

**SENATE BILL NO. 572**

June 5, 1997, Introduced by Senators SCHUETTE, ROGERS,  
BOUCHARD, GEAKE, NORTH, SHUGARS and DUNASKISS and referred  
to the Committee on Gaming and Casino Oversight.

A bill to amend 1995 PA 279, entitled  
"Horse racing law of 1995,"  
by amending section 20 (MCL 431.320) and by adding section 9a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 9A. EACH HOLDER OF THE TRACK LICENSE SHALL POST A  
2 TOLL-FREE COMPULSIVE GAMING HELPLINE NUMBER AT EACH ENTRANCE AND  
3 EXIT OF THE RACETRACK AND AT EACH LOCATION ON THE RACETRACK WHERE  
4 WAGERS ON HORSE RACES ARE ACCEPTED AND SHALL INCLUDE THAT NUMBER  
5 ON ALL ADVERTISEMENT AND PROMOTIONAL MATERIALS.

6        Sec. 20. (1) It is the policy of this state to encourage  
7 the breeding of horses of all breeds in this state and the owner-  
8 ship of such horses by residents of this state to provide for  
9 sufficient numbers of high quality race horses of all breeds to  
10 participate in licensed race meetings in this state; to promote  
11 the positive growth and development of high quality horse racing

1 and other equine competitions in this state as a beneficial  
2 business and entertainment activity for residents of this state;  
3 and to establish and preserve the substantial agricultural and  
4 commercial benefits of the horse racing and breeding industry to  
5 the state of Michigan. It is the intent and purpose of the leg-  
6 islature to further this policy by the provisions of the act and  
7 annual appropriations to administer this act and adequately fund  
8 the agriculture and equine industry programs established by this  
9 section.

10 (2) Money received by the racing commissioner and the state  
11 treasurer under this act shall be paid promptly into the state  
12 treasury and placed in the Michigan agriculture equine industry  
13 development fund created in subsection (3).

14 (3) The Michigan agriculture equine industry development  
15 fund is created in the department of treasury. The Michigan  
16 agriculture equine industry development fund shall be adminis-  
17 tered by the director of the department of agriculture with the  
18 assistance and advice of the racing commissioner.

19 (4) Money shall not be expended from the Michigan agricul-  
20 ture equine industry development fund except as appropriated by  
21 the legislature. Money appropriated by the legislature for the  
22 Michigan agriculture equine industry development fund shall be  
23 expended by the director of the department of agriculture with  
24 the advice and assistance of the racing commissioner to provide  
25 funding for agriculture and equine industry development programs  
26 as provided in subsections (5) to (11).

1 (5) The following amounts shall be paid to standardbred and  
2 fair programs:

3 (a) A sum not to exceed 75% of the purses for standardbred  
4 harness horse races offered by fairs and races at licensed  
5 pari-mutuel racetracks. Purse supplements for overnight races at  
6 fairs paid pursuant to this subsection may not exceed the lowest  
7 purse offered for overnight races of the same breed at any  
8 licensed race meeting in this state during the previous year.

9 (b) A sum to be allotted on a matching basis, but not to  
10 exceed \$15,000.00 each year to a single fair, for the purpose of  
11 equipment rental during fairs; ground improvement; constructing,  
12 maintaining, and repairing buildings; and making the racetrack  
13 more suitable and safe for racing at fairs.

14 (c) A sum to be allotted for paying special purses at fairs  
15 on 2-year-old and 3-year-old standardbred harness horses con-  
16 ceived after January 1, 1992, and sired by a standardbred stal-  
17 lion registered with the Michigan department of agriculture that  
18 was leased or owned by a resident or residents of this state and  
19 which did not serve a mare at a location outside of this state  
20 from February 1 through July 31 of the calendar year in which the  
21 conception occurred. Transportation of semen from a standardbred  
22 stallion registered with the Michigan department of agriculture  
23 to a location outside the state of Michigan does not create eli-  
24 gibility for Michigan tax supported races, and does not affect  
25 the eligibility of Michigan conceived foals for the purses pro-  
26 vided for by this section. A foal conceived outside the state of  
27 Michigan by means of semen from a standardbred stallion

1 registered with the Michigan department of agriculture is not  
2 eligible for Michigan tax-supported races.

3 (d) A sum to pay not more than 75% of an eligible cash pre-  
4 mium paid by a fair or exposition. The commission of agriculture  
5 shall promulgate rules establishing which premiums are eligible  
6 for payment and a dollar limit for all eligible payments.

7 (e) A sum to pay breeders' awards in an amount not to exceed  
8 10% of the gross purse to breeders of Michigan bred standardbred  
9 harness horses for each time the horse wins a race at a licensed  
10 race meeting or fair in this state. As used in this subdivision,  
11 "Michigan bred standardbred harness horse" means a horse from a  
12 mare owned by a resident or residents of this state at the time  
13 of conception, that was conceived after January 1, 1992, and  
14 sired by a standardbred stallion registered with the Michigan  
15 department of agriculture that was leased or owned by a resident  
16 or residents of this state and that did not serve a mare at a  
17 location outside of this state from February 1 through July 31 of  
18 the calendar year in which the conception occurred. To be eligi-  
19 ble, each mare shall be registered with the Michigan department  
20 of agriculture. Transportation of semen from a standardbred  
21 stallion registered with the Michigan department of agriculture  
22 to a location outside the state of Michigan does not create eli-  
23 gibility for Michigan tax-supported races, and does not affect  
24 the eligibility of Michigan conceived foals for the purses pro-  
25 vided for by this section. A foal conceived outside the state of  
26 Michigan by means of semen from a standardbred stallion

1 registered with the Michigan department of agriculture is not  
2 eligible for Michigan tax-supported races.

3 (f) A sum not to exceed \$4,000.00 each year to be allotted  
4 to fairs to provide training and stabling facilities for stan-  
5 dardbred harness horses.

6 (g) A sum to be allotted to pay the presiding judges and  
7 clerks of the course at fairs. Presiding judges and clerks of  
8 the course shall be hired by the fair's administrative body with  
9 the advice and approval of the racing commissioner. The director  
10 of the department of agriculture may allot funds for a photo  
11 finish system and a mobile starting gate. The director of the  
12 department of agriculture shall allot funds for the conducting of  
13 tests, the collection and laboratory analysis of urine, saliva,  
14 blood, and other samples from horses, and the taking of blood  
15 alcohol tests on drivers, jockeys, and starting gate employees,  
16 for those races described in this subdivision. The department  
17 may require a driver, jockey, or starting gate employee to submit  
18 to a breathalyzer test, urine test, or other nonevasive fluid  
19 test to detect the presence of alcohol or a controlled substance  
20 as defined in section 7104 of the public health code, ~~Act~~  
21 ~~No. 368 of the Public Acts of 1978, being section 333.7104 of the~~  
22 ~~Michigan Compiled Laws— 1978 PA 368, MCL 333.7104.~~ If the  
23 results of a test show that a person has more than .05% of alco-  
24 hol in his or her blood, or has present in his or her body a con-  
25 trolled substance, the person shall not be permitted to continue  
26 in his or her duties on that race day and until he or she can  
27 produce, at his or her own expense, a negative test result.

1 (h) A sum to pay purse supplements to licensed pari-mutuel  
2 harness race meetings for special 4-year-old filly and colt horse  
3 races.

4 (i) A sum not to exceed 0.25% of all money wagered on live  
5 and simulcast horse races in Michigan shall be placed in a spe-  
6 cial standardbred sire stakes fund each year, 100% of which shall  
7 be used to provide purses for races run exclusively for  
8 2-year-old and 3-year-old Michigan sired standardbred horses at  
9 licensed harness race meetings in this state. As used in this  
10 subdivision, "Michigan sired standardbred horses" means standard-  
11 bred horses conceived after January 1, 1992 and sired by a stan-  
12 dardbred stallion registered with the Michigan department of  
13 agriculture that was leased or owned by a resident or residents  
14 of this state and which did not serve a mare at a location out-  
15 side of this state from February 1 through July 31 of the calen-  
16 dar year in which the conception occurred. Transportation of  
17 semen from a standardbred stallion registered with the Michigan  
18 department of agriculture to a location outside the state of  
19 Michigan does not create eligibility for Michigan tax-supported  
20 races, and does not affect the eligibility of Michigan conceived  
21 foals for the purses provided for by this section. A foal con-  
22 ceived outside the state of Michigan by means of semen from a  
23 standardbred stallion registered with the Michigan department of  
24 agriculture is not eligible for Michigan tax-supported races.

25 (6) The following amounts shall be paid to thoroughbred  
26 programs:

1 (a) A sum to be allotted thoroughbred race meeting licensees  
2 to supplement the purses for races to be conducted exclusively  
3 for Michigan bred horses.

4 (b) A sum to pay awards to owners of Michigan bred horses  
5 that finish first, second, or third in races open to non-Michigan  
6 bred horses.

7 (c) A sum to pay breeders' awards in an amount not to exceed  
8 10% of the gross purse to the breeders of Michigan bred thorough-  
9 bred horses for each time Michigan bred thoroughbred horses win  
10 at a licensed race meeting in this state.

11 (d) A sum to pay purse supplements to licensed thoroughbred  
12 race meetings for special 4-year-old and older filly and colt  
13 horse races.

14 (e) A sum not to exceed 0.25% of all money wagered on live  
15 and simulcast horse races in Michigan shall be placed in a spe-  
16 cial thoroughbred sire stakes fund each year, 100% of which shall  
17 be used to provide purses for races run exclusively for  
18 2-year-old and 3-year-old and older Michigan sired thoroughbred  
19 horses at licensed thoroughbred race meetings in this state and  
20 awards for owners of Michigan sired horses or stallions. As used  
21 in this subdivision, "Michigan sired thoroughbred horses" means  
22 thoroughbred horses sired by a stallion registered with the  
23 department of agriculture that was leased or owned exclusively by  
24 a resident or residents of this state and that did not serve a  
25 mare at a location outside of this state during the calendar year  
26 in which the service occurred.

1 (f) A sum to be allotted sufficient to pay for the  
2 collection and laboratory analysis of urine, saliva, blood, and  
3 other samples from horses and licensed persons and for the con-  
4 ducting of tests described in section 16(3)(b).

5 (7) The following amounts shall be paid for quarter horse  
6 programs:

7 (a) A sum to supplement the purses for races to be conducted  
8 exclusively for Michigan bred quarter horses.

9 (b) A sum to pay not more than 75% of the purses for regis-  
10 tered quarter horse races offered by fairs.

11 (c) A sum to pay breeders' awards in an amount not to exceed  
12 10% of a gross purse to breeders of Michigan bred quarter horses  
13 for each time a Michigan bred quarter horse wins at a county fair  
14 or licensed race meeting in this state.

15 (d) A sum to pay for the collection and laboratory analysis  
16 of urine, saliva, blood, and other samples from horses and  
17 licensed persons and the taking of blood alcohol tests on jockeys  
18 for those races described in this subsection and for the conduct-  
19 ing of tests described in section 16(3)(b).

20 (e) As used in this subsection, "Michigan bred quarter  
21 horse" means a horse from a mare owned by a resident of this  
22 state at the time of breeding, sired by a registered stallion  
23 owned exclusively by a resident of this state, and which did not  
24 serve a mare at a location outside of this state during the cal-  
25 endar year in which the service occurred. Each mare and stallion  
26 shall be registered with the director of the department of  
27 agriculture.

1 (8) The following amounts shall be paid for Appaloosa  
2 programs:

3 (a) A sum to supplement the purses for races to be conducted  
4 exclusively for Michigan bred Appaloosa horses.

5 (b) A sum to pay not more than 75% of the purses for regis-  
6 tered Appaloosa horse races offered by fairs.

7 (c) A sum to pay breeders' awards in an amount not to exceed  
8 10% of the gross purse to the breeders of Michigan bred Appaloosa  
9 horses for each time Michigan bred horses win at a fair or  
10 licensed race meeting in this state.

11 (d) The department shall also allot sufficient funds from  
12 the revenue received from Appaloosa horse racing to pay for the  
13 collection and laboratory analysis of urine, saliva, blood, or  
14 other samples from horses and licensed persons and the taking of  
15 blood alcohol tests on jockeys for those races described in this  
16 subsection and for the conducting of tests described in section  
17 16(3)(b).

18 (e) As used in this subsection, "Michigan bred Appaloosa"  
19 means a horse from a mare owned by a resident of this state at  
20 the time of breeding, sired by a registered stallion owned exclu-  
21 sively by a resident of this state, and which did not serve a  
22 mare at a location outside of this state during the calendar year  
23 in which the service occurred. Each mare and stallion shall be  
24 registered with the director of the department of agriculture.

25 (9) The following amounts shall be paid for Arabian  
26 programs:

1 (a) A sum to supplement the purses for races to be conducted  
2 exclusively for Michigan bred Arabian horses.

3 (b) A sum to pay not more than 75% of the purses for regis-  
4 tered Arabian horse races offered by fairs.

5 (c) A sum to pay breeders' awards in an amount not to exceed  
6 10% of the gross purse to the breeders of Michigan bred Arabian  
7 horses for each time Michigan bred horses win at a fair or  
8 licensed racetrack in this state.

9 (d) A sum allotted from the revenue received from Arabian  
10 horse racing to pay for the collection and laboratory analysis of  
11 urine, saliva, blood, and other samples from horses and licensed  
12 persons and the taking of blood alcohol tests on jockeys for  
13 those races described in this subsection and for the conducting  
14 of tests described in section 16(3)(b).

15 (e) As used in this subsection, "Michigan bred Arabian"  
16 means a horse from a mare owned by a resident of this state at  
17 the time of breeding, sired by a registered stallion owned exclu-  
18 sively by a resident of this state, and which did not serve a  
19 mare at a location outside of this state during the calendar year  
20 in which the service occurred. Each mare and stallion shall be  
21 registered with the director of the department of agriculture.

22 (10) The following amounts shall be paid for the equine  
23 industry research, planning, and development grant fund program:

24 (a) A sum to fund grants for research projects conducted by  
25 persons affiliated with a university or governmental research  
26 agency or institution or other private research entity approved

1 by the racing commissioner, which are beneficial to the horse  
2 racing and breeding industry in this state.

3 (b) Money appropriated and allotted to this fund shall not  
4 revert to the general fund and shall be carried forward from year  
5 to year until disbursed to fund grants for research projects ben-  
6 eficial to the industry.

7 (c) As used in this subsection, "equine research" means the  
8 study, discovery and generation of accurate and reliable informa-  
9 tion, findings, conclusions, and recommendations that are useful  
10 or beneficial to the horse racing and breeding industry in this  
11 state through improvement of the health of horses; prevention of  
12 equine illness and disease, and performance-related accidents and  
13 injuries; improvement of breeding technique and racing per-  
14 formance; and compilation and study of valuable and reliable sta-  
15 tistical data regarding the size, organization, and economics of  
16 the industry in this state; and strategic planning for the effec-  
17 tive promotion, growth, and development of the industry in this  
18 state.

19 (11) A sum to fund the development, implementation, and  
20 administration of new programs that promote the proper growth and  
21 development of the horse racing and breeding industry in this  
22 state and other valuable equine related commercial and recrea-  
23 tional activities in this state.

24 (12) ONE-TENTH OF 1% OF THE MICHIGAN AGRICULTURE EQUINE  
25 INDUSTRY DEVELOPMENT FUND SHALL BE DEPOSITED IN THE COMPULSIVE  
26 GAMING PREVENTION FUND CREATED IN THE COMPULSIVE GAMING  
27 PREVENTION ACT.

