

(2) ALL ASSESSMENTS COLLECTED BY THE COMMISSION UNDER THIS SECTION SHALL BE TRANSFERRED TO THE FUND AND SHALL BE USED BY THE FUND TO PURCHASE THE WORKMEN'S COMPENSATION INSURANCE FOR JOCKEYS AND TO ADMINISTER THE WORKMEN'S COMPENSATION PROGRAM FOR JOCKEYS REQUIRED BY THIS SECTION AND ARTICLE 101 OF THE CODE.

(D) THE FUND SHALL BE MANAGED BY A THREE-MEMBER BOARD OF DIRECTORS WHO SHALL BE APPOINTED BY, AND SERVE AT THE PLEASURE OF, THE SECRETARY OF LICENSING AND REGULATION, AND WHO SHALL POST ANY BOND REQUIRED BY THE SECRETARY.

(E) THE FUND SHALL HAVE SUCH AUTHORITY AS IS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(F) THE LICENSE OF ANY OWNER OR TRAINER WHO FAILS TO PAY THE ASSESSMENT LEVIED PURSUANT TO THIS SECTION:

(1) SHALL BE REVOKED OR SUSPENDED; AND

(2) MAY NOT BE REINSTATED OR RENEWED DURING THE PERIOD OF THE DEFAULT.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 101 - Workmen's Compensation

21-

~~(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE FOLLOWING PROVISIONS APPLY TO ANY JOCKEY LICENSED BY THE MARYLAND RACING COMMISSION TO RIDE THOROUGHBRED RACE HORSES.~~

~~(1) A JOCKEY IS CONSIDERED, UNDER THE WORKMEN'S COMPENSATION LAW OF MARYLAND, TO BE AN EMPLOYEE OF THE LICENSED OWNER OR TRAINER FOR WHOM THE JOCKEY IS RENDERING WORK OR SERVICES AT THE TIME THE JOCKEY SUFFERS AN ACCIDENTAL INJURY, OR OCCUPATIONAL DISEASE, AND IS NOT CONSIDERED A CASUAL EMPLOYEE OR INDEPENDENT CONTRACTOR. THE OWNERS AND TRAINERS MAY NOT BE REQUIRED TO PROVIDE COMPENSATION COVERAGE FOR ANY JOCKEYS UNDER § 16 OF THIS ARTICLE SO LONG AS SUCH COVERAGE IS PROVIDED ON A BLANKET BASIS BY THE MARYLAND HORSEMEN'S ASSISTANCE FUND, INC., UNDER ARTICLE 78B, § 24 (B) OF THE CODE.~~

~~(2) THE JOCKEY'S AVERAGE WEEKLY WAGE SHALL BE DEEMED TO BE THE JOCKEY'S TOTAL AVERAGE WEEKLY EARNINGS AS A JOCKEY FOR ALL EMPLOYERS.~~

21.

(D) THIS SUBSECTION APPLIES TO ALL JOCKEYS LICENSED BY THE MARYLAND RACING COMMISSION TO RIDE THOROUGHBRED HORSES.