

1 HB469
2 149818-1
3 By Representatives Rogers and Moore (M)
4 RFD: Economic Development and Tourism
5 First Read: 20-MAR-13

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8 SYNOPSIS: Under existing law, racing operators are
9 required to deduct a percentage of the moneys
10 deposited in pari-mutuel pools.

11 This bill would establish the Alabama
12 Committee on Horse Welfare and provide for the
13 composition and duties of the committee.

14 This bill would establish the Alabama Equine
15 Commission and provide for the members, duties,
16 responsibilities, compensation, and expenses of the
17 commission.

18 This bill would provide that a percentage of
19 the takeout deducted by racing operations shall be
20 used for horse activities in Alabama.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 To establish the Alabama Committee on Horse Welfare;
27 to provide for the composition and duties of the committee; to

1 establish the Alabama Equine Commission; to provide for the
2 members, duties, responsibilities, compensation, and expenses
3 of the commission; to subject the commission to the Alabama
4 Sunset Law; and to provide that certain amounts deducted by a
5 racing operator shall be used for horse activities in Alabama.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. (a) There is created the Alabama
8 Committee on Horse Welfare. Membership of the committee shall
9 be as follows:

10 (1) One representative selected by each of the
11 following organizations:

- 12 a. The Alabama Horse Council.
- 13 b. The Alabama Open Horseman Association.
- 14 c. The Alabama Hunter-Jumper Association.
- 15 d. The Walking Horse Association of Alabama.
- 16 e. Racking Horse Breeders Association of America,
17 Inc., Alabama Branch.
- 18 f. Alabama Saddlebred Horse Association.
- 19 g. National Barrel Horse Association, Alabama
20 Branch.
- 21 h. Alabama Trail Riders Association.
- 22 i. Alabama Rodeo Association.
- 23 j. Alabama Arabian Horse Association.
- 24 k. Alabama High School Rodeo Association.
- 25 l. Alabama Appaloosa Association.
- 26 m. Alabama Quarter Horse Association.

1 (2) One member shall be appointed to the committee
2 by the Speaker of the House of Representatives.

3 (3) One member shall be appointed by the President
4 Pro Tempore of the Senate.

5 (b) The membership of the committee shall be
6 inclusive and shall reflect the racial, gender, geographic,
7 urban/rural, and economic diversity of the state.

8 (c) The two legislative members shall co-chair the
9 committee.

10 (d) There shall be no more than three meetings of
11 the committee which shall be held at the call of the chair.
12 There shall be no compensation or reimbursement for any
13 expenses relating to committee attendance by any member. Ten
14 members of the committee shall constitute a quorum for the
15 purpose of transacting business.

16 (e) The committee shall establish and report
17 percentage amounts to be paid to the various horse-related
18 activities and programs throughout the state from the funds
19 provided by pari-mutuel pools for horse races. Horse-related
20 activities include, but are not limited to, the following
21 programs: rescue, adoption, retirement, education, special
22 equestrian, therapeutic horsemanship, incentive funds,
23 breeders fund, domicile inspection, building or construction,
24 and any other equine events in this state.

25 (f) Once the committee completes the report
26 reflecting the distribution of funds it shall provide the

1 report to the Alabama Equine Commission, whereupon the
2 committee shall be dissolved.

3 (g) The Alabama Equine Commission shall receive and
4 distribute those funds for horse activities and programs in
5 accordance with the report provided by this committee.

6 Section 2. (a) There is created the Alabama Equine
7 Commission which shall be composed of the following members:

8 (1) A member of the Alabama Quarter Horse Breeders
9 Association appointed by the board of directors of the
10 association.

11 (2) A member of the House of Representatives
12 appointed by the Speaker of the House of Representatives.

13 (3) A member of the Senate appointed by the
14 President Pro Tempore of the Senate.

15 (4) A member of the Alabama Thoroughbred Breeders
16 and Racing Association appointed by the board of directors of
17 the association.

18 (5) An individual who owns a horse for non-breeding
19 and non-racing purposes appointed by the Governor.

20 (b) (1) The term for the members of the Legislature
21 shall concur with the quadrennium appointed. The term of the
22 other members shall be six years. A member shall serve until a
23 successor is appointed.

24 (c) The membership of the commission shall be
25 inclusive and reflect the racial, gender, geographic,
26 urban/rural, and economic diversity of the state.

1 (2) If a member of the commission dies, resigns, or
2 leaves office for any reason, the Governor shall fill the
3 vacancy by appointment for the unexpired term.

4 (d) The commission shall elect from its members a
5 chair. Four members of the board shall constitute a quorum to
6 transact the official business of the commission.

7 (e) Each legislative member of the commission shall
8 be entitled to his or her regular legislative compensation,
9 per diem, and travel expenses for each day he or she attends a
10 meeting of the commission, which shall be paid out of any
11 funds appropriated for the use of the Legislature.

12 (f) Nonlegislative members of the commission may be
13 reimbursed for meetings by their respective organization
14 according to the policies and procedures of the organization
15 represented.

16 (g) Meetings of the commission shall be held at the
17 call of the chair or at intervals determined by the
18 commission.

19 (h) The commission shall administer the proceeds
20 from the takeout.

21 (i) The Alabama Equine Commission shall be subject
22 to the Alabama Sunset Law, Chapter 20, Title 41, Code of
23 Alabama 1975, as an enumerated agency as provided in Section
24 41-20-3, Code of Alabama 1975, and shall have a termination
25 date of October 1, 2016, and every four years thereafter,
26 unless continued pursuant to the Alabama Sunset Law.

1 Section 3. (a) No later than the last day of each
2 month racing operations shall transmit to the Alabama Equine
3 Commission a percentage of the takeout deducted by racing
4 operators as follows:

5 (1) An amount equal to seven percent of the total
6 racing handle.

7 (2) An amount equal to 18 percent of the net of any
8 gaming or gambling at racing operations.

9 (3) An amount equal to 50 percent of any other
10 gaming or gambling simulcast at a racing operation.

11 (b) All funds shall be used for horse activities in
12 Alabama as follows:

13 (1) Seven percent of the total amount of the funds
14 shall be used for horse activities and programs as determined
15 by the Alabama Committee on Horse Welfare.

16 (2) Ten percent shall be used for the construction
17 and expansion of horse facilities in this state as determined
18 by the Alabama Equine Commission.

19 (3) Thirty-eight percent shall be used by the
20 Alabama Quarter Horse Breeders Association for the breeders
21 fund.

22 (4) Forty-five percent shall be used by the Alabama
23 Thoroughbred Breeders Racing Association for the breeders fund
24 and for the equine events for thoroughbred horses bred in
25 Alabama.

1 Section 4. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.