

**HOUSE . . . . . No. 362**

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**The Commonwealth of Massachusetts**

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PETITION OF:

Bradford Hill

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In the Year Two Thousand and Seven.  
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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:*

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

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

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

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

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

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

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

- (i) the anticipated financial benefit to horse and dog industry and, in particular, to racing purses; the potential effect on, or competition with, the sale of lottery tickets by the state lottery commission; and
- (ii) the procedures necessary to establish and operate any such program including but not limited to locations for expanded wagering, guidelines, penalties and oversight of the program; and
- (iii) the creation of a lottery thoroughbred sweepstakes ticket; and
- (vi) the authorization and installation of so-called instant racing machines at locations approved by the state lottery.

The commission shall prepare and issue a report and file a copy of it with the clerks of the senate and house of representatives, the committee on

governmental regulations and the house and senate committees on ways and means by no later than July 1, 2005.