

HOUSE No. 4315

The Commonwealth of Massachusetts

By Mr. Dempsey of Haverhill, for the committee on Economic Development and Emerging Technologies, on House, No. 4062, a Bill extending simulcasting (House, No. 4315). November 5, 2009.

An Act EXTENDING SIMULCASTING.

FOR THE COMMITTEE:

NAME:

Brian S. Dempsey

DISTRICT/ADDRESS:

3rd Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act EXTENDING SIMULCASTING.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make regulate simulcasting, therefore it is hereby 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:

1 SECTION 1. The introductory paragraph of section 13 of chapter 494 of the Acts of 1978
2 is hereby amended by striking out the words “and until December 31, 2009”, inserted by section
3 3 of chapter 290 of the acts of 2008, and inserting in place thereof the following words: and until
4 July 31, 2010.

5 SECTION 2. Section 15 of said chapter 494 is hereby amended by striking out the words “and
6 until December 31, 2009”, inserted by section 4 of said chapter 290, and inserting in place
7 thereof the following words:- and until July 31, 2010.

8 SECTION 3. The first paragraph of section 9 of chapter 277 of the acts of 1986 is hereby
9 amended by striking out the words “and until December 31, 2009”, inserted by section 5 of said
10 chapter 290, and inserting in place thereof the following words:- and until July 31, 2010.

11 SECTION 4. The first sentence of the first paragraph of section 3 of chapter 114 of the acts of
12 1991 is hereby amended by striking out the words “and until December 31, 2009” inserted by
13 section 6 of said chapter 290, and inserting in place thereof the following words:- and until July
14 31, 2010.

15 SECTION 5. The last paragraph of said section 3 of said chapter 114 is hereby amended by
16 striking out the words “December 31, 2009”, inserted by section 7 of said chapter 290, and
17 inserting in place thereof the words:- July 31, 2010.

18 SECTION 6. The first paragraph of section 4 of said chapter 114 is hereby amended by striking
19 out the words “and until December 31, 2009” inserted by section 8 of said chapter 290, and
20 inserting in place thereof the following words:- and until July 31, 2010.

21 SECTION 7. The last paragraph of said section 4 of said chapter 114 is hereby amended by
22 striking out the words “December 31, 2009”, inserted by section 9 of said chapter 290, and
23 inserting in place thereof the following words:- July 31, 2010.

24 SECTION 8. The first paragraph of section 5 of said chapter 114 is hereby amended by striking
25 out the words “and until December 31, 2009”, inserted by section 10 of said chapter 290, and
26 inserting in place thereof the following words:- and until July 31, 2010.

27 SECTION 9. Section 13 of chapter 101 of the acts of 1992 is hereby amended by striking out the
28 words “December 31, 2009”, inserted by section 11 of said chapter 290 and inserting in place
29 thereof the following words:- July 31, 2010.

30 SECTION 10. Section 45 of chapter 139 of the acts of 2001 is hereby amended by striking out
31 the words “December 31, 2010” inserted by section 12 of said chapter 290 and inserting in place
32 thereof the following words:- July 31, 2010.

33 SECTION 11. Section 20 of chapter 449 of the acts of 2006 is hereby amended by striking out
34 the words “December 31, 2009”, inserted by section 13 of said chapter 290 and inserting in place
35 thereof the following words:- July 31, 2010.

36 SECTION 12. Notwithstanding chapters 128A and 128C of the General Laws or any other
37 general or special law, rule, or regulation to the contrary, the greyhound meeting licensee located
38 in Bristol county and the greyhound meeting licensee located in Suffolk county licensed in
39 calendar year 2009 to conduct live racing pursuant to chapter 128A of the General Laws and
40 simulcast wagering pursuant to chapter 128C of the General Laws shall not be denied a license to
41 conduct simulcast wagering pursuant to said chapter 128C due to the fact said greyhound
42 meeting licensee located in Bristol county and said greyhound meeting licensee located in

43 Suffolk county is precluded from conducting live racing; provided, however, that all simulcasts
44 shall comply with the provisions of the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3001
45 et seq. or other applicable federal law; provided, however, that all simulcasts from states which
46 have racing associations that do not require approval in compliance with the Interstate Horse
47 Racing Act of 1978, 15 U.S.C. Sec. 3004 (a) (1) (A), except simulcasts during the month of
48 August, shall require the approval of the New England Horsemen's Benevolent and Protective
49 Association prior to being simulcast to any racing meeting licensee within the commonwealth;
50 provided further, that, if the association agrees to approve the simulcast for 1 racing meeting
51 licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.

52 SECTION 13. Notwithstanding section 5 of chapter 128A of the General Laws, or any other
53 general or special law, rule, or regulation to the contrary, the greyhound meeting licensee located
54 in Bristol county and the greyhound meeting licensee located in Suffolk county shall not be
55 eligible for purse assistance pursuant to clause (6) of subsection (h) of section 5 of chapter 128A
56 of the General Laws.

57 SECTION 14. Notwithstanding section 2 of chapter 128C of the General Laws, or any other
58 general or special law, rule, or regulation to the contrary, the greyhound meeting licensee located
59 in Bristol county and the greyhound meeting licensee located in Suffolk county shall pay all
60 premiums received pursuant to said section 2 of said chapter 128C of the General Laws to the
61 Racing Stabilization Fund established pursuant to section 19.

62 SECTION 15. Notwithstanding chapter 128C of the General Laws, or any other general or
63 special law, rule, or regulation to the contrary, simulcast revenues generated by the greyhound
64 meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk
65 county and otherwise dedicated to purse accounts at said licensee, or to be distributed to
66 breeders' associations at guest dog tracks, shall be dedicated to the Racing Stabilization Fund
67 established pursuant to section 19.

68 SECTION 16. Notwithstanding chapter 128C of the General Laws, or any other general or
69 special law, rule, or regulation to the contrary, simulcast revenues generated by the greyhound
70 meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk
71 county and otherwise dedicated to the Greyhound Capital Improvements Trust Fund or the

72 Greyhound Promotional Trust Fund, each established under section 12A of said chapter 494 of
73 the acts of 1978 shall be dedicated to the Racing Stabilization Fund established pursuant to
74 section 19.

75 SECTION 17. Notwithstanding chapters 128A and 128C of the General Laws or any other
76 general or special law, rule, or regulation to the contrary, revenues from unclaimed winnings and
77 breaks, so called, generated by the greyhound meeting licensee located in Bristol county and the
78 greyhound meeting licensee located in Suffolk county shall be dedicated to the Racing
79 Stabilization Fund established pursuant to section 19.

80 SECTION 18. Notwithstanding any general or special law, rule, or regulation to the contrary, the
81 greyhound meeting licensee located in Bristol county and the greyhound meeting licensee
82 located in Suffolk county shall, unless otherwise provided in this act, be subject to chapter 128A
83 and chapter 128C of the General Laws and chapter 139 of the Acts of 2001, as amended.

84 SECTION 19. Notwithstanding any general or special law, rule, or regulation to the contrary,
85 there shall be established and set up on the books of the commonwealth a separate fund to be
86 known as the Racing Stabilization Fund. Said fund shall consist of all revenues dedicated
87 pursuant to this act. All revenues credited under this section shall remain in said Racing
88 Stabilization Fund, subject to appropriation. Any balance in the fund at the end of the fiscal year
89 shall not revert to the General Fund.

90 SECTION 20. This act shall expire on July 31, 2010.