

(II) THE INCREASED FUNDS ALLOCATED TO LICENSEES COMMENCING JULY 1, 1985 PURSUANT TO SUBSECTION ~~-(11)-~~ (B) (5) OF THIS SECTION ARE PROVIDED SO THAT EACH LICENSEE SHALL IMPROVE THE FACILITIES AND SERVICES OF ITS TRACK AND INCREASE ITS PROMOTIONAL AND MARKETING ACTIVITIES, IN ORDER THAT ATTENDANCE AND WAGERING MAY BE INCREASED AND THE WELL-BEING OF THE THOROUGHBRED RACING INDUSTRY ENHANCED. EXCLUSIVE OF THE INCREASED FUNDS ALLOCATED TO LICENSEES COMMENCING ON JULY 1, 1985 PURSUANT TO SUBSECTION (B)(5) OF THIS SECTION, IN NO YEAR SHALL THE LICENSEE'S EXPENDITURE FOR CAPITAL IMPROVEMENTS, MARKETING, PUBLIC RELATIONS, PROMOTIONS AND MAINTENANCE BE LESS THAN THE AVERAGE EXPENDITURE OF THE LICENSEE FOR THE THREE FISCAL YEARS PRECEDING THE ENACTMENT OF THIS LEGISLATION FOR EACH OF THE ABOVE LISTED AREAS. EACH LICENSEE SHALL SUBMIT TO THE COMMISSION AND THE GENERAL ASSEMBLY:

1. BY AUGUST 1, 1985 A REPORT ON THE PROPOSED USE OF THE INCREASED FUNDS ~~7--AND~~ FOR THE LICENSEES' CURRENT FISCAL YEAR;

2. BY AUGUST 1, 1986 AND EACH YEAR THEREAFTER A REPORT, REVIEWED BY THE INDEPENDENT PUBLIC ACCOUNTANTS APPROVED BY THE COMMISSION TO AUDIT SUCH LICENSEE, SPECIFYING THE MANNER IN WHICH THE INCREASED FUNDS WERE EXPENDED OR COMMITTED IN THE PRIOR FISCAL YEAR ~~---~~ OF THE LICENSEE AND AN UNAUDITED REPORT ON THE PROPOSED USE OF THE FUNDS FOR THE CURRENT FISCAL YEAR OF THE LICENSEE; AND

3. ANY ADDITIONAL INFORMATION THE GENERAL ASSEMBLY DEEMS APPROPRIATE.

(III) IN THE EVENT THAT THE GENERAL ASSEMBLY FINDS THAT A LICENSEE'S PROPOSED USE OF THE INCREASED FUNDS IS INCONSISTENT WITH THE PURPOSES SPECIFIED IN THIS SECTION OR THE LICENSEE HAS NOT EXPENDED THE FUNDS CONSISTENT WITH THE PROPOSED USE OF THE FUNDS, AS DETERMINED BY THE GENERAL ASSEMBLY IN ITS SOLE DISCRETION, THE GENERAL ASSEMBLY MAY, BY JOINT RESOLUTION, DIRECT THAT THE COMMISSION, NOTWITHSTANDING ANY OTHER PROVISION OF THE LAW, SHALL NOT AWARD IN THE FOLLOWING CALENDAR YEAR ANY PART OF OR ALL OF THE ADDITIONAL 80 DAYS OF RACING AUTHORIZED IN SECTION 7(B) OF THIS ARTICLE TO THE LICENSEE WHOSE PROPOSED USE OR EXPENDITURE OF THE INCREASED FUNDS IS FOUND INCONSISTENT BY THE GENERAL ASSEMBLY WITH THE PURPOSES SPECIFIED IN THIS SECTION.

(g) [(1) For calendar year 1978 and all subsequent calendar years, the Thoroughbred Racing Board] THE COMMISSION may authorize any licensee under § 7 of this article to run on any day races involving multiple betting for two or more horses.

[(2) When a licensee under this section conducts one race daily involving a multiple mutuel pool involving 3 or more horses, the allocation of the takeout shall be as provided in subsection (b) of this section.