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HOUSE

No. 4323

The Commonwealth of Massachusetts

By Mr. Murphy of Burlington, for the committee on Ways and Means, on House, No. 4315, a Bill extending simulcasting (House, No. 4323). November 9, 2009

An Act Extending Simulcasting.

FOR THE COMMITTEE:

NAME:

Charles Murphy

DISTRICT/ADDRESS:

21st Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act Extending Simulcasting.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate simulcasting, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The first paragraph of section 12A of chapter 494 of the acts of 1978 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section 1 of chapter 290 of the acts of 2008, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 2. The last paragraph of said section 12A of said chapter 494 is hereby amended by striking out the words “December 31, 2009”, inserted by section 2 of said chapter 290, and inserting in place thereof the following words:- July 31, 2010.

SECTION 3. The introductory paragraph of section 13 of chapter 494 of the Acts of 1978 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section 3 of chapter 290 of the acts of 2008, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 4. Section 15 of said chapter 494 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section 4 of said chapter 290, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 5. The first paragraph of section 9 of chapter 277 of the acts of 1986 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section 5 of said chapter 290, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 6. The first sentence of the first paragraph of section 3 of chapter 114 of the acts of 1991 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section 6 of said chapter 290, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 7. The last paragraph of said section 3 of said chapter 114 is hereby amended by striking out the words “December 31, 2009”, inserted by section 7 of said chapter 290, and inserting in place thereof the words:- July 31, 2010.

SECTION 8. The first paragraph of section 4 of said chapter 114 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section 8 of said chapter 290, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 9. The last paragraph of said section 4 of said chapter 114 is hereby amended by striking out the words “December 31, 2009”, inserted by section 9 of said chapter 290, and inserting in place thereof the following words:- July 31, 2010.

SECTION 10. The first paragraph of section 5 of said chapter 114 is hereby amended by striking out the words "and until December 31, 2009", inserted by section 10 of said chapter 290, and inserting in place thereof the following words:- and until July 31, 2010.

SECTION 11. Section 13 of chapter 101 of the acts of 1992 is hereby amended by striking out the words "December 31, 2009", inserted by section 11 of said chapter 290, and inserting in place thereof the following words:- July 31, 2010.

SECTION 12. Section 45 of chapter 139 of the acts of 2001 is hereby amended by striking out the words "December 31, 2010", inserted by section 12 of said chapter 290, and inserting in place thereof the following words:- July 31, 2010.

SECTION 13. Section 20 of chapter 449 of the acts of 2006 is hereby amended by striking out the words "December 31, 2009", inserted by section 13 of said chapter 290, and inserting in place thereof the following words:- July 31, 2010.

SECTION 14. Notwithstanding chapters 128A and 128C of the General Laws or any other general or special law, rule or regulation to the contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county licensed in calendar year 2009 to conduct live racing pursuant to chapter 128A of the General Laws and simulcast wagering pursuant to chapter 128C of the General Laws shall not be denied a license to conduct simulcast wagering pursuant to said chapter 128C due to the fact said greyhound meeting licensee located in Bristol county and said greyhound meeting licensee located in Suffolk county is precluded from conducting live racing; provided, however, that all simulcasts shall comply with the provisions of the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3001 et seq. or other applicable federal law; provided, however, that all simulcasts from states which have racing associations that do not require approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3004 (a) (1) (A), except simulcasts during the month of August, shall require the approval of the New England Horsemen's Benevolent and Protective Association prior to being simulcast to any racing meeting licensee within the commonwealth; provided further, that, if the association agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.

SECTION 15. Notwithstanding section 5 of chapter 128A of the General Laws, or any other general or special law, rule or regulation to the contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county shall not be eligible for purse assistance pursuant to clause (6) of subsection (h) of section 5 of chapter 128A of the General Laws.

SECTION 16. Notwithstanding section 2 of chapter 128C of the General Laws, or any other general or special law, rule or regulation to the contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county shall pay all premiums received pursuant to said section 2 of said chapter 128C of the General Laws to the Racing Stabilization Fund established pursuant to section 19.

SECTION 17. Notwithstanding chapter 128C of the General Laws, or any other general or special law, rule or regulation to the contrary, simulcast revenues generated by the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county and otherwise dedicated to purse accounts at said licensee, or to be distributed to

breeders' associations at guest dog tracks, shall be dedicated to the Racing Stabilization Fund established pursuant to section 19.

SECTION 18. Notwithstanding chapters 128A and 128C of the General Laws or any other general or special law, rule or regulation to the contrary, revenues from unclaimed winnings and breaks, so called, generated by the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county shall be dedicated to the Racing Stabilization Fund established pursuant to section 19.

SECTION 19. Notwithstanding any general or special law, rule or regulation to the contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county shall, unless otherwise provided in this act, be subject to chapter 128A and chapter 128C of the General Laws and chapter 139 of the Acts of 2001, as amended.

SECTION 20. Notwithstanding any general or special law, rule or regulation to the contrary, there shall be established and set up on the books of the commonwealth a separate fund to be known as the Racing Stabilization Fund. Said fund shall consist of all revenues dedicated pursuant to this act. All revenues credited under this section shall remain in said Racing Stabilization Fund, subject to appropriation. Any balance in the fund at the end of the fiscal year shall not revert to the General Fund.

SECTION 21. Notwithstanding section 12A of chapter 494 of the acts of 1978, any general or special law, rule or regulation to the contrary, on January 1, 2010 the state comptroller shall transfer all monies deposited in the Greyhound Capital Improvements Trust Fund and the Greyhound Promotional Trust Fund, each established under said section 12A of said chapter 494 of the acts of 1978, to the Racing Stabilization Fund established pursuant to section 19; provided further, that after January 1, 2010 the comptroller shall transfer any revenues deposited into said Greyhound Capital Improvements Trust Fund and said Greyhound Promotional Trust Fund into said Racing Stabilization Fund within 10 days of receipt of said revenues.

SECTION 22. This act shall expire on July 31, 2010.