEPT FOR THE AMOUNT OF ASSISTANCE, IF ANY, GRANTED TO AN

ELIGIBLE LICENSEE LOCATED IN ALLEGANY COUNTY, TOTAL ASSISTANCE GRANTED TO ELIGIBLE RACING LICENSEES UNDER THIS SUBTITLE SHALL BE APPORTIONED IN THE FOLLOWING MANNER:";

after line 10, insert:

“(B) THE TOTAL ASSISTANCE GRANTED TO AN ELIGIBLE RACING LICENSEE THAT IS LOCATED IN ALLEGANY COUNTY, INCLUDING THE AMOUNT OF BONDS ISSUED BY THE CORPORATION, MAY NOT BE MORE THAN A PROPORTIONATE AMOUNT OF TOTAL ASSISTANCE GRANTED TO ALL LICENSEES UNDER THIS SUBTITLE BASED ON THE TAKEOUT ALLOCATED TO THE RACING FACILITY REDEVELOPMENT BOND FUND BY THE LICENSEE LOCATED IN ALLEGANY COUNTY COMPARED TO THE TAKEOUT ALLOCATED TO THE BOND FUND BY ALL ELIGIBLE LICENSEES.

11-1206.

(A) THERE IS A RACING FACILITY REDEVELOPMENT BOND FUND.

(B) THE CORPORATION SHALL USE THE FUND AS A NONLAPSING REVOLVING FUND FOR CARRYING OUT THE PROVISIONS OF THIS SUBTITLE RELATING TO RACING FACILITIES.

(C) ALL OF THE FOLLOWING RECEIPTS OF THE COMMISSION SHALL BE PLACED IN THE FUND:

(1) THE TAKEOUT ALLOCATION UNDER § 11-515 OF THIS TITLE FROM MILE THOROUGHBRED LICENSEES;

(2) THE TAKEOUT ALLOCATION UNDER § 11-616 OF THIS TITLE FROM HARNESS LICENSEES;

(3) EFFECTIVE JULY 1, 2001 AND SUBJECT TO THE PROVISIONS OF

(Over)

SUBSECTION (D) OF THIS SECTION, MONEY FROM UNCASHED PARI-MUTUEL TICKETS PAID BY LICENSEES TO THE COMMISSION UNDER § 11-803 OF THIS TITLE; AND

(4) ANY OTHER REVENUE, GIFT, DONATION, OR OTHER SOURCE UNDER A WRITTEN AGREEMENT BETWEEN THE ELIGIBLE LICENSEES AND THE CORPORATION.

(D) (1) TO THE EXTENT DEEMED APPROPRIATE BY THE CORPORATION, THE RECEIPTS OF THE FUND SHALL BE PLEDGED TO AND CHARGED WITH THE PAYMENT OF:

(I) DEBT SERVICE ON CORPORATION BONDS FOR RACING FACILITIES;

(II) ALL REASONABLE CHARGES AND EXPENSES RELATED TO CORPORATION BORROWING AND THE MANAGEMENT OF CORPORATION OBLIGATIONS RELATED TO RACING FACILITIES; AND

(III) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S REVIEW OF RACING FACILITIES PURSUANT TO THE PROVISIONS OF THIS SUBTITLE.

(2) BEGINNING JULY 1, 2002 AND ANNUALLY THEREAFTER, TO THE EXTENT DEEMED APPROPRIATE BY THE CORPORATION, THE RECEIPTS OF THE FUND RELATED TO UNCASHED PARI-MUTUEL TICKETS UNDER SUBSECTION (C)(3) OF THIS SECTION THAT ARE NOT NEEDED TO PAY THE COSTS UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PAID TO THE COMMISSION TO BE CREDITED TO THE RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THIS TITLE.

(E) (1) THE FUND SHALL BE INVESTED AND REINVESTED BY THE TREASURER IN THE SAME MANNER AS STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE TRANSFERRED TO THE CREDIT OF THE FUND.

(F) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT OR ALTER THE POWERS GRANTED TO THE CORPORATION BY LAW.

11-1207.

(A) BEFORE A LICENSEE MAY RECEIVE ANY ASSISTANCE UNDER THIS SUBTITLE, THE AUTHORITY SHALL REVIEW AND DETERMINE WHETHER TO APPROVE OR DISAPPROVE ALL CAPITAL IMPROVEMENTS OF AN ELIGIBLE RACING LICENSEE WHICH ARE FUNDED IN WHOLE OR IN PART BY PROCEEDS FROM BONDS ISSUED BY THE CORPORATION.

(B) APPROVAL BY THE AUTHORITY SHALL BE GIVEN IF THE FOLLOWING CONDITIONS ARE MET:

(1) THE PROPOSED CAPITAL IMPROVEMENTS ARE CONSISTENT WITH THE MASTER PLAN APPROVED BY THE COMMISSION;

(2) THE ELIGIBLE RACING LICENSEE HAS ESTABLISHED PROCEDURES TO ENSURE A COMPETITIVE PRICE FOR CONSTRUCTION CONTRACTS;

(3) THE AUTHORITY HAS REVIEWED AND APPROVED THE ELIGIBLE RACING LICENSEE'S DESIGN FEES AND DOCUMENTS AND THE LICENSEE'S BUDGET FOR THE PROPOSED CAPITAL IMPROVEMENTS;

(4) THE ELIGIBLE RACING LICENSEE HAS TAKEN INTO ACCOUNT THE AUTHORITY'S INPUT WITH RESPECT TO VALUE-ENGINEERING; AND

(5) THE ELIGIBLE RACING LICENSEE HAS PROVIDED THE AUTHORITY WITH EVIDENCE, SATISFACTORY TO THE AUTHORITY, THAT THE LICENSEE'S IMPROVEMENTS ARE IN COMPLIANCE WITH ALL APPLICABLE BUILDING LAWS, RULES, AND REGULATIONS, INCLUDING THE AMERICANS WITH DISABILITIES ACT.

(Over)

(C) THE AUTHORITY SHALL BE REIMBURSED BY THE CORPORATION FOR ITS ACTUAL COSTS IN PERFORMING THE REVIEWS REQUIRED UNDER THIS SUBTITLE.

On page 9, in line 11, strike "11-1206" and substitute "11-1208"; in line 12, after "(A)" insert "BEGINNING JULY 1, 2001."; in line 13, after the second "OF" insert "LOTTERY"; in line 14, strike "§ 120(B)(1)(II)" and substitute "§ 9-120(B)(1)(II)"; strike beginning with "EXPENSES" in line 21 down through "TITLE" in line 22 and substitute "THE COMPTROLLER MAKES PAYMENTS TO THE RACING FACILITY REDEVELOPMENT BOND FUND UNDER § 11-803 OF THIS TITLE"; in line 24, strike "NEEDED TO PAY THE DEFICIENCY OF THE SPECIAL FUND" and substitute "OF THE PAYMENT TO THE RACING FACILITY REDEVELOPMENT BOND FUND UNDER § 11-803 OF THIS TITLE LESS THE AMOUNT OF ANY REPAYMENT TO THE COMMISSION BY THE CORPORATION UNDER § 11-1206(D) OF THIS SUBTITLE.

(C) IF EXCESS LOTTERY REVENUES DO NOT PROVIDE FUNDS IN AMOUNT SUFFICIENT TO FULLY CREDIT THE SPECIAL FUND AS REQUIRED UNDER THIS SECTION, THE GOVERNOR MAY REQUEST A DEFICIENCY APPROPRIATION DURING THE NEXT LEGISLATIVE SESSION.;

and after line 27, insert:

"11-514.

(a) A licensee shall deduct from the handle:

(1) all the breakage;

(2) [17%] NOT MORE THAN 18% from each regular mutuel pool;

(3) [19%] NOT MORE THAN 21% from each multiple mutuel pool on 2 horses;

and

(4) [25%] NOT MORE THAN 25.75% from each multiple mutuel pool on 3 or more horses.

(b) Money that remains after deductions are made under subsection (a) of this section shall be returned as winnings to successful bettors.

(C) (1) THE AMOUNT DEDUCTED BY THE LICENSEE UNDER SUBSECTION (A) OF THIS SECTION SHALL BE AS PROVIDED IN § 11-515 OF THIS SUBTITLE, UNLESS OTHERWISE PROVIDED IN A WRITTEN AGREEMENT SIGNED BY THE AUTHORIZED REPRESENTATIVES OF:

(I) THE LICENSEE;

(II) THE GROUP THAT REPRESENTS A MAJORITY OF THE OWNERS AND TRAINERS LICENSED IN THE STATE AT THE TIME THE AGREEMENT IS SIGNED; AND

(III) THE GROUP THAT REPRESENTS A MAJORITY OF THE BREEDERS IN THE STATE AT THE TIME THE AGREEMENT IS SIGNED.

(2) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO PERMIT THE LICENSEE TO IN ANY WAY ALTER THE MANDATORY TAKEOUT ALLOCATED TO THE COMMISSION FOR:

(I) THE STATE TAX; OR

(II) THE PAYMENT TO THE RACING FACILITY REDEVELOPMENT BOND FUND FOR THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION.”.

AMENDMENT NO. 8

On page 10, in lines 1, 14, and 27, strike “17.25%”, “21.75%”, and “25.25%”, respectively; in lines 1, 14, and 27, in each instance, before “that” insert “AMOUNT”; in lines 6, 19, and 32, in each instance, after “allocate” insert “[0.5%]”; in lines 10 and 23, strike “7.88%” and “8.88%”, respectively, and substitute “7.70%” and “8.70%”, respectively; and in lines 11 and 24, strike “0.25%” and “2.75%”, respectively, and substitute “1.0%” and “2.0%”, respectively; in lines 10 and

(Over)

23, in each instance, strike "AND"; strike beginning with "MARYLAND" in line 12 down through the period in line 13 and substitute "RACING FACILITY REDEVELOPMENT BOND FUND; AND

(6) ALLOCATE 0.18% OF EACH MULTIPLE MUTUEL POOL AS AN ADDITIONAL AMOUNT FOR PURSES.";

and strike beginning with "MARYLAND" in line 25 down through the period in line 26 and substitute "RACING FACILITY REDEVELOPMENT BOND FUND; AND

(6) ALLOCATE 0.18% OF EACH MULTIPLE MUTUEL POOL AS AN ADDITIONAL AMOUNT FOR PURSES.".

On page 11, in line 1, strike "11.88%" and substitute "11.70%"; in line 2, strike "0.25%" and substitute "0.75%"; and strike beginning with "MARYLAND" in line 3 down through the period in line 4 and substitute "RACING FACILITY REDEVELOPMENT BOND FUND; AND

(6) ALLOCATE 0.18% OF EACH MULTIPLE MUTUEL POOL AS AN ADDITIONAL AMOUNT FOR PURSES.".

AMENDMENT NO. 9

On page 11, after line 4, insert:

"11-515.2.

(A) IF THE LICENSEE IS LOCATED IN ALLEGANY COUNTY AND THE LICENSEE ELECTS NOT TO PARTICIPATE IN THE MARYLAND RACING FACILITY REDEVELOPMENT PROGRAM UNDER SUBTITLE 12 OF THIS TITLE, THE ALLOCATION TO THE RACING FACILITY REDEVELOPMENT BOND FUND UNDER § 11-515 OF THIS SUBTITLE SHALL BE RETURNED AS WINNINGS TO SUCCESSFUL BETTORS.

(B) IF A LICENSEE RECEIVES ASSISTANCE FROM THE MARYLAND RACING FACILITY REDEVELOPMENT PROGRAM UNDER SUBTITLE 12 OF THIS TITLE, THE LICENSEE SHALL MAKE THE ALLOCATIONS TO THE RACING FACILITY

REDEVELOPMENT BOND FUND REQUIRED UNDER § 11-515 OF THIS SUBTITLE AS LONG AS THE BONDS ISSUED BY THE CORPORATION ARE OUTSTANDING.

11-613.

(c) If the average handle is \$600,000 or less, the takeout shall be:

(1) NOT MORE THAN 18.75% from each regular mutuel pool;

(2) NOT MORE THAN 20.75% from each multiple mutuel pool on 2 horses; and

(3) NOT MORE THAN 26.75% from each multiple mutuel pool on 3 or more horses.”;

and strike in their entirety lines 5 through 32, inclusive, and substitute:

“11-616.

(A) A licensee whose average handle is MORE THAN \$200,000 BUT NOT MORE THAN \$600,000 [or less] shall:

(1) allocate [0.50%] 0.32% of each mutuel pool to the Commission as State tax;

(2) subject to § 11-618 of this subtitle, allocate 0.25% of each mutuel pool to the Maryland Harness Track Employees Pension Fund;

(3) ALLOCATE 1.5% OF EACH MUTUEL POOL TO THE COMMISSION FOR PAYMENT TO THE RACING FACILITY REDEVELOPMENT BOND FUND;

(4) ALLOCATE FOR PURSES 0.18% OF EACH MUTUEL POOL, OR AN AMOUNT THAT IS OTHERWISE AGREED TO BY THE LICENSEE AND THE ORGANIZATION REPRESENTING A MAJORITY OF THE HARNESS OWNERS AND TRAINERS IN THE STATE, WHICH SHALL PROVIDE REVENUE IN ADDITION TO ANY

(Over)

OTHER FUNDS SET ASIDE FOR PURSES BY PRIVATE PARTIES:

[(3)] (5) keep [18.00%] 16.5% of each regular mutuel pool;

[(4)] (6) keep [20.00%] 18.5% of each multiple mutuel pool on 2 horses; and

[(5)] (7) keep [26.00%] 24.5% of each multiple mutuel pool on 3 or more horses.

(B) A LICENSEE WHOSE AVERAGE HANDLE IS \$200,000 OR LESS SHALL:

(1) ALLOCATE 0.32% OF EACH MUTUEL POOL TO THE COMMISSION AS A STATE TAX;

(2) SUBJECT TO § 11-618 OF THIS SUBTITLE, ALLOCATE 0.25% OF EACH MUTUEL POOL TO THE MARYLAND HARNESS TRACK EMPLOYEES PENSION FUND;

(3) ALLOCATE FOR PURSES 0.18% OF EACH MUTUEL POOL, OR AN AMOUNT THAT IS OTHERWISE AGREED TO BY THE LICENSEE AND THE ORGANIZATION REPRESENTING A MAJORITY OF THE HARNESS OWNERS AND TRAINERS IN THE STATE, WHICH SHALL PROVIDE REVENUE IN ADDITION TO ANY OTHER FUNDS SET ASIDE FOR PURSES BY PRIVATE PARTIES;

(4) KEEP 18.00% OF EACH REGULAR MUTUEL POOL;

(5) KEEP 20.00% OF EACH MULTIPLE MUTUEL POOL ON 2 HORSES; AND

(6) KEEP 26.00% OF EACH MULTIPLE MUTUEL POOL ON 3 OR MORE HORSES.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A LICENSEE IN ALLEGANY COUNTY IS SUBJECT TO THE TAKEOUT PROVISIONS OF:

(1) SUBSECTION (A) OF THIS SECTION IF THE LICENSEE ELECTS TO PARTICIPATE IN THE MARYLAND RACING FACILITY REDEVELOPMENT PROGRAM UNDER SUBTITLE 12 OF THIS TITLE; OR

(2) SUBSECTION (B) OF THIS SECTION IF THE LICENSEE DOES NOT ELECT TO PARTICIPATE IN THE MARYLAND RACING FACILITY REDEVELOPMENT PROGRAM UNDER SUBTITLE 12 OF THIS TITLE.

(D) IF A LICENSEE RECEIVES ASSISTANCE FROM THE MARYLAND RACING FACILITY REDEVELOPMENT PROGRAM UNDER SUBTITLE 12 OF THIS TITLE, THE LICENSEE SHALL MAKE THE ALLOCATION TO THE RACING FACILITY REDEVELOPMENT BOND FUND REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AS LONG AS THE BONDS ISSUED BY THE CORPORATION ARE OUTSTANDING.”.

AMENDMENT NO. 10

On page 12, strike in their entirety lines 1 through 6, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Business Regulation

11-402.

The special fund consists of:

- (1) the State share of daily license fees;
- (2) pari-mutuel taxes;
- (3) the impact aid under § 11-812 of this title; AND
- (4) [money from uncashed pari-mutuel tickets that are from bets made into the betting

(Over)

pools of licensees; and

(5)] any permit fees under §§ 11-820 and 11-832 of this title.

11-803.

(a) If a winning ticket is not redeemed within 1 year, the licensee into whose betting pool the bet was placed shall pay the amount needed to redeem the ticket to[

(1) the Maryland Standardbred Race Fund under § 11-630 of this title for bets made into the betting pools of a harness licensee; or

(2)] the Commission, to be credited to the [Special Fund under Subtitle 4 of this title, for bets made into the betting pools of a nonharness licensee] RACING FACILITY DEVELOPMENT BOND FUND UNDER SUBTITLE 12 OF THIS TITLE.

(b) Every year for the preceding calendar year, each licensee shall:

(1) report to the Commission the amount payable to[the Maryland Standardbred Race Fund or] the Commission under this section; and

(2) pay that amount to [the Maryland Standardbred Race Fund or] the Commission, whichever is applicable.

(c) (1) The license of a licensee shall be revoked if the licensee:

(i) fails to report when money under this section is due; or

(ii) knowingly or willfully submits a report that understates the amount due.

(2) A licensee whose license is revoked under this subsection may not hold a license for at least 1 year.

SECTION 4. AND BE IT FURTHER ENACTED, That, in developing a racing facility master plan under 11-1203 of the Business Regulation Article, each licensee shall:

(1) consult with representatives from affected neighborhood community groups;
and

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

in line 7, strike “3.” and substitute “5.”; in the same line, strike “Section 2” and substitute “Sections 2 and 3”; strike beginning with “for” in line 8 down through “2002,” in line 9 and substitute “until the bonds issued by the Maryland Economic Development Corporation for the purposes of this Act, and the obligations thereunder, have been fully satisfied and are expired, and”; and in line 9, strike “Section 2” and substitute “Sections 2 and 3”.

AMENDMENT NO. 11

On page 12, after line 10, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding § 9-120 of the State Government Article, after cumulative distributions of revenues from the State Lottery for fiscal year 2000 to the General Fund under § 9-120(b)(1)(ii) of the State Government Article total \$366,813,000, \$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 that shall be created 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

(Over)

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:

(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 Maryland Standardbred 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) All funds provided for purses and bred funds at harness racing racks, 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.

(f) 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 7. AND BE IT FURTHER ENACTED, That Section 6 shall remain effective for a period of 1 year and, at the end of June 30, 2001, with no further action required by the General Assembly, Section 6 shall be abrogated and of no further force and effect.

SECTION 8. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2001.”;

in line 11, strike “4.” and substitute “9.”; in the same line after “Act” insert “, except as provided in Section 8 of this Act.”; and strike beginning with “June” in line 12 down through “Assembly” in line 15 and substitute “July 1, 2000”.