

(1969 Replacement Volume), title "Racing Commission," subtitle "In General," to prohibit the letting of construction contracts for work at race tracks in the State of Maryland to companies owned wholly or in part by any race track in the State of Maryland, and to require competitive bidding for each and every project to be funded by the Racing Fund UNLESS EXEMPTED BY THE COMMISSION.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 12(c) of Article 78B of the Annotated Code of Maryland (1957 Edition), (1969 Replacement Volume), title "Racing Commission," subtitle "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

12.

(c) The amount of the Racing Fund on hand at any time, representing the deductions made by any particular licensee from the mutuel pool, previously deducted by such licensee and paid to the State as a tax, may, with the prior written and express permission of the Commission, upon such terms and conditions as it may prescribe, be granted by the Commission to that particular licensee as a contribution to its capital for any substantial alterations, additions, changes, improvements or major repairs to or upon the property owned or leased by such licensee and by it used for the conduct of racing. *The Commission shall in no case grant permission for the above mentioned projects unless the licensee shows that the contract for such work was let under an unrestricted competitive bidding procedure UNLESS THE PROJECT IS EXEMPTED BY THE RACING COMMISSION BECAUSE OF ITS UNUSUAL NATURE.* In determining whether to make such grant or grants as contributions to capital of any portion of the Racing Fund, the Commission shall give due consideration to whether its expenditure in each instance will promote the safety, convenience and comfort of the racing public and horse owners and generally whether it will tend toward the improvement of racing in this State. *In no case shall improvements be made at a race track in the State of Maryland under a contract or otherwise with any construction company owned wholly or in part by any individual, partner, or corporation which owns or operates a race track by the State of Maryland.* In the fiscal year 1952, any amount granted by the Commission, as provided in this section, is hereby appropriated by the State, out of such tax collected in the fiscal year 1952, and out of the Racing Fund on hand on July 1, 1951, to the licensee involved for the purposes allowed by the Commission as herein authorized. For the fiscal year 1953 and for every fiscal year thereafter, the Governor shall include in his budget or any supplemental budget the estimated receipts to be derived from the imposition of such tax during such fiscal year and any unexpended balance on hand in the Racing Fund at the beginning of such fiscal year, less any reversion of the same as hereinafter provided, to be granted by the Commission to such licensee as provided in this section. If amounts equal to the deductions herein provided made by any licensee for any calendar year shall neither have been spent or binding commitments have been entered into for their expenditures as grants to licensees within three (3) years from the last day of the year of collection, the unspent portion of such years' deduction and tax payment shall