

1 **ESSB 5407 - H AMD 242 WITHDRAW 5/23/01**

2 By Representative Bush

3 Strike everything after the enacting clause and insert the
4 following:

5 **Sec. 1.** RCW 67.16.200 and 2000 c 223 s 1 are each amended to
6 read as follows:

7 (1) A racing association licensed by the commission to conduct a
8 race meet may seek approval from the commission to conduct parimutuel
9 wagering on its program at a satellite location or locations within the
10 state of Washington. The sale of parimutuel pools at satellite
11 locations shall be conducted only during the licensee's race meet and
12 simultaneous to all parimutuel wagering activity conducted at the
13 licensee's live racing facility in the state of Washington. The
14 commission's authority to approve satellite wagering at a particular
15 location is subject to the following limitations:

16 (a) The commission may approve only one satellite location in each
17 county in the state; however, the commission may grant approval for
18 more than one licensee to conduct wagering at each satellite location.
19 A satellite location shall not be operated within twenty driving miles
20 of any class 1 racing facility. For the purposes of this section,
21 "driving miles" means miles measured by the most direct route as
22 determined by the commission; and

23 (b) A licensee shall not conduct satellite wagering at any
24 satellite location within sixty driving miles of any other racing
25 facility conducting a live race meet.

26 (2) Subject to local zoning and other land use ordinances, the
27 commission shall be the sole judge of whether approval to conduct
28 wagering at a satellite location shall be granted.

29 (3) The licensee shall combine the parimutuel pools of the
30 satellite location with those of the racing facility for the purpose of
31 determining odds and computing payoffs. The amount wagered at the
32 satellite location shall be combined with the amount wagered at the
33 racing facility for the application of take out formulas and
34 distribution as provided in RCW 67.16.102, 67.16.105, 67.16.170, and
35 67.16.175. A satellite extension of the licensee's racing facility

1 shall be subject to the same application of the rules of racing as the
2 licensee's racing facility.

3 (4) Upon written application to the commission, a class 1 racing
4 association may be authorized to transmit simulcasts of live horse
5 races conducted at its racetrack to locations outside of the state of
6 Washington approved by the commission and in accordance with the
7 interstate horse racing act of 1978 (15 U.S.C. Sec. 3001 to 3007) or
8 any other applicable laws. The commission may permit parimutuel pools
9 on the simulcast races to be combined in a common pool. A racing
10 association that transmits simulcasts of its races to locations outside
11 this state shall pay at least fifty percent of the fee that it receives
12 for sale of the simulcast signal to the horsemen's purse account for
13 its live races after first deducting the actual cost of sending the
14 signal out of state.

15 (5) Upon written application to the commission, a class 1 racing
16 association may be authorized to transmit simulcasts of live horse
17 races conducted at its racetrack to licensed racing associations
18 located within the state of Washington and approved by the commission
19 for the receipt of the simulcasts. The commission shall permit
20 parimutuel pools on the simulcast races to be combined in a common
21 pool. The fee for in-state, track-to-track simulcasts shall be five
22 and one-half percent of the gross parimutuel receipts generated at the
23 receiving location and payable to the sending racing association. A
24 racing association that transmits simulcasts of its races to other
25 licensed racing associations shall pay at least fifty percent of the
26 fee that it receives for the simulcast signal to the horsemen's purse
27 account for its live race meet after first deducting the actual cost of
28 sending the simulcast signal. A racing association that receives races
29 simulcast from class 1 racing associations within the state shall pay
30 at least fifty percent of its share of the parimutuel receipts to the
31 horsemen's purse account for its live race meet after first deducting
32 the purchase price and the actual direct costs of importing the race.

33 (6) A class 1 racing association may be allowed to import
34 simulcasts of horse races from out-of-state racing facilities. With the
35 prior approval of the commission, the class 1 racing association may
36 participate in an interstate common pool and may change its commission
37 and breakage rates to achieve a common rate with other participants in
38 the common pool.

1 (a) The class 1 racing association shall make written application
2 with the commission for permission to import simulcast horse races for
3 the purpose of parimutuel wagering. Subject to the terms of this
4 section, the commission is the sole authority in determining whether to
5 grant approval for an imported simulcast race.

6 ~~((During the conduct of its race meeting, a class 1 racing
7 association may be allowed to import no more than one simulcast race
8 card program during each live race day.))~~ A licensed racing
9 association may also be approved to import one simulcast race of
10 regional or national interest on each live race day. ~~((A class 1
11 racing association may be permitted to import two simulcast programs on
12 two nonlive race days per each week during its live meet. A licensee
13 shall not operate parimutuel wagering on more than five days per week.
14 Parimutuel wagering on imported simulcast programs shall only be
15 conducted at the live racing facility of a class 1 racing
16 association.))~~

17 (c) The commission may allow simulcast races of regional or
18 national interest to be sent to satellite locations. The simulcasts
19 shall be limited to one per day except for Breeder's Cup special events
20 day.

21 (d) When open for parimutuel wagering, a class 1 racing
22 association which imports simulcast races shall also conduct simulcast
23 parimutuel wagering within its licensed racing enclosure on all races
24 simulcast from other class 1 racing associations within the state of
25 Washington.

26 (e) ~~((When not conducting a live race meeting, a class 1 racing
27 association may be approved to conduct simulcast parimutuel wagering on
28 imported simulcast races.))~~ The conduct of ~~((simulcast))~~ parimutuel
29 wagering on ~~((the))~~ imported simulcast races shall be for not more than
30 fourteen hours during any twenty- four hour period, for not more than
31 five days per week and only at ~~((its))~~ the live racing facility of a
32 class 1 racing association.

33 (f) On any imported simulcast race, the class 1 racing association
34 shall pay fifty percent of its share of the parimutuel receipts to the
35 horsemen's purse account for its live race meet after first deducting
36 the purchase price of the imported race and the actual costs of
37 importing the race.

1 (7) For purposes of this section, a class 1 racing association is
2 defined as a licensee approved by the commission to conduct during each
3 twelve-month period at least forty days of live racing. If a live race
4 day is canceled due to reasons directly attributable to acts of God,
5 labor disruptions affecting live race days but not directly involving
6 the licensee or its employees, or other circumstances that the
7 commission decides are beyond the control of the class 1 racing
8 association, then the canceled day counts toward the forty-day
9 requirement. The commission may by rule increase the number of live
10 racing days required to maintain class 1 racing association status or
11 make other rules necessary to implement this section.

12 (8) This section does not establish a new form of gaming in
13 Washington or allow expanded gaming within the state beyond what has
14 been previously authorized. Simulcast wagering has been allowed in
15 Washington before April 19, 1997. Therefore, this section does not
16 allow gaming of any nature or scope that was prohibited before April
17 19, 1997. This section is necessary to protect the Washington equine
18 breeding and racing industries, and in particular those sectors of
19 these industries that are dependent upon live horse racing. The
20 purpose of this section is to protect these industries from adverse
21 economic impacts and to promote fan attendance at class 1 racing
22 facilities. Therefore, imported simulcast race card programs shall not
23 be disseminated to any location outside the live racing facility of the
24 class 1 racing association and a class 1 racing association is strictly
25 prohibited from simulcasting imported race card programs to any
26 location outside its live racing facility.

27 (9) A licensee shall include the following statement in any
28 advertising or promotion of a simulcast race conducted by the licensee:

29 "CAUTION: Participation in gambling activity may result in
30 pathological gambling behavior causing emotional and financial
31 harm. For help, call 1-800-547-6133."

32 For purposes of this subsection, advertising includes print media,
33 point-of-sale advertising, electronic media, billboards, and radio
34 advertising.-