

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bradford R. Hill

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing for improvements to the thoroughbred racing industry in the commonwealth and the regulation thereof.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradford R. Hill	4th Essex
Bruce E. Tarr	

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 362 OF 2007-2008.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT PROVIDING FOR IMPROVEMENTS TO THE THOROUGHBRED RACING INDUSTRY
IN THE COMMONWEALTH AND THE REGULATION THEREOF.

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

1 An Act providing for improvements to the thoroughbred racing industry
2 in the commonwealth and the regulation thereof.

3

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

6

7 SECTION 1. Section 2 of chapter 128 C, as appearing in the 2002
8 Official Edition, is hereby amended by deleting in the second paragraph, in
9 line 33, the word "interstate".

10

11 SECTION 2. Section 2 of chapter 128 C, as so appearing, is hereby
12 further amended by deleting in the third paragraph, in line 59, the word
13 "interstate".

14

15 SECTION 3. Section 2 of chapter 128 C, as so appearing, is hereby
16 further amended in the fifth paragraph by deleting the last sentence in its
17 entirety and by inserting in place thereof the following:--

18 "The harness horse racing meeting licensee located in Norfolk County
19 shall pay to the running horse racing meeting licensee in Suffolk County a
20 fee of 11 percent for its intrastate racing cards, and shall pay a 3 percent
21 premium with respect to running horse simulcasts received, over and above the
22 costs of obtaining such simulcasts."

23

24 SECTION 4. Section 2 of chapter 128 C, as so appearing, is hereby
25 further amended in the sixth paragraph by deleting the second sentence,
26 beginning in line 110, in its entirety and inserting in place thereof the
27 following:--

28 SECTION 5. There shall be established a special commission to consist
29 of 9 members, 3 members of the senate, 1 of whom shall be the senate
30 chairman of the joint committee on government regulations, 3 members of the
31 house of representatives, 1 of whom shall be the house chairman of the joint
32 committee on government regulations, the treasurer and receiver general of
33 the Commonwealth or his designee, the director of the state lottery
34 commission or his designee, the chairman of the state racing commission or
35 his designee for the purpose of studying the feasibility of authorizing the
36 state lottery to accept wagers on events conducted under the provisions of
37 chapter 128 A and chapter 128 C of the General Laws. The chairman of the
38 commission shall be selected by its members. Section 2A of chapter 4 of the
39 General Laws shall not apply to the special commission. No member of the
40 commission shall be found in violation of section 6, 7, or 23 of chapter 268A
41 of the General Laws for conduct which involves his participation as a member
42 of the commission if he discloses any financial interest described in said
43 section 6 or 7 or other interest described in said section 23 to the state
44 ethics commission in writing before his participation as a member of the
45 commission. Five members of the commission shall constitute a quorum and a
46 majority of all members present and voting shall be required for any action
47 voted by the commission including, but not limited to, voting on formal
48 recommendations or proposed legislation.

49 The commission, as part of its deliberations regarding the operation,
50 administration, regulation, governance, economics, finances, and revenue
51 generation of expanded wagering on horse and dog racing in conjunction with
52 the state lottery, shall focus on and consider the following:-

53 (i) the anticipated financial benefit to horse and dog industry and, in
54 particular, to racing purses; the potential effect on, or competition with,
55 the sale of lottery tickets by the state lottery commission; and

56 (ii) the procedures necessary to establish and operate any such program
57 including but not limited to locations for expanded wagering, guidelines,
58 penalties and oversight of the program; and

59 (iii) the creation of a lottery thoroughbred sweepstakes ticket; and

60 (vi) the authorization and installation of so-called instant racing

61 machines at locations approved by the state lottery.

62 The commission shall prepare and issue a report and file a copy of it
63 with the clerks of the senate and house of representatives, the committee on
64 governmental regulations and the house and senate committees on ways and
65 means by no later than July 1, 2005.