a California joint powers agency

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AGENDA
CALIFORNIA AUTHORITY OF RACING FAIRS

BOARD OF DIRECTORS
TELECONFERENCE MEETING
12:00 P.M., TUESDAY, MAY 1, 2007

Notice is hereby given that a teleconference meeting of the California Authority of Racing Fairs Board of Directors will convene at 12:00 p.m., Tuesday, May 1, 2007. The meeting will be held at the California Authority of Racing office located at 1776 Tribute Road, Suite 205, Sacramento, California, 95815.

Members of the Board of Directors may participate by conference call at the following locations:

Alameda County Fair 4501 Pleasanton Ave. Pleasanton, CA 94566	Antelope Valley Fair 2551 Ave. H Lancaster, CA 93535	Big Fresno Fair 1121 S. Chance Ave. Fresno, CA 93702
Humboldt County Fair 1250 5th Street Ferndale, CA 95536	San Joaquin Fair 1658 S. Airport Way Stockton, CA 95206	Solano County Fair 900 Fairgrounds Drive Vallejo, CA 94589

AGENDA

I. Determination of date for next meeting

II. Approval of minutes

III. Discussion and action, if any, on 2007 Legislation

IV. Discussion and action, if any, on 2008 and Future Racing Dates

V. Discussion and action, if any, on Strategic Planning

VI. Discussion of Evaluation Process for Executive Director

VII. Executive Director's Report

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IV. Discussion and action, if any, on CMC Allocations and Guidelines

V. Report, discussion and action, if any, on Horsemen's Agreements

VI. Discussion and action, if any, on 2008 and Future Racing Dates

VII. Discussion and action, if any, on Condition Book Schedule

VIII. Discussion and action, if any, on Summer GGF Stabling

IX. Discussion and action, if any, on proposed Cal Expo Memorandum of Understanding

X. Executive Director's Report

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Christopher Korby

From: "Kimberly White" <kwhite@kscsacramento.com>
To: "'Christopher Korby'" <korby@calfairs.net>
Sent: April 20, 2007 10:06 AM
Subject: Emailing: Friday report.htm

CA Authority of Racing Fairs Legislative Report - Last 10 Days
4/20/2007

AB 107 **(Smyth) Public contracts: prospective bidders: unauthorized aliens.** (I-01/04/2007 html pdf)
Status: 04/10/2007-In committee: Set first hearing. Failed passage. Reconsideration granted.
Current Location: 02/20/2007-A B. & P.

Digest: The State Contract Act authorizes the Department of General Services, or any other department with authority to enter into contracts, to require prospective bidders for state contracts to complete a questionnaire and financial statement regarding the prospective bidder's financial ability and experience in performing public contracts.
This bill would require any questionnaire used pursuant to these provisions to require each prospective bidder to certify under penalty of perjury, that none of the prospective bidder's employees are unauthorized aliens, as defined.
By requiring prospective bidders to certify that the questionnaires have been answered under penalty of perjury, this bill would expand the scope of the existing crime of perjury, and would thereby impose a state-mandated local program.
The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.
This bill would provide that no reimbursement is required by this act for a specified reason.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

Laws: An act to add Sections 10170, 10334.1, and 10382 to the Public Contract Code, relating to public contracts.

History:
Apr. 10 In committee: Set first hearing. Failed passage. Reconsideration granted.
Feb. 20 Referred to Coms. on B. & P. and JUD.
Jan. 5 From printer. May be heard in committee February 4.
Jan. 4 Read first time. To print.

Organization
CARF

AB 234 **(Eng) Marriage and family therapy.** (A-04/19/2007 html pdf)
Status: 04/19/2007-Read second time and amended.
Current Location: 04/19/2007-A APPR.

Digest: Existing law makes the Board of Behavioral Sciences responsible for licensing and regulating the practice of marriage and family therapy and makes a violation of these provisions a crime.
Existing law requires an applicant for the marriage and family therapist licensure examination to complete specified experience, with limits on the amount of experience that may be earned in certain areas of emphasis, including professional enrichment activities, and subject to various hourly limitations.
This bill would impose a 125-hour limitation on experience earned providing personal psychotherapy services via telemedicine, as defined, and would modify the definition of professional enrichment activities for these purposes.
Under existing law, trainees and interns may have no proprietary interest in their employer's business.
This bill would additionally provide that trainees and interns may not lease or rent space, pay for furnishings, equipment or supplies, or in any other way pay for the obligations of their employers. By revising this provision, this bill would expand the scope of an existing crime, thereby imposing a state-mandated local program.
Existing law provides that education gained outside of California applies toward the marriage and family therapist licensure requirements.
This bill would instead specify that education gained while residing outside of California applies toward the licensure requirements.
The bill would make other technical and conforming changes.
The California Constitution requires the state to reimburse local agencies and school districts for certain costs

mandated by the state. Statutory provisions establish procedures for making that reimbursement.
This bill would provide that no reimbursement is required by this act for a specified reason.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

Laws: An act to amend Sections 4980.03, 4980.43, 4980.45, and 4980.90 of the Business and Professions Code, relating to marriage and family therapy.

History:
Apr. 19 Read second time and amended.
Apr. 18 From committee: Amend, and do pass as amended, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (April 17).
Apr. 10 In committee: Hearing postponed by committee.
Mar. 19 Re-referred to Com. on B. & P.
Mar. 15 Referred to Com. on B. & P.
Mar. 15 From committee chair, with author's amendments: Amend, and re-refer to Com. on B. & P. Read second time and amended.
Jan. 31 From printer. May be heard in committee March 2.
Jan. 30 Read first time. To print.

Organization	***Subject***
CARF	*Land/Real Property*

AB 356 **(Mendoza) Gambling control.** (I-02/14/2007 html pdf)
Status: 04/19/2007-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 10. Noes 0.) (April 18).
Current Location: 04/19/2007-A APPR.

Digest: (1) Existing law, the Gambling Control Act, provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission. Under the act, a corporation is ineligible to receive a license to own a gambling enterprise unless the conduct of controlled gambling is among the purposes stated in its articles of incorporation, and the articles of incorporation have been submitted to and approved by the commission.
This bill would authorize the commission to delegate to staff the approval of articles of incorporation, statements of limited partnership, and other entity filings that are required to specifically state that gambling is one of the purposes for which the business entity is formed.
(2) Existing law relating to legalized gambling defines and regulates controlled games. Existing law prohibits a player fee from being calculated as a fraction or percentage of wagers made or winnings earned. Existing law also authorizes flat fees on each wager to be assessed at different collection rates, but no more than 3 collection rates may be established per table.
This bill would increase that amount to 5 collection rates per table.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19881.5 to the Business and Professions Code, and to amend Section 337j of the Penal Code, relating to gaming.

History:
Apr. 19 From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 10. Noes 0.) (April 18).
Feb. 22 Referred to Com. on G.O.
Feb. 15 From printer. May be heard in committee March 17.
Feb. 14 Read first time. To print.

Organization
CARF

AB 532 **(Wolk) State property: solar energy.** (I-02/21/2007 html pdf)
Status: 04/18/2007-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 9. Noes 1.) (April 17).
Current Location: 04/18/2007-A APPR.

Digest: Existing law requires the Department of General Services, in consultation with the State Energy Resources Conservation and Development Commission, to ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities, where feasible.
This bill would require the department to ensure that solar energy equipment is installed no later than January 1, 2009, on these buildings and facilities, as well as state-operated swimming pools that are heated with fossil fuels

or electricity, where feasible.
Existing law requires that solar energy equipment be installed, where feasible, as part of the construction of all state buildings and state parking facilities for which construction commences on or after January 1, 2003.
This bill would change this requirement to apply to construction commencing on or after January 1, 2008.
Existing law provides that it is feasible to install solar equipment if adequate space on or adjacent to a building is available, if the solar-energy equipment is cost-effective, and if funding is available.
This bill would specify that funding for purposes of determining if installation is feasible may be funding from the state or another source.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Section 14684.1 of the Government Code, relating to state property.

History:
Apr. 18 From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 9. Noes 1.) (April 17).
Mar. 29 Referred to Com. on B. & P.
Feb. 22 From printer. May be heard in committee March 24.
Feb. 21 Read first time. To print.

Organization	***Subject***
CARF	*Property*

AB 608 **(De La Torre) State contracting: small business preference.** (A-04/09/2007 html pdf)
Status: 04/18/2007-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 4. Noes 2.) (April 17).
Current Location: 04/18/2007-A APPR.

Digest: The Small Business Procurement and Contract Act requires the directors of the Department of General Services and other state agencies entering into contracts for the provision of goods, information technology, and services to the state, and in the construction of state facilities, to provide for a preference up to and including 5% ~~, not to exceed $50,000~~ for any bid ~~,~~ to small businesses and microbusinesses, or nonsmall businesses that provide for small business and microbusiness subcontractor participation, in solicitations where an award is to be made to the lowest responsible bidding meeting specifications. ~~The combined cost of preferences granted pursuant to this provision and any other provision of law may not exceed $100,000, subject to specified criteria.~~
This bill would increase ~~the dollar amount of these limits to $500,000 and $1,000,000, respectively~~ *the maximum percentage of the bidding preference afforded by the directors of the Department of General Services and other state agencies to small businesses and microbusinesses, or nonsmall businesses that provide for small business and microbusiness subcontractor participation to 10%* .
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Section 14838 of the Government Code, relating to state contracting.

History:
Apr. 18 From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 4. Noes 2.) (April 17).
Apr. 10 Re-referred to Com. on J., E.D. & E.
Apr. 9 From committee chair, with author's amendments: Amend, and re-refer to Com. on J., E.D. & E. Read second time and amended.
Mar. 1 Referred to Com. on J., E.D. & E.
Feb. 22 From printer. May be heard in committee March 24.
Feb. 21 Read first time. To print.

Organization	***Subject***
CARF	*Contracting*

AB 733 **(Calderon, Charles) Gambling: exclusion from gambling establishments.** (A-04/11/2007 html pdf)
Status: 04/19/2007-From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 13. Noes 0.) (April 18).
Current Location: 04/19/2007-A APPR.

Digest: The Gambling Control Act provides for the licensure of certain individuals and establishments involved in various gambling activities, and for the regulation of those activities, by the California Gambling Control Commission. The act provides for the enforcement of those activities by the Division of Gambling Control within the Department of Justice.
Existing law requires the commission, by regulation, to provide for the formulation of a list of persons who are to be excluded or ejected from any gambling establishment, to distribute that list to all owner licensees, and to provide notice to any persons included on the list. Existing law requires the commission to adopt regulations

establishing procedures for the hearing of petitions by persons who are ejected or excluded from licensed premises pursuant to these or other specified provisions.
This bill would, instead, require that the above duties relating to persons who are to be excluded or ejected from any gambling establishment be performed by the Division of Gambling Control. The bill would allow the commission to recommend to the division the names of persons it believes should be included on the list of those persons. *The bill would make other technical, conforming changes.*
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Sections 19840, 19844, and 19845 of the Business and Professions Code, relating to gambling.

History:
Apr. 19 From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 13. Noes 0.) (April 18).
Apr. 12 Re-referred to Com. on G.O.
Apr. 11 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Mar. 8 Referred to Com. on G.O.
Feb. 23 From printer. May be heard in committee March 25.
Feb. 22 Read first time. To print.

Organization *CARF*

Subject *Gambling*

AB 765 **(Evans) Horse racing: racetrack inclosures.** (A-04/11/2007 html pdf)
Status: 04/12/2007-Re-referred to Com. on G.O.
Current Location: 04/12/2007-A G.O.
Calendar Events: 04/25/07 9 a.m. - Room 444 ASM GOVERNMENTAL ORGANIZATION

Digest: Existing law requires fairs and racing associations to pay a certain percentage of the handle from races to be paid to the state as license fees.
This bill would provide that ~~in the northern zone,~~ certain fairs or associations, or combined entities ~~shall~~ *may be required to* pay an additional 1% of the handle to the state, to be used to ~~construct or acquire~~ *for maintenance and* improvements at a fair's racetrack inclosure ~~or satellite wagering facility, or for acquiring property to construct a racetrack inclosure~~. *The money raised would be deposited into the Inclosure Facilities Improvement Fund, a continuously appropriated fund created by the bill, thereby making an appropriation. The bill would authorize the Secretary of Food and Agriculture to appoint a committee to advise on the administration of the funds raised pursuant to the provisions of the bill, and would require the secretary to report any allocations made pursuant to those provisions of the bill, as specified.*
This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.
This bill would take effect immediately as a tax levy.
Vote: 2/3. Appropriation: ~~no~~ *yes* . Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19601.4 to the Business and Professions Code, relating to horse racing, and making an appropriation therefor, to take effect immediately, tax levy.

History:
Apr. 12 Re-referred to Com. on G.O.
Apr. 11 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Mar. 15 Referred to Coms. on G.O. and REV. & TAX.
Feb. 23 From printer. May be heard in committee March 25.
Feb. 22 Read first time. To print.

Organization *CARF*
Notes: *Support letter dated 3/19/07*

Subject *Horse Racing*

AB 865 **(Davis) State agencies: live customer service agents.** (I-02/22/2007 html pdf)
Status: 04/17/2007-In committee: Set, second hearing. Hearing canceled at the request of author.
Current Location: 04/17/2007-A B. & P.

Digest: Existing law requires each state agency to establish a procedure whereby incoming telephone calls on any public line shall be answered within 10 rings during regular business hours, subject to certain exceptions.

This bill would require each state agency to answer an incoming call with a live customer service agent, subject to certain exceptions.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Section 11022 of the Government Code, relating to state agencies.

History:
Apr. 17 In committee: Set, second hearing. Hearing canceled at the request of author.
Apr. 10 In committee: Set, first hearing. Hearing canceled at the request of author.
Mar. 12 Referred to Com. on B. & P.
Feb. 23 From printer. May be heard in committee March 25.
Feb. 22 Read first time. To print.

Organization	***Subject***
CARF	*State*

AB 888 **(Lieu) Green building standards.** (A-04/11/2007 html pdf)
Status: 04/17/2007-From committee: Do pass, and re-refer to Com. on B. & P. Re-referred. (Ayes 6. Noes 2.) (April 16).
Current Location: 04/17/2007-A B. & P.
Calendar Events: 04/24/07 9 a.m. - Room 447 ASM BUSINESS AND PROFESSIONS

Digest: Existing law sets forth various requirements for energy and design efficiency in the construction of nonresidential buildings. Existing law authorizes state agencies to submit, and requires the Building Standards Commission to receive and review, proposed building standards for adoption, approval, publication, and codification.
This bill would require the California Environmental Protection Agency (Cal-EPA), by July 1, 2009, in conjunction with a working group of certain state entities that it would coordinate, and, in consultation with specified public and private sector organizations, to develop, adopt, and make available a set of minimum green building standards for specified nonresidential ~~public sector~~ *commercial* buildings. The standards would have to meet and encompass, at a minimum, the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) gold rating for new construction and major renovation. The California Building Standards Commission would be required to review these standards to ensure that they exceed and are not in conflict with the existing standards in the California Building Standards Code. Before adopting the set of minimum green building standards, Cal-EPA would be required to hold 2 public workshops.
The bill would require Cal-EPA, on or before July 1, 2010, to submit the set of minimum green building standards to the California Building Standards Commission for adoption by that commission in the California Building Standards Code. The commission would be prohibited from reducing the minimum standards proposed by the agency but would be authorized to revise those standards. New ~~public sector~~ *commercial* buildings constructed on or after July 1, 2012, that are 50,000 square feet or greater would be required to meet the minimum standards that are adopted by the California Building Standards Commission. A new ~~public sector~~ *commercial* building constructed on or after July 1, 2012, that is less than 50,000 square feet or greater would be required to meet the adopted standards unless the owner of the building meets criteria, based on economic considerations, developed by CAL-EPA for granting a waiver.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Part 4.5 (commencing with Section 71350) to Division 34 of the Public Resources Code, relating to building standards.

History:
Apr. 17 From committee: Do pass, and re-refer to Com. on B. & P. Re-referred. (Ayes 6. Noes 2.) (April 16).
Apr. 12 Re-referred to Com. on NAT. RES.
Apr. 11 From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.
Apr. 10 Re-referred to Com. on NAT. RES.
Apr. 9 From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.
Mar. 29 Referred to Coms. on NAT. RES. and B. & P.
Feb. 23 From printer. May be heard in committee March 25.
Feb. 22 Read first time. To print.

Organization	***Subject***
CARF	*State*

AB 994 **(Parra) Public contracts: preferences: forest products.** (A-04/12/2007 html pdf)

Status: 04/16/2007-Re-referred to Com. on APPR.
Current Location: 04/16/2007-A APPR.
Calendar Events: 04/25/07 9 a.m. - Room 4202 ASM APPROPRIATIONS

Digest: Existing law generally requires state agencies to comply with competitive bidding procedures in soliciting and evaluating bids for public works projects. Existing law authorizes bidding preferences for certain categories of business owners.
Existing law also requires the Department of General Services, in consultation with the California Environmental Protection Agency, members of the public, industry, and public health and environmental organizations, to provide state agencies with information and assistance regarding environmentally preferable purchasing.
This bill would require any state agency that contracts for, or acquires, lumber or other solid wood products, excluding paper and other types of secondary manufactured goods, to give preference, if price, fitness, and quality are equal, to lumber and other solid wood products that are harvested from forests within this state.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 12405 to the Public Contract Code, relating to public contracts.

History:
Apr. 16 Re-referred to Com. on APPR.
Apr. 12 Read second time and amended.
Apr. 11 From committee: Amend, do pass as amended, and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 10).
Mar. 15 Referred to Com. on B. & P.
Feb. 23 From printer. May be heard in committee March 25.
Feb. 22 Read first time. To print.

Organization	***Subject***
CARF	*Contracting*

AB 1016 **(Plescia) Racehorses: liens for services.** (I-02/22/2007 html pdf)
Status: 04/19/2007-From committee: Amend, do pass as amended, and re-refer to Com. on JUD. (Ayes 14. Noes 0.) (April 18).
Current Location: 04/19/2007-A JUD.
Calendar Events: 04/24/07 8 a.m. - Room 4202 ASM JUDICIARY
04/23/07 56 ASM SECOND READING FILE

Digest: (1) Existing law creates a general lien on livestock in possession of a livestock servicer to secure the performance of the obligations of the owner to that person. Under existing law, if the owner fails to satisfy those obligations, the livestock servicer may sell the livestock after obtaining the consent of the owner, a court order, or judgment, and recover the costs of the obligations of the owner and lien enforcement, as specified. Existing law also creates a general lien, dependent upon possession, for veterinary proprietors and veterinary surgeons for their compensation in caring for, boarding, feeding, and medical treatment of animals.
This bill would permit a general lien on racehorses in the possession of a breeder, trainer, owner, branding farm, fair training facility, or racetrack for their compensation in caring for, boarding, feeding, and medical treatment of racehorses. The bill would permit that breeder, trainer, owner, branding farm, fair training facility, or racetrack, if the obligations of the owner of the racehorse are not satisfied, to sell a racehorse that has a value of $4,000 or less without obtaining the consent of the owner, court order, or judgment, if the amount of the lien is at least 50% of the value of the racehorse and notice is sent to the owner prior to the sale of the racehorse, as specified. The bill would require that the notice of sale be signed under penalty of perjury. By creating a new crime, the bill would impose a state-mandated local program.
The bill would also express the intent of the Legislature that a racehorse sold pursuant to these provisions may not be sold to a person who intends to possess, import into or export from the state, or to sell, buy, give away, hold, or accept a racehorse with the intent of killing, or having another kill, that racehorse if that person knows or should have known that any part of the racehorse will be used for human consumption, as specified.
(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.
This bill would provide that no reimbursement is required by this act for a specified reason.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

Laws: An act to add Article 12 (commencing with Section 19680) to Chapter 4 of Division 8 of the Business and Professions Code, and to add Section 3064.5 to the Civil Code, relating to racehorses.

History:
Apr. 19 From committee: Amend, do pass as amended, and re-refer to Com. on JUD. (Ayes 14. Noes 0.) (April 18).
Mar. 22 Referred to Coms. on G.O. and JUD.

Feb. 23 From printer. May be heard in committee March 25.
Feb. 22 Read first time. To print.

Organization	*Subject*
CARF	*Horse Racing*

AB 1156 **(Levine) Child support: satellite wagering winnings.** (A-04/10/2007 html pdf)
Status: 04/11/2007-Re-referred to Com. on G.O.
Current Location: 04/11/2007-A G.O.

Digest: Existing law establishes the California Child Support Automation System to provide for the sharing of information relating to child support obligations. Existing federal law provides that certain gambling winnings are subject to federal income tax withholding.
The Horse Racing Law generally regulates the horse racing industry, including satellite wagering facilities.
This bill would require a satellite wagering facility, if a wagerer's winnings are subject to federal income tax withholding, to determine if the wagerer is listed in the California Child Support Automation System and, if the wagerer is delinquent in his or her child support obligations, to withhold from the wagerer's winnings the amount of any delinquency. The bill would require the facility to forward the amount withheld to the Department of Child Support Services.
~~Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature.~~
~~This bill would state the intent of the Legislature that each tribal gaming compact, or amendment to a tribal gaming compact, negotiated by the Governor include provisions requiring the tribe to withhold the amount of delinquent child support obligations from the gambling winnings of any person whose winnings are subject to federal income tax withholding requirements.~~
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19607.7 to the Business and Professions Code, and to add Section 17529 to the Family Code, relating to child support.

History:
Apr. 11 Re-referred to Com. on G.O.
Apr. 10 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Apr. 9 Referred to Coms. on G.O. and JUD.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization	*Subject*
CARF	*Gambling*

AB 1265 **(Cook) Tribal gaming: grants: California Department of Transportation.** (A-04/10/2007 html pdf)
Status: 04/11/2007-Re-referred to Com. on G.O.
Current Location: 04/11/2007-A G.O.

Digest: *Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes, including grants to local jurisdictions impacted by tribal gaming. Existing law establishes in each county in which Indian gaming is conducted an Indian Gaming Local Community Benefit Committee and authorizes each of these committees to select grants to local jurisdictions, to be used for specified purposes, from funds made available to the county from the Indian Gaming Special Distribution Fund.*
This bill would, in addition, allow an Indian Gaming Local Community Benefit Committee to select grants to the California Department of Transportation for the purposes authorized by these provisions.
~~Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes that were executed in 1999. Existing law provides that any other tribal-state gaming compact entered into between the state and a federally recognized Indian tribe that is executed after September 10, 1999, is ratified if it is identical in all material respects to any of the compacts expressly ratified by these provisions and if the compact is not rejected by each house of the Legislature.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~
Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes* . State-mandated local program: no.

Laws: An act to amend Section 12715 of the Government Code, relating to gaming.

History:
Apr. 11 Re-referred to Com. on G.O.
Apr. 10 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Apr. 9 Referred to Com. on G.O.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization	***Subject***
CARF	*Tribal Gaming*

AB 1289 **(Price) Advance deposit wagering: out-of-state providers.** (A-04/09/2007 html pdf)
Status: 04/18/2007-In committee: Set, first hearing. Hearing canceled at the request of author.
Current Location: 04/18/2007-A G.O.

Digest: Existing law authorizes advance deposit wagering to be conducted, with the approval of the California Horse Racing Board. Under existing law, advance deposit wagering is defined as a form of parimutuel wagering in which a person residing within California or outside of the state establishes an account with a licensee, board-approved betting system, or multijurisdictional wagering hub located within California or outside of the state.
This bill would remove from that definition, and from all provisions related to the authorization of advance deposit wagering, the reference to a multijurisdictional wagering hub located outside of the state.
Under existing law, in order for a licensee, betting system, or multijurisdictional wagering hub to be approved by the board to conduct advance deposit wagering, it must meet certain requirements.
This bill would add to those requirements that the employees who operate and administer the advance deposit wagering on a daily basis shall work in California.
Existing law requires the California Horse Racing Board to adopt rules to license and regulate all phases of operation of advance deposit wagering for licensees, betting systems, and multijurisdictional hubs located in California.
This bill would require the rules adopted by the board to include a requirement that employees represented in the same or similar classifications be employed at a ratio of one employee for every $20,000 in wagers handled by those licensees, betting systems, and multijurisdictional hubs.
Existing law specifies how the amount received as a market access fee from advance deposit wagers shall be distributed.
This bill would require that a specified amount of that fee be used to establish and administer a defined contribution retirement plan for California jockeys, as specified.
Under existing law, the provisions relating to advance deposit wagering will be repealed on January 1, 2008.
This bill would delay the repeal date until January 1, 2011.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Section 19604 of the Business and Professions Code, relating to horse racing.

History:
Apr. 18 In committee: Set, first hearing. Hearing canceled at the request of author.
Apr. 10 Re-referred to Com. on G.O.
Apr. 9 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Mar. 15 Referred to Com. on G.O.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization	***Subject***
CARF	*Gambling*

AB 1308 **(Torrico) Horse racing.** (I-02/23/2007 html pdf)
Status: 04/19/2007-From committee: Do pass. (Ayes 16. Noes 0.) (April 18).
Current Location: 04/18/2007-A SECOND READING
Calendar Events: 04/23/07 21 ASM SECOND READING FILE

Digest: Existing law authorizes a licensed racing association or fair that conducts a live race meeting to accept wagers on any race in the state, as specified.
This bill would authorize a thoroughbred association or fair, subject to approval by the board, to deduct from the parimutuel pool for any type of wager, a specified percentage for the meeting of the thoroughbred association or fair that accepts the wager.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19601.01 to the Business and Professions Code, relating to horse racing.

History:
Apr. 19 From committee: Do pass. (Ayes 16. Noes 0.) (April 18).
Mar. 29 From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 14. Noes 0.) (March 28).
Mar. 15 Referred to Com. on G.O.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization	***Subject***
CARF	*Horse Racing*

AB 1339 **(Torrico) Problem and pathological gambling.** (A-04/18/2007 html pdf)
Status: 04/19/2007-Re-referred to Com. on G.O.
Current Location: 04/19/2007-A G.O.
Calendar Events: 04/25/07 9 a.m. - Room 444 ASM GOVERNMENTAL ORGANIZATION

Digest: Existing law establishes the Office of Problem and Pathological Gambling within the State Department of Alcohol and Drugs Programs for the purpose of developing a problem gambling prevention program, including, but not limited to, a public awareness campaign, and requires the office to develop a statewide plan to address problem and pathological gambling.
This bill would *specify the programs to be included in the plan, would* require the plan to serve as the state's strategic plan for the prevention, intervention, and treatment of problem and pathological gambling behaviors , and would require that the plan be updated periodically, at the discretion of the office.
This bill would establish the Problem Gambling Advisory Board and would set forth its advisory duties. The bill would require the office to develop its first strategic plan and to deliver it to the Governor and the Legislature by January 1, 2009.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Sections 4369.1, 4369.2, and 4369.3 of, to add Section 4369.5 to, and to repeal Section 4369.4 of, the Welfare and Institutions Code, relating to problem and pathological gambling.

History:
Apr. 19 Re-referred to Com. on G.O.
Apr. 18 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Mar. 15 Referred to Com. on G.O.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization	***Subject***
CARF	*Gambling*

AB 1616 **(Garrick) Horse racing: controlled substances: administrative hearings.** (A-04/09/2007 html pdf)
Status: 04/19/2007-From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 13. Noes 0.) (April 18).
Current Location: 04/19/2007-A APPR.

Digest: Existing law requires enforcement proceedings relating to the use of prohibited substances during a horse race be referred to the Office of Administrative Hearings for adjudication, as specified.
This bill would ~~repeal that provision~~ *instead require referral to a Board of Stewards, or a hearing officer appointed by the California Horse Racing Board .*
Existing law also provides that the California Horse Racing Board shall neither modify nor amend a proposed decision by the administrative law judge so as to increase any sanction or penalty contemplated in the proposed decision, and that the board may, by means of a written decision that includes the reasons for its decision, modify

or amend a proposed decision by the administrative law judge so as to decrease, mitigate, or suspend a sanction or penalty contemplated in the proposed decision.
The bill would repeal those provisions.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Section 19517.5 of the Business and Professions Code, relating to horse racing.

History:
Apr. 19 From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 13. Noes 0.) (April 18).
Apr. 10 Re-referred to Com. on G.O.
Apr. 9 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Mar. 26 Referred to Com. on G.O.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization
CARF

Subject
Horse Racing

AB 1697 **(Richardson) Tribal gaming: revenue sharing.** (A-04/10/2007 html pdf)
Status: 04/12/2007-Re-referred to Com. on G.O.
Current Location: 04/12/2007-A G.O.

Digest: Existing law creates in the State Treasury the Indian Gaming Revenue Sharing Trust Fund and the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes. Existing law requires the California Gambling Control Commission to determine the anticipated total amount of shortfalls in payment likely to occur in the Indian Gaming Revenue Sharing Trust Fund for each fiscal year, and to provide to the appropriate Senate and Assembly committees an estimate of the amount needed to transfer from the Indian Gaming Special Distribution Fund to backfill the Indian Gaming Revenue Sharing Trust Fund for the next fiscal year. ~~Under existing law, $50,000,000 is transferred from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund for the 2005-06 fiscal year and is appropriated from that fund to the California Gambling Control Commission for distribution to each eligible recipient tribe pursuant to these provisions.~~ *Existing law requires the Legislature to transfer funds from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund in an amount sufficient for each eligible recipient tribe to receive a specified amount .*
~~This bill would make a technical, nonsubstantive change to these provisions.~~
This bill would require that, if there are insufficient funds in the Indian Gaming Special Distribution Fund to fully fund payments to eligible recipient tribes from the Indian Gaming Revenue Sharing Trust Fund in accordance with these provisions, moneys from payments made by tribes to the General Fund pursuant to any tribal-state gaming compact be transferred to the Indian Gaming Revenue Sharing Trust Fund in an amount equal to the deficiency.
Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes* . State-mandated local program: no.

Laws: An act to amend Section 12012.90 of the Government Code, relating to gaming.

History:
Apr. 12 Re-referred to Com. on G.O.
Apr. 10 From committee chair, with author's amendments: Amend, and re-refer to Com. on G.O. Read second time and amended.
Apr. 9 Referred to Com. on G.O.
Feb. 26 Read first time.
Feb. 25 From printer. May be heard in committee March 27.
Feb. 23 Introduced. To print.

Organization
CARF

Subject
Tribal Gaming

AB 1736 **(Committee on Governmental Organization) Horse racing: imported races.** (I-03/15/2007 html pdf)
Status: 04/19/2007-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 13. Noes 0.) (April 18).
Current Location: 04/19/2007-A APPR.

Digest: Existing law regulates the number of out-of-state races that may be imported, exclusive of races that are

part of the race card of specified events.
This bill would add Travers Stakes to the list of events not included in the limitation on imported races.
Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

Laws: An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing.

History:
Apr. 19 From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 13. Noes 0.) (April 18).
Mar. 29 Referred to Com. on G.O.
Mar. 15 Read first time. To print.

Organization	***Subject***
CARF	*Horse Racing*

AB 1740 **(Committee on Governmental Organization) Tribal gaming.** (I-03/15/2007 html pdf)
Status: 04/19/2007-From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 13. Noes 0.) (April 18).
Current Location: 04/19/2007-A APPR.

Digest: Existing law creates in the State Treasury the Indian Gaming Revenue Sharing Trust Fund and the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes. Existing law defines "eligible recipient Indian tribe" by reference to certain tribal-state gaming compacts for purposes of calculating the amount of money needed to be transferred from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund for distribution to noncompact tribes.
This bill would modify that definition to specify that "eligible recipient Indian tribe" means a federally recognized Indian tribe that operates fewer than 350 gaming devices.
Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

Laws: An act to amend Section 12012.90 of the Government Code, relating to gaming.

History:
Apr. 19 From committee: Do pass, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. Re-referred. (Ayes 13. Noes 0.) (April 18).
Mar. 29 Referred to Com. on G.O.
Mar. 15 Read first time. To print.

Organization	***Subject***
CARF	*Tribal Gaming*

SB 106 **(Wiggins) Tribal gaming: compact ratification.** (A-04/09/2007 html pdf)
Status: 04/19/2007-In Assembly. Read first time. Held at Desk.
Current Location: 04/19/2007-S DESK

Digest: The federal Indian Gaming Regulatory Act provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.
This bill would ratify the tribal-state gaming compact entered into ~~in~~ *on August 29,* 2006 , between the State of California and the Yurok Tribe of the Yurok Reservation. The bill would require that related revenue contributions be deposited into the General Fund and would also specify that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 12012.52 to the Government Code, relating to gaming.

History:
Apr. 19 Read third time. Passed. (Ayes 33. Noes 0.) To Assembly.
Apr. 19 In Assembly. Read first time. Held at Desk.
Apr. 17 Read second time. To third reading.
Apr. 16 Withdrawn from committee. Ordered placed on second reading.
Apr. 9 To Com. on RLS. From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS. Set for hearing April 10.

Jan. 18 From print. May be acted upon on or after February 17.
Jan. 17 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization
CARF

Subject
Tribal Gaming

SB 152 **(Florez) Gambling: local gambling ordinances.** (A-03/14/2007 html pdf)
Status: 04/18/2007-Read second time. To third reading.
Current Location: 04/18/2007-S THIRD READING
Calendar Events: 04/23/07 41 SEN THIRD READING FILE

Digest: The Gambling Control Act permits a city, county, or city and county to permit controlled gambling, consistent with state law, if a majority of voters affirmatively approve an ordinance so permitting, as specified. That law provides that an amendment of an ordinance permitting an expansion of gambling, within a specified threshold, may occur without voter approval. Under that law, any amendment to a city or county ordinance relating to gambling establishments or the Gambling Control Act is required to be submitted to the Division of Gambling Control for review and comment before the ordinance is adopted by the city or county. That law permits, without voter approval, an amendment to an ordinance permitting an increase of 24.99% in the number of gambling tables that may be operated in a gambling establishment in a city, county, or city and county, or 2 gambling tables, whichever is greater, compared to the ordinance in effect on January 1, 1996.
This bill would further permit, without voter approval, a city, county, or city and county to amend an ordinance to increase the number of gambling tables that may be operated in a gambling establishment by a change that results in an increase not to exceed 35% when compared to the ordinance in effect on January 1, 2007, if the ordinance in effect on January 1, 2007, prohibits more than ~~10~~ *12* gambling tables that may be operated in a gambling establishment.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19965 to the Business and Professions Code, relating to gambling.

History:
Apr. 18 Read second time. To third reading.
Apr. 17 From committee: Be placed on second reading file pursuant to Senate Rule 28.8.
Mar. 27 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 5. Noes 1. Page 385.) Re-referred to Com. on APPR. Set for hearing April 16.
Mar. 14 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on G.O. Set for hearing March 27.
Feb. 15 To Com. on G.O.
Jan. 30 From print. May be acted upon on or after March 1.
Jan. 29 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization
CARF

Subject
Ordinances

SB 157 **(Wiggins) Tribal gaming: compact ratification.** (I-01/30/2007 html pdf)
Status: 04/10/2007-To Com. on RLS.
Current Location: 04/10/2007-S RLS.

Digest: The federal Indian Gaming Regulatory Act provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.
This bill would ratify tribal-state gaming compacts entered into on September 9, 2005, between the State of California and the Big Lagoon Rancheria, and between the State of California and the Los Coyotes Band of Cahuilla and Cupeno Indians. The bill would require that related revenue contributions be deposited into the General Fund and would also specify that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Sections 12012.53 and 12012.54 to the Government Code, relating to gaming.

History:
Apr. 10 To Com. on RLS.
Jan. 31 From print. May be acted upon on or after March 2.
Jan. 30 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization
CARF

Subject
Tribal Gaming

SB 174 **(Ducheny) Tribal gaming: compact ratification.** (A-04/09/2007 html pdf)
Status: 04/19/2007-In Assembly. Read first time. Held at Desk.
Current Location: 04/19/2007-S DESK

Digest: *Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.*
This bill would ratify an amendment to a tribal-state gaming compact entered into between the State of California and the Morongo Band of Mission Indians, executed on August 29, 2006. The bill would require that related revenue contributions be deposited into the General Fund and would provide that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.

~~Existing law creates in the State Treasury the Indian Gaming Revenue Sharing Trust Fund and the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes. Existing law requires the California Gambling Control Commission to determine the anticipated total amount of shortfalls in payment likely to occur in the Indian Gaming Revenue Sharing Trust Fund for each fiscal year, and to provide to the appropriate Senate and Assembly committees an estimate of the amount needed to transfer from the Indian Gaming Special Distribution Fund to backfill the Indian Gaming Revenue Sharing Trust Fund for the next fiscal year.~~
~~This bill would make technical, nonsubstantive changes to these provisions.~~
Vote: majority. Appropriation: no. Fiscal committee: ~~*no*~~ *yes* . State-mandated local program: no.

Laws: An act to add Section 12012.48 to the Government Code, relating to gaming.

History:
Apr. 19 Read third time. Passed. (Ayes 23. Noes 10.) To Assembly.
Apr. 19 In Assembly. Read first time. Held at Desk.
Apr. 17 Read second time. To third reading.
Apr. 16 Withdrawn from committee. Ordered placed on second reading.
Apr. 9 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS. Set for hearing April 10.
Feb. 15 To Com. on RLS.
Feb. 6 From print. May be acted upon on or after March 8.
Feb. 5 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization
CARF

Subject
Tribal Gaming

SB 175 **(Ducheny) Tribal gaming: compact ratification.** (A-04/09/2007 html pdf)
Status: 04/19/2007-In Assembly. Read first time. Held at Desk.
Current Location: 04/19/2007-S DESK

Digest: *Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.*
This bill would ratify an amendment to a tribal-state gaming compact entered into between the State of California and the Sycuan Band of the Kumeyaay Nation, executed on August 30, 2006. The bill would provide that the terms of that amended compact shall apply only to the State of California and the tribe that has signed it, and shall not bind any tribe that is not a signatory to the amended compact. The bill would require that related revenue contributions be deposited into the General Fund, except as specified, and would provide that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.
~~Existing law creates in the State Treasury the Indian Gaming Revenue Sharing Trust Fund and the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes. Existing law requires the California Gambling Control Commission to determine the anticipated~~

~~total amount of shortfalls in payment likely to occur in the Indian Gaming Revenue Sharing Trust Fund for the each fiscal year, and to provide to the appropriate Senate and Assembly committees an estimate of the amount needed to transfer from the Indian Gaming Special Distribution Fund to backfill the Indian Gaming Revenue Sharing Trust Fund for the next fiscal year. Existing law provides that the Legislature shall transfer from the Indian Gaming Special Distribution Fund to the Indian Gaming Revenue Sharing Trust Fund an amount sufficient for each eligible recipient tribe to receive a total not to exceed $275,000 for each quarter in the upcoming fiscal year in which an eligible recipient tribe is eligible to receive moneys, for a total not to exceed $1,100,000 for the entire fiscal year.~~
~~This bill would make a technical, nonsubstantive change to these provisions.~~
Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes* . State-mandated local program: no.

Laws: An act to add Section 12012.51 to the Government Code, relating to gaming.

History:
Apr. 19 Read third time. Passed. (Ayes 22. Noes 10.) To Assembly.
Apr. 19 In Assembly. Read first time. Held at Desk.
Apr. 17 Read second time. To third reading.
Apr. 16 Withdrawn from committee. Ordered placed on second reading.
Apr. 9 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS. Set for hearing April 11.
Feb. 15 To Com. on RLS.
Feb. 6 From print. May be acted upon on or after March 8.
Feb. 5 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization
CARF

Subject
Tribal Gaming

SB 282 **(Cox) State Fair Leasing Authority.** (I-02/15/2007 html pdf)
Status: 04/12/2007-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 8. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Current Location: 04/12/2007-S APPR.
Calendar Events: 04/23/07 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS

Digest: Existing law authorizes 2 or more public agencies to enter into a joint powers agreement to conduct agricultural, industrial, cultural, or other fairs or expositions. Under existing law, entities formed pursuant to a joint powers agreement have the authority to issue revenue bonds for the purposes of conducting a program or completing a project under its jurisdiction.
This bill would authorize the formation of a joint powers entity, the State Fair Leasing Authority, to be composed of the Department of Food and Agriculture, the Department of Finance, the Department of General Services, and the California Exposition and State Fair. The authority would be authorized to enter into leases or other agreements for the use of the State Fair Race Track or any other property owned or controlled by the California Exposition and State Fair. The bill would require the authority to prepare a master plan for the long-range comprehensive development and improvement of the property of the California Exposition and State Fair.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Chapter 5 (commencing with Section 3351) to Part 2 of Division 3 of the Food and Agricultural Code, relating to state fairs.

History:
Apr. 12 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 8. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Mar. 28 Set for hearing April 10.
Feb. 22 To Com. on G.O.
Feb. 16 From print. May be acted upon on or after March 18.
Feb. 15 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization
CARF

Subject
Fairs

SB 289 **(Vincent) Gambling Control Act: licenses.** (I-02/15/2007 html pdf)
Status: 04/12/2007-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 7. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Current Location: 04/12/2007-S APPR.
Calendar Events: 04/23/07 Anticipated Hearing SEN APPR.

Digest: The Gambling Control Act provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission, and for the investigation and enforcement of those activities and establishments by the Division of Gambling Control within the Department of Justice. Under that act, a person is deemed unsuitable to hold a state gambling license if that person, or any partner, officer, director, or shareholder of that person, has a financial interest in a business or organization engaged in any form of prohibited gambling, as specified.
This bill would revise that provision by authorizing the commission to deem an applicant or licensee suitable to hold a state gambling license even if the applicant or licensee has a financial interest in another business conducting lawful gambling outside of California that, if conducted within the state, would violate California law, unless the applicant or licensee owns more than a 1% interest in, or has control of, that business.
This bill would declare that it is to take effect immediately as an urgency statute.
Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19858.5 to the Business and Professions Code, relating to gaming, and declaring the urgency thereof, to take effect immediately.

History:
Apr. 12 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 7. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Mar. 14 Set for hearing April 10.
Feb. 22 To Com. on G.O.
Feb. 16 From print. May be acted upon on or after March 18.
Feb. 15 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*License/Permits*

SB 317

(Denham) Horse racing: official veterinarians. (I-02/16/2007 html pdf)
Status: 04/19/2007-To Special Consent Calendar.
Current Location: 04/19/2007-S CONSENT CALENDAR
Calendar Events: 04/23/07 67 SEN SPECIAL CONSENT CALENDAR #2

Digest: Existing law requires applicants for license as a steward to pass both a written and oral exam, and sets forth qualifications for persons to be admitted to that exam.
This bill would require applicants for license as an official veterinarian to pass both a written and oral exam, and would establish qualifications for persons to be admitted to the official veterinarian exam.
Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

Laws: An act to amend Section 19512 of the Business and Professions Code, relating to horse racing.

History:
Apr. 19 To Special Consent Calendar.
Apr. 16 Read second time. To third reading.
Apr. 12 From committee: Do pass. (Ayes 8. Noes 0. Page 540.)
Mar. 15 Set for hearing April 10.
Feb. 28 To Com. on G.O.
Feb. 20 From print. May be acted upon on or after March 22.
Feb. 16 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*Horse Racing*

SB 379

(Denham) Horse racing: out-of-country thoroughbred races. (I-02/21/2007 html pdf)
Status: 04/12/2007-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 8. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Current Location: 04/12/2007-S APPR.
Calendar Events: 04/23/07 Anticipated Hearing SEN APPR.

Digest: Existing law provides that a thoroughbred racing association or fair may distribute the audiovisual signal and accept wagers on the results of out-of-state and out-of-country thoroughbred races during the calendar period the association or fair is conducting a race meeting, provided that the total number of thoroughbred races on which wagers are accepted statewide in any given year does not exceed the total number of thoroughbred races on which wagers were accepted in 1998. Existing law further prohibits the total number of thoroughbred races imported by associations or fairs from exceeding 23 per day on days when live thoroughbred or fair racing is being conducted in the state. However, that limitation excludes races imported that are part of the race card of the

Kentucky Derby, Kentucky Oaks, and other specified races.
This bill would add the Dubai Cup to the list of imported races not subject to the limitation of 23 races per day.
Under existing law, revenues distributed to the state as license fees from horse racing are required to be deposited in the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes.
This bill would authorize additional wagering, and would increase the amount of continuously appropriated license fees, thereby making an appropriation.
Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

History:
Apr. 12 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 8. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Mar. 15 Set for hearing April 10.
Feb. 28 To Com. on G.O.
Feb. 22 From print. May be acted upon on or after March 24.
Feb. 21 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization — ***Subject***
CARF — *Horse Racing*
Notes: *SUPPORT letter dated 4/2/07 (L. Brown)*

SB 441

(Torlakson) State property: vending machines. (A-04/10/2007 html pdf)
Status: 04/10/2007-Read second time. Amended. Re-referred to Com. on G.O.
Current Location: 04/10/2007-S G.O.
Calendar Events: 04/24/07 9:30 a.m. - Room 3191 SEN GOVERNMENTAL ORGANIZATION

Digest: Existing law regulates various aspects of the provision of food and beverages in vending machines, including access to carbonated beverages at schools, the giving of priority to blind persons with respect to the operation of vending facilities on state property, the sanitation of vending machines and requiring public health permits, and the placement of vending machines in safety roadside rests on the state highway system.
This bill would require each vendor that operates or maintains vending machines on designated state property to satisfy a specified phased-in requirement that at least 25% of the food and beverages offered in the vending machine meet accepted nutritional guidelines, as defined, by December 31, 2008, and 50% by December 31, 2009, or under specified conditions, by December 31, 2011, and to ~~provide to users, upon request,~~ *attach to the exterior of the vending machine* information about the nutritional value of food and beverages offered in the vending machine and procedures for requesting a change in vending machine offerings.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 11005.4 to the Government Code, relating to state property.

History:
Apr. 10 Read second time. Amended. Re-referred to Com. on G.O.
Apr. 9 From committee: Do pass as amended, but first amend, and re-refer to Com. on G.O. (Ayes 6. Noes 4. Page 433.) Set for hearing April 24.
Mar. 6 Set for hearing March 28.
Feb. 28 To Coms. on HEALTH and G.O.
Feb. 22 From print. May be acted upon on or after March 24.
Feb. 21 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization — ***Subject***
CARF — *Property*

SB 567

(Aanestad) State property. (A-04/09/2007 html pdf)
Status: 04/12/2007-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 8. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Current Location: 04/12/2007-S APPR.
Calendar Events: 04/23/07 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS

Digest: Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.
This bill would authorize the director to sell, exchange, ~~sell combined with an exchange,~~ or lease for fair market value upon those terms and conditions determined by the director, 6 specified parcels of state property. The net proceeds of the conveyance would be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount,

which is a continuously appropriated subaccount in the Budget Stabilization Account, thereby making an appropriation. The bill would require reimbursement to the Department of General Services for any cost or expense incurred in the disposition of the property from the net proceeds of the disposition.
Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

Laws: An act relating to state property, and making an appropriation therefor.

History:
Apr. 12 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 8. Noes 0. Page 540.) Re-referred to Com. on APPR. Set for hearing April 23.
Apr. 9 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on G.O.
Mar. 14 Set for hearing April 10.
Mar. 8 To Com. on G.O.
Feb. 23 From print. May be acted upon on or after March 25.
Feb. 22 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization	*Subject*
CARF	*Property*

SB 616 **(Margett) Waste discharge requirements: horse racing facilities.** (I-02/22/2007 html pdf)
Status: 04/10/2007-Set, first hearing. Hearing canceled at the request of author.
Current Location: 03/08/2007-S E.Q.

Digest: Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of waste in accordance with the federal national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act (state act). The United States Environmental Protection Agency imposes NPDES requirements relating to concentrated animal feeding operations, including horse racing facilities. The state act authorizes the state board or a regional board to prescribe general waste discharge requirements if certain requirements are met.
This bill would require the state board to prescribe general waste discharge requirements for horse racing facilities. These requirements would apply to the discharge of waste at horse racing facilities that are subject to the NPDES permit program. The state board would be required to prescribe requirements that include specified components, to the extent permitted by federal law.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 13263.7 to the Water Code, relating to water.

History:
Apr. 10 Set, first hearing. Hearing canceled at the request of author.
Mar. 22 Set for hearing April 16.
Mar. 8 To Com. on E.Q.
Feb. 23 From print. May be acted upon on or after March 25.
Feb. 22 Introduced. Read first time. To Com. on RLS. for assignment. To print.

Organization	*Subject*
CARF	*Waste*

SB 754 **(Kehoe) State property: leases.** (I-02/23/2007 html pdf)
Status: 04/16/2007-Set, first hearing. Hearing canceled at the request of author. Set for hearing April 23.
Current Location: 04/16/2007-S APPR. SUSPENSE FILE
Calendar Events: 04/23/07 10 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS

Digest: Existing law authorizes the Director of General Services, with the consent of the state agency involved, to let for a period not to exceed 5 years, any real or personal property that belongs to the state, subject to specified conditions. Any money received in connection with these leases is required to be deposited in the Property Acquisition Law Money Account and be available to the department upon appropriation by the Legislature.
This bill, notwithstanding existing law, would authorize the Director of General Services, with the consent of the Department of Motor Vehicles, to let, for a period of not to exceed 45 years, specified parcels of real property that are acquired and used by the state for the benefit of the Department of Motor Vehicles, subject to specified conditions. This bill would also provide that the rental proceeds from the lease of that be available to the Department of Motor Vehicles, thereby making an appropriation.
Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 14670.2 to the Government Code, relating to state property, and making an appropriation therefor.

History:
Apr. 16 Set, first hearing. Hearing canceled at the request of author. Set for hearing April 23.
Mar. 27 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 7. Noes 0. Page 386.) Re-referred to Com. on APPR. Set for hearing April 16.
Mar. 13 Set for hearing March 27.
Mar. 8 To Com. on G.O.
Feb. 26 Read first time.
Feb. 24 From print. May be acted upon on or after March 26.
Feb. 23 Introduced. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*Property*

SB 792 **(Florez) Horse racing: Vincent-Maddy California Thoroughbred Race Cup.** (A-04/17/2007 html pdf)
Status: 04/17/2007-Read second time. Amended. Re-referred to Com. on REV. & TAX.
Current Location: 04/17/2007-S REV. & TAX
Calendar Events: 04/25/07 1:30 p.m. - Room 3191 SEN REVENUE AND TAXATION

Digest: Existing law authorizes a specified number of weeks per year per zone for thoroughbred racing in the state.
This bill would establish the ~~Vincent~~ *Vincent-Maddy* California Thoroughbred Race Cup series, which would consist of 4 races per year at specified venues in the state. The bill would divert any state sales and use tax imposed pursuant to existing law on the sale of thoroughbred horses into the ~~Vincent~~ *Vincent-Maddy* California Thoroughbred Race Cup Fund, which the bill would create. Money in the fund would be evenly divided, to be used as supplements to purses in that race series.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Laws: An act to add Section 19536 to the Business and Professions Code, relating to horse racing.

History:
Apr. 17 Read second time. Amended. Re-referred to Com. on REV. & TAX.
Apr. 16 From committee: Do pass as amended, but first amend, and re-refer to Com. on REV. & TAX. (Ayes 6. Noes 1. Page 541.) Set for hearing April 25 in REV. & TAX. pending receipt.
Apr. 9 Set for hearing April 10.
Mar. 8 To Coms. on G.O. and REV. & TAX.
Feb. 26 Read first time.
Feb. 25 From print. May be acted upon on or after March 27.
Feb. 23 Introduced. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*Horse Racing*

SB 903 **(Padilla) Tribal gaming: compact ratification.** (A-04/09/2007 html pdf)
Status: 04/19/2007-In Assembly. Read first time. Held at Desk.
Current Location: 04/19/2007-S DESK

Digest: *Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.*
This bill would ratify an amendment to the tribal-state gaming compact entered into between the State of California and the Pechanga Band of Luiseoo Mission Indians, executed on August 28, 2006. The bill would require that related revenue contributions be deposited into the General Fund and would provide that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.
~~Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state. Existing law authorizes moneys in that fund to be used for certain purposes, including for disbursements for the purpose of implementing the terms of tribal labor relations ordinances adopted in accordance with the terms of tribal-state gaming compacts ratified pursuant to specified provisions of law.~~
~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes* . State-mandated local program: no.

Laws: An act to add Section 12012.49 to the Government Code, relating to gaming.

History:
Apr. 19 Read third time. Passed. (Ayes 23. Noes 8.) To Assembly.
Apr. 19 In Assembly. Read first time. Held at Desk.
Apr. 17 Read second time. To third reading.
Apr. 16 Withdrawn from committee. Ordered placed on second reading.
Apr. 9 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS. Set for hearing April 11.
Mar. 15 To Com. on RLS.
Feb. 26 Read first time.
Feb. 25 From print. May be acted upon on or after March 27.
Feb. 23 Introduced. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*Tribal Gaming*

SB 941 **(Padilla) Tribal gaming: compact ratification.** (A-04/09/2007 html pdf)
Status: 04/19/2007-In Assembly. Read first time. Held at Desk.
Current Location: 04/19/2007-S DESK

Digest: *Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.*
This bill would ratify an amendment to a tribal-state gaming compact entered into between the State of California and the San Manuel Band of Mission Indians, executed on August 28, 2006. The bill would provide that the terms of that amended compact shall apply only to the State of California and the tribe that has signed it, and shall not bind any tribe that is not a signatory to the amended compact. The bill would require that related revenue contributions be deposited into the General Fund, except as specified, and would provide that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.
~~Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts entered into with the state. Existing law authorizes moneys in that fund to be used for certain purposes, including for disbursements for the purpose of implementing the terms of tribal labor relations ordinances adopted in accordance with the terms of tribal-state gaming compacts ratified pursuant to specified provisions of law.~~
~~This bill would make a technical, nonsubstantive change to these provisions.~~
Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes* . State-mandated local program: no.

Laws: An act to add Section 12012.47 to the Government Code, relating to gaming.

History:
Apr. 19 Read third time. Passed. (Ayes 24. Noes 5.) To Assembly.
Apr. 19 In Assembly. Read first time. Held at Desk.
Apr. 17 Read second time. To third reading.
Apr. 16 Withdrawn from committee. Ordered placed on second reading.
Apr. 9 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS. Set for hearing April 11.
Mar. 15 To Com. on RLS.
Feb. 26 Read first time.
Feb. 25 From print. May be acted upon on or after March 27.
Feb. 23 Introduced. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*Tribal Gaming*

SB 957 **(Torlakson) Tribal gaming: compact ratification.** (A-04/09/2007 html pdf)
Status: 04/19/2007-In Assembly. Read first time. Held at Desk.
Current Location: 04/19/2007-S DESK

Digest: *Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of*

tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.
This bill would ratify an amendment to a tribal-state gaming compact entered into between the State of California and the Agua Caliente Band of Cahuilla Indians, executed on August 8, 2006. The bill would require that related revenue contributions be deposited into the General Fund and would also specify that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.

~~Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state, and authorizes moneys in those funds to be used for specified purposes, including grants for the support of state and local government agencies impacted by tribal gaming. Existing law establishes the method of calculating the distribution of appropriations from the Indian Gaming Special Distribution Fund for grants to local government agencies impacted by tribal gaming, and establishes County Tribal Casino Accounts for those purposes.~~
~~This bill would make a technical, nonsubstantive change to these provisions.~~
Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes* . State-mandated local program: no.

Laws: An act to add Section 12012.46 to the Government Code, relating to gaming.

History:
Apr. 19 Read third time. Passed. (Ayes 23. Noes 9.) To Assembly.
Apr. 19 In Assembly. Read first time. Held at Desk.
Apr. 17 Read second time. To third reading.
Apr. 16 Withdrawn from committee. Ordered placed on second reading.
Apr. 9 From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS. Set for hearing April 10.
Mar. 15 To Com. on RLS.
Feb. 26 Read first time.
Feb. 25 From print. May be acted upon on or after March 27.
Feb. 23 Introduced. To Com. on RLS. for assignment. To print.

Organization	***Subject***
CARF	*Tribal Gaming*

Total Position Forms: 37

BILL NUMBER: SB 873 INTRODUCED
BILL TEXT

INTRODUCED BY Senator Florez

FEBRUARY 23, 2007

An act to add Section 12012.6 to the Government Code, ***to repeal Section 19606.3, to repeal and add Section 19616.51, and to amend Sections 19606.1, 19606.4, 19606.5, 19620.1, 19621, 19640 and 19641 of the Business and Professions Code*** relating to horse racing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 873, as introduced, Florez. Special Trust Fund for the Economic Stabilization of ***Fairs and*** Horse Racing.

Existing law regulates horse racing. Existing federal law, the Indian Gaming Regulatory Act, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.

This bill would ~~create~~ ***rename the Satellite Wagering Account, a separate account within the Fair and Exposition Fund,*** the Special Trust Fund for the Economic Stabilization of ***Fairs and*** Horse Racing, into which a portion of the funds generated from gaming activities authorized pursuant to all new tribal-state compacts that are ratified, or existing compacts that are amended, on or after January 1, 2007, would be deposited. The bill would specify how the moneys in that fund would be disbursed annually. ~~To the extent that the bill would create a fund that would be continuously appropriated, the bill would create an appropriation.~~

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature hereby finds and declares all of the following:

(1) California's horse racing industry makes an important contribution to California's overall economy and is a vital component of the state's agricultural community.

(2) The horse racing industry provides over 54,000 jobs industrywide and generates critical financial support for California's network of fairs.

(3) The rapid expansion of tribal gaming has contributed to a significant decline in revenue for the horse racing industry.

(4) Certain provisions of the tribal gaming compacts place the horse racing industry at a competitive disadvantage with other states that offer higher purses subsidized by alternative gaming activities.

(5) The compacts proposed after August 1, 2006, will have an additional adverse impact on the horse racing industry, further jeopardizing the economic stability of horse racing in California.

(6) Therefore, it is the intent of the Legislature, in enacting this act, to mitigate those adverse impacts on the horse racing industry and to help ensure the survival of the industry in California, protect the jobs that it provides, and sustain the contribution it makes to the state's economy.

(b) A portion of the revenue contributions made to the state pursuant to ~~the~~ ***amended*** tribal-state gaming compacts, ***or new compacts entered into and*** ratified after January 1, 2007, shall be ~~deposited into the Special Trust Fund for Economic Stabilization of Horse Racing in California,~~ ***paid into the State Treasury to the credit of the Fair and Exposition Fund for the financial support of the network of California fairs and for the economic stabilization of horse racing in California,*** as specified in Section 12012.6 of the Government Code, ***and Sections 19606.1 and 19620.1 of the Business and Professions Code,*** and the remainder shall be deposited into the General Fund.

SEC. 2. Section 12012.6 is added to the Government Code, to read:

12012.6. (a) ~~There is hereby created the Special Trust Fund for Economic Stabilization of Horse Racing. A portion~~ ***Notwithstanding any other provision of law, the first sixty million dollars ($60,000,000)*** of the funds generated from gaming activities authorized pursuant to amended tribal-state compacts, or new compacts entered into and ratified on or after January 1, 2007, ***pursuant to Section 4.3.1 of the amended compacts, or the comparable section in new compacts, and funds received as a result of the state's acquisition of an ownership interest in any residual interest in compact assets attributable to Section 4.3.1 of the amended compacts, or the comparable section in new compacts, as specified in those compacts,*** that would otherwise be deposited into the General Fund, ***or such agency, trust, fund or entity, as the State Director of Finance, pursuant to law, from time to time, shall specify to the tribes in writing*** ~~pursuant to this article~~ ***under the terms of the compact,*** shall be deposited into the ***Fair and Exposition Fund, and shall be allocated as provided in Sections 19606.1 and 19620.1 of the Business and Professions Code.***

(b) Fifty percent of the base amount deposited in any fiscal year after the enactment of this section shall be adjusted with annual increases corresponding to the cost-of-living adjustment (COLA) based on the Consumer Price Index (CPI).

(c) If in any fiscal year after the enactment of this section, the revenue derived from amended tribal-state compacts, or new compacts entered into and ratified on or after January 1, 2007, pursuant to Section 4.3.1 of the amended compacts, or the comparable section in new compacts, and funds received as a result of the state's acquisition of an ownership interest in any residual interest in compact assets attributable to Section 4.3.1 of the amended compacts, or the comparable section in new compacts, as specified in those compacts is insufficient to effectuate each of the purposes of subdivisions (a) and (b) of this section, the shortfall shall be made up in the first fiscal year after enactment of this section by the state general fund, any shortfall thereafter shall be made up from, and to the extent of, license fees retained by racing associations and fairs before any provisions of Section 19616.51 are funded.

~~in the following amounts:~~

~~(1) For fiscal years 2007-08 and 2008-09, an amount equal to 2 percent of the net win of the gaming devices governed by the compacts.~~

~~(2) For fiscal years 2009-10 and 2010-11, an amount equal to 4 percent of the net win of the gaming devices governed by the compacts.~~
~~(3) For fiscal year 2011-12, and for every fiscal year thereafter, an amount equal to 6 percent of the net win of the gaming devices governed by the compacts.~~

~~(b) The funds deposited in the Special Trust Fund for Economic Stabilization of Horse Racing shall be disbursed annually according to the following formula:~~
~~(1) Sixty-one hundredths of 1 percent of the funds deposited shall be disbursed to the jockey's organization certified pursuant to Section 19612.9 for the purpose of funding health, welfare, or retirement programs for professional jockeys who ride races in California, retired jockeys who rode races in California, and their dependents.~~
~~(2) After the disbursement is made pursuant to paragraph (1), funds deposited pursuant to paragraph (1) of subdivision (a) shall be disbursed 80 percent as purses for horse races being conducted at licensed horse racing tracks, and 20 percent as commissions to licensed horse racing tracks.~~
~~(3) After the disbursement is made pursuant to paragraph (1), funds deposited pursuant to paragraphs (2) and (3) of subdivision (a) shall be disbursed 50 percent as purses for horse races conducted at licensed horse racing tracks, and 50 percent as commissions to licensed horse racing tracks.~~

SEC. 3. Section 19606.1 of the Business and Professions Code is amended to read:

19606.1. (a) ~~Except as otherwise provided in Section 19606.3, all revenues distributed to the state as license fees from satellite wagering facilities~~ ***All revenues paid to the credit of the Fair and Exposition Fund specified in Section 19620.1*** shall be deposited in a separate account in the fund, ***the Special Trust Fund for the Economic Stabilization of Fairs and Horse Racing formerly known as the Satellite Wagering Account,*** and, notwithstanding Section 13340 of the Government Code, are continuously appropriated from that account to the Department of Food and Agriculture, for allocation by the Secretary of Food and Agriculture, at his or her discretion, ***in the priority listed and*** for the purposes set forth in paragraphs (1) to (6), inclusive. The concurrence of the Director of Finance shall be required for allocations pursuant to paragraphs (1) and (2). Allocations pursuant to paragraphs (3) to (6), inclusive, shall be made with the concurrence of the Joint Committee on Fairs Allocation and Classification.

(1) For the repayment of the principal of, interest on, and costs of issuance of, and as security, including any coverage factor, pledged to the payment of, bonds issued or to be issued by a joint powers agency or other debt service or expense, including repayment of any advances made or security required by any provider of credit enhancement or liquidity for those bonds or other indebtedness or expenses of maintaining that credit enhancement or liquidity, incurred for the purpose of constructing or acquiring improvements at a fair's racetrack inclosure, satellite wagering facilities at fairs, health and safety repair projects, or handicapped access compliance projects at fairs or for the purpose of refunding bonds or other indebtedness incurred for those purposes. As used in this paragraph, "coverage factor" means revenues in excess of the amount necessary to pay debt service on the bonds or other indebtedness, up to an amount equal to 100 percent more than the amount of that debt service, which a joint powers agency,

pursuant to the resolution or indenture under which the bonds or other indebtedness are or will be issued, pledges as additional security for the payment of that debt service or is required to have or maintain as a condition to the issuance of additional bonds or other indebtedness. Notwithstanding any other provision of law, the department may also commit any funds available for allocation under Article 10 (commencing with Section 19620) ***to the repayment of debt service on the bonds or other indebtedness*** to complete projects funded under this paragraph in the priority described in this paragraph, ***in accordance with the following:***

(A) Fifty-eight percent of the proceeds from the issuance of bonds or other indebtedness pursuant to this section shall be used for the purpose of constructing or acquiring improvements primarily for thoroughbred racing at one fair's racetrack inclosure in the Central Zone.

(B) Twenty-six percent of the proceeds from the issuance of bonds or other indebtedness pursuant to this section shall be used for the purpose of constructing or acquiring improvements primarily for thoroughbred racing at one fair's racetrack inclosure in the Northern Zone.

(C) Four percent of the proceeds from the issuance of bonds or other indebtedness pursuant to this section shall be used for the purpose of constructing or acquiring improvements primarily for harness racing at one fair's racetrack inclosure in the Northern Zone.

(D) Two percent of the proceeds from the issuance of bonds or other indebtedness pursuant to this section shall be used for the purpose of constructing or acquiring improvements primarily for thoroughbred racing at one fair's racetrack inclosure in the Southern Zone.

(E) Ten percent of the proceeds from the issuance of bonds or other indebtedness pursuant to this section shall be used for the purpose of funding health and safety related projects at fairs pursuant to Paragraph (3) of this section.

(2) For payment to the State Race Track Leasing Commission to be pledged for the repayment of debt necessary to construct a racetrack grandstand at the 22nd District Agricultural Association fairgrounds. This payment shall be made only if the Secretary of Food and Agriculture determines, annually, that all other pledged revenues have been applied to the repayment of that debt and have been determined by the secretary to be inadequate for that purpose.

(3) ~~For the payment of expenses incurred in establishing and operating satellite wagering facilities at fairs.~~ ***For health and safety repair projects at fairs, which include fire and life safety improvement projects, California Code of Regulations compliance projects, and long-term deferred maintenance projects.***

(4) ~~For the support of an equipment and operating fund to produce and display a consolidated California signal at satellite wagering facilities and fairs.~~ ***For supplementing purses at fair meetings to achieve the purposes of Section 19606.4. The amount allocated pursuant to this paragraph shall not exceed one million one hundred thousand dollars ($1,100,000) in any calendar year.***

(5) ~~For health and safety repair projects at fairs, which includes fire and life safety improvement projects, California Code of Regulations compliance projects, and long-term deferred maintenance projects.~~ ***For the payment of expenses incurred in establishing and operating satellite wagering facilities at fairs or wagering outlets at locations other than fairs which generate revenue for the network of fairs.***

(6) For the development and payment of revenue generating projects, the establishment of pilot projects to restructure the current fair system, and for projects realizing a cost savings for more efficient utilization of existing fair resources.

(b) The Secretary of Food and Agriculture may not make an allocation for purposes of paragraphs (2) to (6), inclusive, of subdivision (a) until the payments required in any fiscal year pursuant to paragraph (1) of subdivision (a) have been funded.

(c) Pursuant to subdivision (a), the Joint Committee on Fairs Allocation and Classification shall review and concur, or not concur, with the secretary's determination of the allocations to be made pursuant to paragraphs (3) to (6), inclusive, of subdivision (a) in total, and the committee may not add to, or delete projects or line items from, the proposed allocations.

(d) Approval of the Joint Committee on Fairs Allocation and Classification is deemed complete when one of the following conditions is met:

(1) The annual budget act is enacted.

(2) If the secretary's recommendations are received by the Joint Committee on Fairs Allocation and Classification after the enactment of the annual budget act, the recommendations shall be deemed approved 30 days after they are received unless they are rejected by the committee.

(e) If the Joint Committee on Fairs Allocation and Classification does not concur with the secretary's recommendations, the secretary may submit another set of recommendations to the committee pursuant to this section.

(f) The payments required in any fiscal year for the purposes of paragraphs (1) to (~~3~~***2***), inclusive, of subdivision (a) shall be made before any transfer is made pursuant to subdivision (g).

(g) Except as otherwise provided in subdivision (f), when the revenues deposited in the separate account exceed ~~eleven~~ ***fifteen*** million dollars ($~~11~~***15***,000,000) in any fiscal year, ~~98 percent of~~ the amount in excess of ~~eleven~~ ***fifteen*** million dollars ($~~11~~***15***,000,000) shall be transferred to the Fair and Exposition Fund for allocation in accordance with Sections 19620.1 and 19630.

(h) All of the costs of administering the accounts created by subdivision (a) ~~and Section 19606.3~~ shall be charged to the respective accounts.

SEC. 4. Section 19606.3 of the Business and Professions Code is repealed.

~~19606.3. The first one million one hundred thousand dollars ($1,100,000) of all revenues distributed to racing associations for payment to the state as license fees shall be deposited in a special account in the fund and, notwithstanding Section 13340 of the Government Code, are hereby continuously appropriated to the Department of Food and Agriculture for supplementing purses at fair meetings to achieve the purposes of Section 19606.4.~~

SEC. 5. Section 19606.4 of the Business and Professions Code is amended to read:

19606.4. It is the intent of the Legislature that funds allocated pursuant to ***paragraph 4 of*** Section 19606.~~3~~***1*** be used primarily at fair racing meetings in the northern zone with a daily average handle of more than three hundred thousand dollars ($300,000). The Legislature further finds that its intent is that these allocations be used to bring the purses at these fairs, exclusive of purses for stakes races and special events, to a level of at least 80 percent of purses for similar classes of horses at private associations in the northern zone.

The funds shall be used among all breeds. For fair racing meetings in the northern zone with a daily average handle of three hundred thousand dollars ($300,000) or less, it is the intent of the Legislature to bring the purses to a level of at least 25 percent of purses for similar classes of horses at private associations in the northern zone. Any funds remaining after meeting the requirements of this section shall be used at fair meetings in the northern zone as additional purses.

SEC. 6. Section 19606.5 of the Business and Professions Code is amended to read:

19606.5. Notwithstanding subdivision (b) of Section 19641, the state shall receive as additional license fees 50 percent of any redistributable money in a parimutuel pool arising from wagers at a satellite wagering facility in the central or southern zone, subject to payment to a claimant pursuant to Section 19598, but not successfully claimed within that period, and the funds shall be deposited in the ~~General~~ ***Fair and Exposition*** Fund. The remaining 50 percent of redistributable money in a parimutuel pool arising from wagers at a satellite wagering facility shall be paid to a welfare fund established by the horsemen's organization contracting with the association conducting the racing meeting for the benefit of horsemen, and that organization shall make an accounting to the board within one calendar year of the receipt of the payment.

SEC. 7. Section 19616.51 of the Business and Professions Code is repealed:

~~19616.51. Notwithstanding any other provision of law, if the total amount paid to the state by racing associations and fairs pursuant to this chapter is less than forty million dollars ($40,000,000) in any calendar year, beginning January 1, 2001, and thereafter, all associations and fairs that conducted live racing during the year of shortfall shall remit to the state, on a pro rata basis according to the amount handled in-state by each association or fair, the amount necessary to bring the total amount paid to the state to forty million dollars ($40,000,000). The amounts due under this section, if any, shall be paid from the amount available for commissions, purses, and breeder awards, and shall be paid to the board prior to March 1 of the year following the year of the shortfall.~~

SEC. 8. Section 19616.51 is added to the Business and Professions Code to read:

19616.51. Notwithstanding any other provision of law, any racing association or fair licensed to conduct a race meeting shall retain the license fees that the association or fair would otherwise remit to the board to be paid into the State Treasury for deposit to the Fair and Exposition Fund or the General Fund. These fees shall not include amounts paid pursuant to Sections 19640, 19641 and 19642. The amounts retained pursuant to this section shall be distributed as follows:

(1) Sixty-one hundredths of one percent shall be distributed to the jockeys' organization certified pursuant to subdivision (b) of Section 19612.9 for the purpose of funding health, welfare, or retirement programs for professional jockeys who ride races in California, retired jockeys who rode races in California, and their dependents.

(2) With respect to each breed of racing that originate in California for each racing meeting, after the distribution of the amount set forth in paragraph (1), the amount remaining shall be distributed by the racing association or fair that is conducting the racing meeting to horsemen participating in that racing meeting in the form of purses, and as incentive awards, in the same relative

proportion as they were generated or earned during the prior calendar year at that racing association or fair on races conducted or imported by that racing association or fair after making all deductions required by applicable law. "Incentive awards" shall be those payments provided for in Sections 19617.2, 19617.7, 19617.8, 19617.9, and 19619. The amount determined to be payable for incentive awards shall be payable to the applicable official registering agency and thereafter distributed as provided in this chapter.

SEC. 9. Section 19620.1 of the Business and Professions Code is amended to read:

19620.1. (a) ~~From the total revenue received by the board, including revenues transferred from the Satellite Wagering Account pursuant to subdivision (g) of Section 19606.1, but excluding money received pursuant to Sections 19640 and Section 19641, the sum of two hundred sixty-five thousand dollars ($265,000) plus an amount equal to 63/100 of 1 percent of the gross amount of money handled in the annual parimutuel pool generated within this state, or the maximum amount received by the state from the parimutuel pool of a racing meeting held in this state, whichever is less, be paid into the State Treasury to the credit of the Fair and Exposition Fund. If the revenues paid into the Fair and Exposition Fund under this section are in excess of thirteen million dollars ($13,000,000) in any fiscal year, one-half of the amount in excess of the thirteen million dollars ($13,000,000) shall be transferred to the General Fund.~~ ***The first sixty million dollars ($60,000,000) of the funds generated from gaming activities authorized pursuant to amended tribal-state compacts, or new compacts entered into and ratified on or after January 1, 2007, pursuant to Section 4.3.1 of the amended compacts, or the comparable section in new compacts, and funds received as a result of the state's acquisition of an ownership interest in any residual interest in compact assets attributable to Section 4.3.1 of the amended compacts, or the comparable section in new compacts, as specified in those compacts, that would otherwise be deposited into the General Fund, or such agency, trust, fund or entity, as the State Director of Finance, pursuant to law, from time to time, shall specify to the tribes in writing under the terms of the compact, shall be paid into the State Treasury to the credit of the Fair and Exposition Fund as specified in Section 12012.6 of the Government Code, Sections 19606.1 of the Business and Professions and this section.***

(b) From the total revenue received by the board, ~~exclusive of money received pursuant to Sections 19640 and 19641,~~ and in addition to the funds paid into the State Treasury to the credit of the Fair and Exposition Fund as specified in subdivision (a), the Legislature shall annually appropriate and the board shall deposit to the credit of the Fair and Exposition Fund, such sums as it deems necessary for the following purposes:

(1) For the support of the board, including any costs and expenses incurred by the Attorney General in the enforcement of this chapter as shall be authorized by the board, including, compensation including any fringe benefits paid to stewards and to the official veterinarian, and an amount not less than the amount expended in the 1994-95 fiscal year for the costs of laboratory testing related to horse racing pursuant to Section 19580. ***Notwithstanding the foregoing, the amount appropriated for the support of the board pursuant to this paragraph shall not exceed an amount equal to fifty-two one hundredths of one percent of the total amount wagered on horse races at racetracks and off-track***

wagering facilities within the state of California in the fiscal year immediately preceding the appropriation.

(2) To the Department of Food and Agriculture for the oversight of the network of California fairs receiving money from the fund.

(3) To the Department of Food and Agriculture for the contributions, or the cost of benefits in lieu of contributions, payable to the Unemployment Fund by the network of California fairs receiving funds pursuant to this article, as a result of unemployment insurance coverage pursuant to Section 605 of the Unemployment Insurance Code.

(4) To the Department of Food and Agriculture for the auditing of all district agricultural association fairs, county fairs, and citrus fruit fairs.

SEC. 10. Section 19621 of the Business and Professions Code is amended to read:

19621. (a) Not more than ~~5~~ ***4*** percent of the Fair and Exposition Fund may be used during any fiscal year to augment the budget of the Department of Food and Agriculture to develop and administer an operational and policy framework for the network of California fairs.

(b) The Secretary of Food and Agriculture shall annually project the available revenues from this source and submit a recommendation to the Governor for the additional staff and contracts necessary to oversee the network of California fairs.

(c) The Secretary of Food and Agriculture shall prepare an annual expenditure plan for funds available from the Fair and Exposition Fund for review and approval by the Joint Committee on Fairs Allocation and Classification. The Joint Committee on Fairs Allocation and Classification shall review and concur, or not concur, with the spending plan in total, and may not add to, or delete projects or line items from, the budget.

(d) Approval of the Joint Committee on Fairs Allocation and Classification is deemed complete when one of the following conditions is met:

(1) The annual budget act is enacted.

(2) If the secretary's recommendations are received by the Joint Committee on Fairs Allocation and Classification after the enactment of the annual budget act, the recommendations shall be deemed approved 30 days after they are received unless they are rejected by the committee.

(e) If the Joint Committee on Fairs Allocation and Classification does not concur with the secretary's recommendations, the secretary may submit another set of recommendations to the committee pursuant to this section.

SEC. 11. Section 19640 of the Business and Professions Code is amended to read:

19640. All money representing penalties or fines imposed by the stewards of a horse race meeting shall be collected by the licensee of the meeting and paid to the board within 10 days after its close, and the board shall deposit all such money in the State Treasury to the credit of the ~~General~~ ***Fair and Exposition*** Fund.

SEC. 12. Section 19641 of the Business and Professions Code is amended to read:

19641. (a) Except as provided in subdivision (b), any redistributable money in a parimutuel pool subject to payment to a claimant pursuant to Section 19598, but not successfully claimed within that period, shall be paid to the board, as follows:

(1) An estimated payment equal to 20 percent of the preceding year's unclaimed redistributable money paid pursuant to this subdivision shall

be paid to the board on July 1, October 1, January 1, and April 1, or the next business day thereafter.

(2) On May 30, or the next business day thereafter, of the year following the close of any horseracing meeting, the association shall pay to the board all of the redistributable funds that are owed it pursuant to this subdivision, less any estimated payments made pursuant to paragraph (1).

The money received by the board under this subdivision resulting from thoroughbred, harness, or quarter horse meetings, but excluding the meetings of the California Exposition and State Fair or of a county, district agricultural association, or citrus fruit fair, shall be used by the board to support research on matters pertaining to horseracing and racetrack security, but this money is subject to annual budgetary review by the Legislature. All of the redistributable money received by the board from other meetings shall be paid immediately into the State Treasury to the credit of the ~~General~~ ***Fair and Exposition*** Fund.

(b) One-half of the redistributable money resulting from the thoroughbred, harness, or quarter horse meetings, but excluding the meetings of the California Exposition and State Fair or county, district agricultural association, or citrus fruit fair meetings, shall be distributed to a welfare fund established for the benefit of horsemen and backstretch personnel, as follows:

(1) An estimated payment equal to 20 percent of the preceding year's unclaimed redistributable money distributed pursuant to this subdivision shall be distributed to the welfare fund on July 1, October 1, January 1, and April 1, or the next business day thereafter.

(2) On May 30, or the next business day thereafter, of the year following the close of any horseracing meeting, the association shall pay to the welfare fund all of the redistributable funds that are owed it pursuant to this subdivision, less any estimated payments made pursuant to paragraph (1).

The welfare fund shall make an accounting to the board within one calendar year of the receipt of the payment.

(c) Except as provided in subdivision (a) or (b), any remaining redistributable money in a parimutuel pool subject to payment to a claimant pursuant to Section 19598, but not successfully claimed within the period specified in that section, shall be distributed one-half to the board, for the purposes specified and in the manner specified in subdivision (a), and one-half to the welfare fund established by the horsemen's organization described in subdivision (b) in the manner specified in subdivision (b).

BILL NUMBER: AB 765 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY APRIL 11, 2007

INTRODUCED BY Assembly Member Evans

FEBRUARY 22, 2007

An act to add Section 19601.4 to the Business and Professions Code, relating to horse racing, *and making an appropriation therefor,* to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 765, as amended, Evans. Horse racing: racetrack inclosures.

Existing law requires fairs and racing associations to pay a certain percentage of the handle from races to be paid to the state as license fees.

This bill would provide that ~~-in the northern zone,~~ certain fairs or associations, or combined entities ~~-shall-~~ *may be required to* pay an additional 1% of the handle to the state, to be used to ~~construct or acquire~~ *for maintenance and* improvements at a fair's racetrack inclosure ~~-or satellite wagering facility, or for acquiring property to construct a racetrack inclosure-~~ . *The money raised would be deposited into the Inclosure Facilities Improvement Fund, a continuously appropriated fund created by the bill, thereby making an appropriation. The bill would authorize the Secretary of Food and Agriculture to appoint a committee to advise on the administration of the funds raised pursuant to the provisions of the bill, and would require the secretary to report any allocations made pursuant to those provisions of the bill, as specified.*

This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.

This bill would take effect immediately as a tax levy.

Vote: 2/3. Appropriation: ~~-no-~~ *yes* .
Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 19601.4 is added to the Business and Professions Code, to read:

19601.4. *(a)* Notwithstanding any other provision of law, ~~-in the northern zone, a fair-~~ *a fair, combination of fairs,* or an association conducting ~~-thoroughbred racing, quarter horse racing, harness racing, or mixed breed racing at a fair-owned racetrack inclosure, or a fair or an entity formed for conducting combined fair horse racing meetings which conducts thoroughbred, quarter horse, harness or mixed breed racing at a racetrack inclosure not owned by a fair, shall-~~ *racing at a fair, may, after notifying the board,* deduct an additional 1 percent of the handle, to be paid to the state as a license fee. The license fees paid pursuant to this section shall be deposited in the ~~-Racing Facility Improvement Fund, which-~~ *Inclosure Facilities Improvement Fund, which is hereby created. Notwithstanding Section 13340 of the Government Code, funds derived pursuant to this section* shall be used solely for the purpose of ~~-constructing or acquiring-~~ *facilities maintenance and* improvements at a fair's racetrack inclosure ~~-or satellite wagering facility, or for acquiring real property for the purpose of constructing a racetrack inclosure.-~~ .

(b) The secretary shall adhere to the same oversight responsibilities as outlined in Section 19620 when administering the funds generated by this section.

(c) The secretary may appoint a committee of not more than five and no fewer than three individuals with expertise in financing, constructing, and managing horse racing facilities, to advise in the administration of the funds.

(d) The secretary shall include in the annual expenditure plan required pursuant to Section 19621 any allocations made pursuant to this section.

(e) The Inclosure Facilities Improvement Fund shall be administered by the Secretary of Food and Agriculture.

SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

California Authority of Racing Fairs
CARF
a California joint powers agency

1776 Tribute Road, Suite 150
Sacramento, CA 95815
Office: 916.927.7223 Fax: 916.263.3341
www.calfairs.com

TO: Live Racing Fair Managers
SUBJECT: 2007 CMC Allocation & Guidelines
CC: Shannon McDonald
DATE: April 26, 2007 PAGES: 2

CARF/CMC STARTER SERIES:

Each fair will schedule one $4,000 Starter Allowance Race to be a qualified leg of the overall series. Suggested distances are 1 mile, 1 mile 70 yards, 1 1/16 miles and 1 1/8 miles. The purse for each leg will be $10,000.

Points will be awarded to horses in each leg of the series as follows:

1st---10 points
2nd---7 points
3rd---5 points
4th---3 points
5th---2 points
6th---1 point
7th---1 point
8th---1 point
Unplaced starter---1 point

At the conclusion of Fresno, awards for the most overall points will be distributed as follows:

1st---Owner's Award = $13,500	1st ---Trainer's Award = $13,500
2nd---Owner's Award = $ 6,750	2nd---Trainer's Award = $ 6,750
3rd---Owner's Award = $ 3,350	3rd ---Trainer's Award = $ 3,350
4th---Owner's Award = $ 1,500	4th ---Trainer's Award = $ 1,500
5th---Owner's Award = $ 1,400	5th---Trainer's Award = $ 1,400
6th---Owner's Award = $ 1,300	6th---Trainer's Award = $ 1,300
7th---Owner's Award = $ 1,200	7th---Trainer's Award = $ 1,200
8th---Owner's Award = $1,000	8th---Trainer's Award = $1,000

PARTICIPATING FAIRS – Stockton, Pleasanton, Vallejo, Santa Rosa, San Mateo, Ferndale and Fresno -- for a total of seven fairs.

CMC MATCH: $30,000
FAIR MATCH: $30,000

CMC MEDIA/ADVERTISING MATCH:

The California Marketing Committee will match $40,000 of LIVE HORSE RACING ADVERTISING ONLY. If your Fair does not produce TV or radio spots specifically for racing, the NTRA has creative available. All spots can be tagged with Fair information and the NTRA radio spots have won several National advertising awards. The radio spots also make a great addition to your Fair PA system for promoting your racing (as used by Pleasanton).

CMC MATCH:	**$ 5,715**
FAIR MATCH:	**$ 5,715**

Participating Fairs - Stockton, Pleasanton, Vallejo, Santa Rosa, San Mateo, Ferndale and Fresno -- for a total of seven fairs.

SUBMITTING YOUR INVOICE:

Please use the following guidelines when submitting an invoice:

1. An official invoice must be submitted. Please include:
   - Date
   - Invoice Number
   - Fair or Satellite Name and Address
   - A complete description of each expense item. For example: "Vallejo Times Racing Ad – 7/5/07," instead of "print ad."
   - Copies of ads and TV/Radio scripts
   - Total amount due listed on the invoice.
2. Please attach legible copies of vendor invoices and appropriate documentation.

All information can be submitted to:

California Authority of Racing Fairs
Attn: Heather Haviland
1776 Tribute Road, Suite 205
Sacramento, CA 95815
Fax – 916/263-3341
E-mail – heather@calfairs.net
Phone – 916/837-8427

SATELLITE ALLOCATIONS:

Each of your Satellite Wagering Facilities received the following allocations from the CMC in 2007, in addition to the CalRacing Club hardware, software and giveaway/voucher support:

Stockton	$ 24,434.31
Pleasanton	$ 46,891.58
Vallejo	$ 19,895.81
Santa Rosa	$ 16,636.52
Fresno	$ 9,955.16

A complete packet outlining satellite allocations and guidelines was e-mailed and faxed to your Fair Administration Offices and Satellite Wagering Facilities in February 2007.

Confirm dates & post times

CALIFORNIA AUTHORITY OF RACING FAIRS
2007 NORTHERN CALIFORNIA FAIR RACING SCHEDULE

San Joaquin Fair, Stockton
Nine Days of Racing, Thursday, June 14 through Sunday, June 24
Dark: Monday, June 18 and Tuesday, June 19
First Post 12:45p.m. Daily

Alameda County Fair, Pleasanton
Eleven Days of Racing, Wednesday, June 27 through Sunday, July 8
Dark: Tuesday, July 3
First Post 12:35p.m. Daily

Sonoma Solano Wine Country Race Meet
Five Days of Racing Solano, Wednesday, July 11 through Sunday, July 15
Eighteen days of Racing Sonoma, Wednesday, July 18 – Monday, August 6
Dark: Tuesday, July 24th and 31st.
First Post 12:45pm Daily

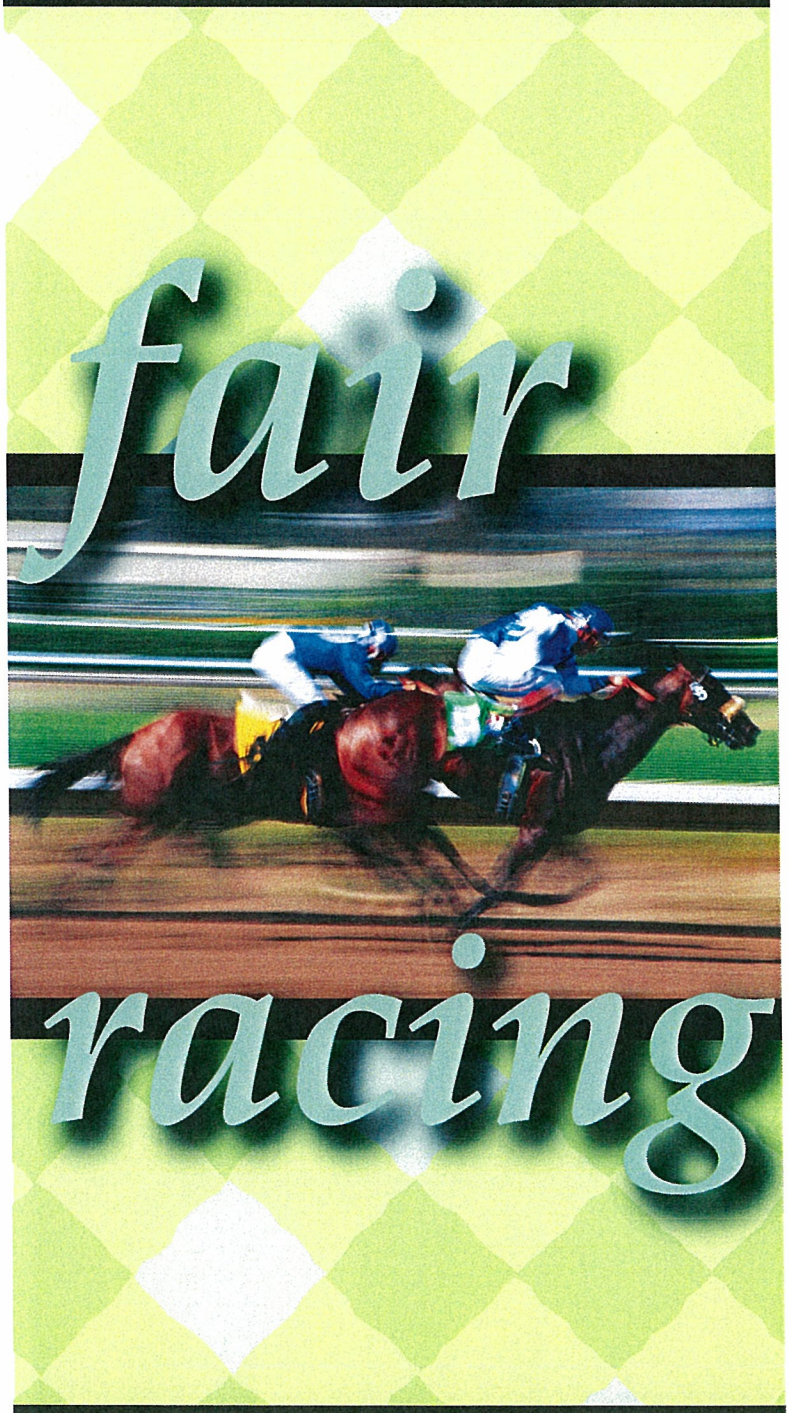
San Mateo County Fair, San Mateo
Eleven Days of Racing, Wednesday, August 8 through Sunday, August 19
Dark: Tuesday, August 14
First Post 1:45p.m., Daily, TBD Pacific Classic Day

Humboldt County Fair, Ferndale
Ten Days of Racing, Thursday, August 9 through Sunday, August 19
Dark: Tuesday, August 14
Mondays and Wednesdays First Post 2:25p.m., Thursdays, 3:25p.m., Fridays 1:55p.m., Saturdays and Sundays

The Big Fresno Fair, Fresno
Eleven Days of Racing, Wednesday, October 3 through Sunday, October 14
Dark: Tuesday, October 9
First Post 1:15 pm Wednesdays and Thursdays, 1:30pm Fridays, 12:37pm Sat. and Sun.

SAN JOAQUIN FAIR

JUNE 14 - 24, 2007



2007 OFFICIAL PROGRAM

www.CalFairs.com

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into this _____ day of March, 2007, between the Bay Meadows Racing Association ("BMRA"); the California Authority of Racing Fairs ("CARF"); Golden Gate Fields Racing Association ("GGF") and the California Exposition & State Fair ("Cal Expo"). It is acknowledged by Cal Expo and BMRA, CARF, GGF that the implementation of the undertakings of this MOU are subject to the California Horse Racing Board ("CHRB"), approving the decrease and rearrangement of the contemplated racing weeks, days or races per day in Northern racing programs.

In recent years, a harness meet has been conducted at Cal Expo on a year around basis except for the months of August and September. Because Cal Expo has historically conducted a fair race meet in the latter part of August extending through the Labor Day Weekend, it was necessary for the harness horses to vacate the facilities at Cal Expo in early August. The need for the harness horses to vacate the facilities at Cal Expo for fair racing resulted in a hardship to those connected with harness horse racing at Cal Expo and was a deterrent to harness horses remaining in the state and coming to Cal Expo to race. If the harness industry were to continue to exist and prosper in California, it was felt that the harness industry needed the uninterrupted use of the Cal Expo facility. The request of continuous harness dates were subsequently granted by the CHRB and have continued through the 2006 Calendar. Subsequently, Cal Expo requested the return of their traditional fair racing dates for 2007.

The CHRB has directed the Northern California Racing industry (fairs, tracks, operators and the Thoroughbred Owners of California (TOC)) to meet and provide the CHRB with a compromise 2007 racing calendar that substantially reduces overlap; shortens the racing days in a week; reduces the number of races per day, in each the respective programs. In short form, a consolidation of the race program in Northern California with all parties sharing the burden.

As a result of the ongoing harness calendar, Cal Expo agreed to dedicate its facility exclusively to harness racing in order to determine whether the uninterrupted use of the facility would improve the state of harness racing in California. In doing so, Cal Expo realized that the loss of fair racing would result in an economic loss and it was desirous of being made whole through either a rearrangement of racing dates in Northern California or the combination of its historical fair dates with another fair as contemplated by Section 19549.1. (All references to Sections in this MOU are to those in the California Horse Racing Law.)

Because of a recognized shortage in the horse population, Cal Expo, BMRA, CARF, GGF and TOC believe that a continued decrease and rearrangement of racing dates in 2007 in Northern California is in the best interest of racing.

It is also thought that such decrease and rearrangement of racing dates is also in the best interest of the fairs conducted at Ferndale, San Mateo (SMCF), Stockton, and Fresno. In 2008, CARF will submit a plan that generally will focus on a consolidated race calendar; and Cal Expo will be a part of this consolidation with a return to a fair race meet supported by the Northern California racing industry.

BMRA, CARF and GGF agree to replace the revenues to Cal Expo that will be lost as a result of Cal Expo foregoing a fair race meeting in 2007; again, in the best interest of racing, by diverting to Cal Expo certain commissions that would be earned pursuant to Sections 19596.2 and 19601 by CARF, GGF, ~~and~~ SMCF, and BMRA from the importation of out-of-state, out-of-zone and international races on certain days when there is no live racing at said facilities. There shall be no diversion of funds generated for purses and no diversion of revenues generated through Advance Deposit Wagering.

As to the harness meet to be conducted at the Cal Expo facility during the months of August and September, 2007, Cal Expo shall request an ongoing date allocation for a harness race meet and not a fair race meet. BMRA, CARF, GGF and Cal Expo acknowledge and agree that conducting a harness meet at Cal Expo during the period of the State Fair is not tantamount to the overlap of a fair meet and a private association and, therefore, the provisions of Section 19607.5(b) 2 are not operative.

Cal Expo agrees that it will not file an Application to conduct a fair race meet at a venue other than Cal Expo during the 2007 fair racing dates that were previously allocated by the CHRB to the Cal Expo facility.

BMRA, CARF, GGF and Cal Expo agree to support the approved Northern California racing Calendar, as approved by the CHRB which consolidates, decreases and allows for the rearrangement of racing dates in Northern California, in 2007. It is agreed by the parties that adherence to the terms of this Memorandum of Understanding and the rearrangement of racing dates in Northern California approved by the CHRB is with the full support of the TOC.

BMRA shall use its best efforts to cause the SMCF to agree that the commissions it would receive from the importation of out-of-state, out-of-zone and international races on the two Mondays, August 15th and 22nd, pursuant to Sections 19596.2 and 19601, shall be paid over to Cal Expo.

Further, BMRA agrees that the commissions it would receive from the importation of out-of-state, our-of-zone and international races on Monday, August 29th; Wednesday, August 31st; Thursday, September 1; Wednesday, October 5th; Thursday, October 6th; Wednesday, October 12th and Thursday, October 13th, pursuant to Sections 19596.2 and 19601, shall be paid over to Cal Expo. If the Expense Fund generated on the aforementioned seven days is inadequate to cover the simulcast expenses incurred on those days, the amounts payable hereunder to Cal Expo in excess of $325,000 shall be reduced by the amount of the deficiency.

BMRA shall use its best efforts as Manager of the SMCF to cause the 2007 SMCF to card a number of mixed breed races at least equal to the number carded by it and Cal Expo in 2004. During the 2007 SMCF, BMRA also undertakes to make 125 stalls available to mixed breeds at Bay Meadows. Cal Expo and BMRA shall use their respective best efforts to cause NCOTWINC to allocate some of the funds previously allocated to Cal Expo for advanced stabling, to Pleasanton in order to provide stabling for horses that, in the past, had gone to Cal Expo.

To the extent that there is available purse funds, BMRA, as Manager of the SMCF, shall cause those stakes races for breeds carded at Cal Expo in 2004 to be included in the stakes schedule of the 2005 SMCF and shall cause the two thoroughbred stakes races carded at Cal Expo in 2004 to be included in the 2005 stakes schedule at either BMRA or SMCF.

During the one year experimental concept in 2007, Cal Expo, as the operator of a harness meet, consents to the importation during the BMRA and SMCF meets of out-of-country races after 5:30 PM Pacific Standard Time, provided the payment to Cal Expo in connection with the importation of such races is at least as favorable as those now being made by BMRA and Hollywood Park to the night industry.

BMRA, CARF, GGF and Cal Expo acknowledge, with full support of the TOC, that the rearrangement of the 2007 racing dates herein contemplated is nothing more than an continuation of the past two years practice memorialized by this agreement and will not be cited by either BMRA, CARF, GGF or Cal Expo against the other in discussions regarding the future allocation of racing dates. However, BMRA, GGF and Cal Expo acknowledge to each other that the Labor Day Weekend represents important and vital racing dates for their respective racing meets and need to be maintained by both of them if the harness race meet experiment is not continued in the future. This being stated, all efforts will be made to work collectively on a 2008 and future racing calendars for Northern California that return the historical Fair racing dates to Cal Expo, based on this accommodation.

Bay Meadows Racing Association

By _____

California State Fair & Exposition

By _____

Golden Gate Fields

By_____

California Authority of Racing Fairs

By_____