

SENATE No. 2214

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Text of the Senate amendment (Ways and Means) to the House extending simulcasting H 4315.

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 first paragraph of section 12A of chapter 494 of the acts of 1978 is
2 hereby amended by striking out the words “and until December 31, 2009”, inserted by section 1
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. The last paragraph of said section 12A of said chapter 494 is hereby
6 amended by striking out the words “December 31, 2009”, inserted by section 2 of said chapter
7 290, and inserting in place thereof the following words:- July 31, 2010.

8 SECTION 3. The introductory paragraph of section 13 of chapter 494 is hereby amended
9 by striking out the words “and until December 31, 2009”, inserted by section 3 of said chapter
10 290, and inserting in place thereof the following words:- and until July 31, 2010.

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

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

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

21 SECTION 7. The last paragraph of said section 3 of said chapter 114 is hereby
22 amended by striking out the words “December 31, 2009”, inserted by section 7 of said chapter
23 290, and inserting in place thereof the words:- July 31, 2010.

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

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

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

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

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

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

42 SECTION 14. Notwithstanding section 2 of chapter 128A of the General Laws and
43 sections 1, 2 and 2A of chapter 128C of the General Laws or any other general or special law or
44 rule or regulation to the contrary, the greyhound meeting licensee located in Bristol county and
45 the greyhound meeting licensee located in Suffolk county licensed to conduct live racing
46 pursuant to chapter 128A of the General Laws and simulcast wagering pursuant to chapter 128C
47 of the General Laws in calendar year 2009 shall remain in effect until July 31, 2010; provided,
48 however, that the days between January 1, 2010, and July 31, 2010, shall be dark days pursuant
49 to said chapter 128C and said licensees shall continue to be precluded from conducting live
50 racing during that period; provided further, that all simulcasts shall comply with the Interstate
51 Horse Racing Act of 1978, 15 U.S.C. Sec. 3001 et seq. or other applicable federal law; provided
52 further, that all simulcasts from states which have racing associations that do not require
53 approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3004 (a)
54 (1) (A) shall require the approval of the New England Horsemen's Benevolent and Protective

55 Association prior to being simulcast to a racing meeting licensee within the commonwealth; and
56 provided further, that if the association agrees to approve the simulcast for 1 racing meeting
57 licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.

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

63 SECTION 16. Notwithstanding section 2 of chapter 128C of the General Laws or any
64 other general or special law or rule or regulation to the contrary, the greyhound meeting licensee
65 located in Bristol county and the greyhound meeting licensee located in Suffolk county shall pay
66 all premiums received pursuant to said section 2 of said chapter 128C to the Racing Stabilization
67 Fund established in section 20.

68 SECTION 17. Notwithstanding chapter 128C of the General Laws or any other general or
69 special law or 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 purse accounts at the licensees or to be distributed to breeders'
72 associations at guest dog tracks shall be dedicated to the Racing Stabilization Fund established in
73 section 20.

74 SECTION 18. Notwithstanding chapters 128A and 128C of the General Laws or any
75 other general or special law or rule or regulation to the contrary, amounts from unclaimed
76 winnings and breaks generated by the greyhound meeting licensee located in Bristol county and

77 the greyhound meeting licensee located in Suffolk county shall be dedicated to the Racing
78 Stabilization Fund established in section 20.

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

84 SECTION 20. Notwithstanding any general or special law or rule or regulation to the
85 contrary, there shall be established and set up on the books of the commonwealth a Racing
86 Stabilization Fund that shall be administered by the executive office for administration and
87 finance. The fund shall consist of all revenues dedicated pursuant to this act; provided, however,
88 that in fiscal year 2010, the secretary of administration and finance shall transfer funds totaling
89 not less than \$500,000 to the department of public health for a compulsive gamblers' treatment
90 program; provided further, that the state racing commission, or a successor agency, shall report
91 to the executive office for administration and finance and the house and senate committees on
92 ways and means not later than the last day of each month, the projected program revenue,
93 program expenses and operating costs associated with overseeing simulcasting through July 31,
94 2010. In the event of a deficit, the secretary of administration and finance may transfer funds not
95 to exceed \$100,000 for the operating costs of the said commission. Any balance in the fund at
96 the end of the fiscal year shall not revert to the General Fund.

97 SECTION 21. Notwithstanding section 12A of chapter 494 of the acts of 1978 or any
98 other general or special law or rule or regulation to the contrary, on January 1, 2010, the

99 comptroller shall transfer all monies deposited in the Greyhound Capital Improvements Trust
100 Fund and the Greyhound Promotional Trust Fund, each established under said section 12A of
101 said chapter 494, to the Racing Stabilization Fund established in section 20. After January 1,
102 2010, the comptroller shall transfer any revenues deposited into the Greyhound Capital
103 Improvements Trust Fund and the Greyhound Promotional Trust Fund into the Racing
104 Stabilization Fund within 10 days after receipt of those revenues.

105 SECTION 22. Notwithstanding any general or special law to the contrary, the greyhound
106 meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk
107 county shall report monthly to the state racing commission, or a successor agency, on their net
108 and gross revenue, including an itemization of premiums received, fees received and any
109 amounts dedicated to purse accounts, the Greyhound Capital Improvements Trust Fund and the
110 Greyhound Promotional Trust Fund. The report shall include the number of part-time and full-
111 time staff employed by the licensees at the close of the previous month. The report shall also
112 include the total amount of premiums paid to the harness horse meeting licensees located in
113 Norfolk county and the running horse meeting licensee located in Suffolk county. Failure to file
114 the report on the tenth day of each month shall be cause for suspension of the greyhound meeting
115 license. The state racing commission, or a successor agency, shall forward all such reports to the
116 house and senate committees on ways and means, the joint committee on economic development
117 and emerging technologies and the joint committee on labor and workforce development.

118 SECTION 23. Notwithstanding any general of special law, rule or regulation to the
119 contrary, monies in the Racing Stabilization Fund established in section 20 act may be used to
120 assist efforts to secure alternative employment and retraining opportunities for displaced workers
121 impacted by the passage of chapter 388 of the acts of 2008 including, but not limited to,

122 coordinating the delivery of available state and federal resources and services; provided,
123 however, that such funds from the fund shall only be expended after all federal funds from the
124 Workforce Investment Act and the American Reinvestment and Recovery Act have been
125 exhausted; provided further, that the secretary of labor and workforce development shall develop
126 a plan to implement this section and submit a copy of the plan to the house and senate
127 committees on ways and means, the joint committee on economic development and emerging
128 technologies and the joint committee on labor and workforce development Not later than
129 December 15, 2009.

130 SECTION 24. This act shall expire on July 31, 2010.