

ENROLLED SENATE
BILL NO. 935

BY: BROWN of the SENATE

and

ADAIR of the HOUSE

AN ACT RELATING TO APPOINTMENTS AND HORSE RACING; AMENDING 3A O.S. 1991, SECTIONS 200.1, 201, 204, AS AMENDED BY SECTION 3 OF ENROLLED SENATE BILL NO. 862 OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE, 205.2, AS AMENDED BY SECTION 5 OF ENROLLED SENATE BILL NO. 862 OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE, AND 205.6, AS AMENDED BY SECTION 1 OF ENROLLED SENATE BILL NO. 198 OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE, 53 O.S. 1991, SECTION 1.6, 57 O.S. 1991, SECTION 503, 63 O.S. 1991, SECTION 2-104.1, 65 O.S. 1991, SECTION 2-101, 70 O.S. 1991, SECTIONS 3-101 AND 16-101, 74 O.S. 1991, SECTIONS 471, 1804 AND 2054, 82 O.S. 1991, SECTION 1085.1, AND SECTION 6 OF ENROLLED SENATE BILL NO. 862 OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE, WHICH RELATE TO THE OKLAHOMA HORSE RACING ACT, BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY, STATE BOARD OF CORRECTIONS, OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL COMMISSION, OKLAHOMA DEPARTMENT OF LIBRARIES BOARD, STATE BOARD OF EDUCATION, STATE TEXTBOOK COMMITTEE, OKLAHOMA TOURISM AND RECREATION COMMISSION, OKLAHOMA WORLD TRADE DEVELOPMENT AUTHORITY, OKLAHOMA WATER RESOURCES BOARD AND CERTAIN ADVISORY COMMITTEE; STRIKING CERTAIN REFERENCES; DEFINING TERM; REQUIRING CERTAIN APPOINTMENT ACTIONS; PROHIBITING CERTAIN CONSTRUCTION; STRIKING OBSOLETE LANGUAGE; CONFORMING STYLE; PROVIDING FOR CERTAIN MULTIPLE COMBINATIONS OF BETTING; MODIFYING CERTAIN RETENTION PROVISIONS; REQUIRING ADOPTION OF CERTAIN RULES; MODIFYING CERTAIN LICENSE APPLICATION REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR NONCODIFICATION; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Except where otherwise specified by law, the term "congressional district", when used with respect to the appointment

of a member of a state board, commission, authority, or other statutory entity, shall mean the district as most recently configured by law.

B. For entities which subsection A of this section renders out of compliance with specific statutory requirements, subsequent appointments shall be so made as to cause compliance to be effected at the earliest possible date.

SECTION 2. Section 1 of this act shall not be construed as requiring the removal or resignation of any person serving a term to which appointed prior to the effective date of this act.

SECTION 3. AMENDATORY 3A O.S. 1991, Section 201, is amended to read as follows:

Section 201. A. There is hereby created the Oklahoma Horse Racing Commission, which shall consist of seven (7) members appointed by the Governor with the advice and consent of the Senate. One member shall be appointed from each congressional district ~~as such districts exist on January 1, 1983~~, and one member who shall be experienced in the horse industry shall be appointed at large.

B. To be eligible for appointment to the Commission, a person shall:

1. be a citizen of the United States; and
2. have been a resident of this state for five (5) years immediately preceding the appointment; and
3. not have been convicted of a felony pursuant to the laws of this state, the laws of any other state, or the laws of the United States.

C. The initial terms of office of:

1. three members shall expire on June 30, 1985; and
2. two members shall expire on June 30, 1987; and
3. two members shall expire on June 30, 1989.

Thereafter, the term of office of a member of the Commission shall be for six (6) years and until a successor is appointed and qualified.

D. The Governor may remove any member of the Commission for incompetence, neglect of duty, or malfeasance in office upon first giving the member a copy of the charges and an opportunity to be heard. A vacancy on the Commission shall be filled for the unexpired term by appointment made by the Governor.

SECTION 4. AMENDATORY 53 O.S. 1991, Section 1.6, is amended to read as follows:

Section 1.6 A. The Board of Directors of the Oklahoma Historical Society shall consist of not more than twenty-five (25) members, with the Governor as an ex officio member. The number of members of said Board may be decreased by act of the Legislature or by act of said Society by amending its constitution. Each member of the Board of Directors shall hold office until the successor of the member is elected and qualified pursuant to the provisions of the constitution of the Society or as otherwise provided by the Oklahoma Historical Preservation Act, Section 1.1 et seq. of this title. If at any time the provisions of the Society's constitution or bylaws are in conflict with statutory provisions relating to appointment of members by congressional district, statutory provisions shall prevail.

B. Members of the Board of Directors are hereby declared to be agents of the State of Oklahoma.

SECTION 5. AMENDATORY 57 O.S. 1991, Section 503, is amended to read as follows:

Section 503. There is hereby created the State Board of Corrections which shall be the governing board of the Department of Corrections herein created. The Board shall consist of seven (7)

members who shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed from each of the six congressional districts ~~as defined and in existence on July 1, 1967,~~ and the seventh member shall be appointed from the state at large. The terms of office of two members shall expire on March 15, 1969, and each six (6) years thereafter; the terms of two members shall expire on March 15, 1971, and each six (6) years thereafter; and the terms of three members shall expire on March 15, 1973, and each six (6) years thereafter. Not more than four members of the Board shall be of the same political party. Any member of the Board may be removed from office in the manner provided by law for the removal of officers not subject to impeachment. Vacancies on the Board shall be filled for the unexpired term.

SECTION 6. AMENDATORY 63 O.S. 1991, Section 2-104.1, is amended to read as follows:

Section 2-104.1 A. There is hereby created an Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission which shall consist of seven (7) members, not more than two of whom shall be from the same congressional district ~~as construed at the time of enactment of this section.~~ The members shall be appointed by the Governor and confirmed by the Senate and shall be removable only for cause, as provided by law for the removal of officers not subject to impeachment. The term of office of each member shall be seven (7) years. The first appointments shall be for the following terms as designated by the Governor: one member for a term of one (1) year; one member for a term of two (2) years; one member for a term of three (3) years; one member for a term of four (4) years; one member for a term of five (5) years; one member for a term of six (6) years; and one member for a term of seven (7) years. A member may serve more than one term on the Commission. Each member shall continue to serve so long as he is qualified until his successor has been appointed and confirmed by the Senate. Vacancies occurring during a term shall be filled for the unexpired portion of the term by the same procedure used to make the regular appointments.

B. Four of the members shall represent the lay citizenry, one member shall be a district attorney while serving in that capacity, one member shall be a sheriff while serving in that capacity, and one member shall be a chief of police while serving in that capacity; provided that the sheriff and police chief members shall have successfully completed an approved course of instruction for peace officers as required by law.

C. Annually the Commission shall select one of the Commission members to serve as Chairman and one member to serve as Vice Chairman. The Commission shall meet at least quarterly. The Chairman shall preside at all meetings of the Commission and shall have the power to call meetings of the Commission. In addition, meetings of the Commission may be called by a majority of the members. The Vice Chairman shall perform these functions in the absence or incapacity of the Chairman. A quorum of four members of the Commission shall be necessary to conduct any official business. All actions taken by the Commission shall be by a simple majority vote of a quorum. In the event of a tie vote, the measure being voted upon shall be deemed to have failed.

The Commission shall adopt rules of procedure for the orderly performance of its functions.

D. Members of the Commission shall serve without salary but may be reimbursed for travel expenses in attending meetings and performing their duties in the manner provided for other state officers and employees under the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. No

other provisions of law shall be construed as prohibiting public officers from also serving as members of the Commission, nor shall any other provisions of law be construed as prohibiting public officers or public employees from performing services for the Commission without compensation. It is further provided that no town, city, county, or other subdivision or other agency of state government shall be prohibited from receiving a grant or from benefiting from grants or expenditures of the Commission for the reason that an officer or employee of such town, city, county, or other subdivision or agency of state government is a Commission member or employee.

E. The Commission shall have the following powers and duties and responsibilities:

1. To appoint the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, whose compensation shall be determined by the Legislature.

2. To hear any complaint against the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or any of its employees according to the following procedure:

- a. Only those complaints which have been submitted in writing and are signed will be acted upon by the Commission.
- b. All hearings on complaints shall be conducted in executive sessions, and shall not be open to the public.
- c. The Commission shall have limited access to pertinent investigative files when investigating a complaint. The Director shall provide a procedure whereby the identification of all persons named in any investigative file except the subject of the complaint and the complaining witness shall not be revealed to the members of the Commission. Any consideration of files shall be in executive session not open to the public. No information or evidence received in connection with the hearings shall be revealed to any person or agency. Any violation hereof shall be grounds for removal from the Commission, and shall constitute a misdemeanor.

3. To make recommendations to the Director of any needed disciplinary action necessary as a result of an investigation conducted upon a complaint received.

4. To establish general procedures with regard to assisting law enforcement officers and district attorneys.

5. To establish a program of training for agents utilizing such courses as the National Police Academy conducted by the Federal Bureau of Investigation.

SECTION 7. AMENDATORY 65 O.S. 1991, Section 2-101, is amended to read as follows:

Section 2-101. The Oklahoma Department of Libraries Board is hereby created. The Board shall consist of seven (7) appointive members, and the Director, who shall be an ex officio nonvoting member. The Governor shall appoint, with the advice and consent of the Senate, one member from each congressional district ~~created by Title 14, Chapter 1, Section 1, Oklahoma Session Laws 1951 (14 O.S. 1961 Sec. 1)~~, and one member-at-large. No appointive member shall be a librarian in active practice. Appointments shall be made on the basis of ability, sound understanding of the total responsibilities and objectives of a state library agency and active interest in the attainment of these goals.

SECTION 8. AMENDATORY 70 O.S. 1991, Section 3-101, is amended to read as follows:

Section 3-101. The State Board of Education shall be the governing board of the State Department of Education and shall consist of seven (7) members. The State Superintendent of Public Instruction shall be a member and the chairperson of said Board. The remaining six members shall be appointed by the Governor by and with the advice and consent of the Senate. Beginning April 2, 1991, no person shall be eligible to be appointed to serve on the State Board unless said person has been awarded a high school diploma or certificate of high school equivalency.

The Governor shall appoint one member to serve for one (1) year; one member to serve for two (2) years; one member to serve for three (3) years; one member to serve for four (4) years; one member to serve for five (5) years; and one member to serve for six (6) years. Said members shall serve until their successors are duly appointed and qualified. Their successors shall be appointed for a term of six (6) years, and thereafter the term of each member of said Board shall be six (6) years. An appointment shall be made to take effect on April 2 of each year. Except for the State Superintendent of Public Instruction, a member shall be appointed from each ~~of the six~~ ~~(6) congressional districts in existence on December 31, 1990~~ district, not to exceed more than one member from any one county, city or town. Upon the occurrence of a vacancy the same shall be filled by the Governor, subject to confirmation by the Senate at the next session of the Legislature, such appointments to be made for the unexpired term.

Terms of the members shall be staggered so that only one term expires each year. Each member of the Board shall receive necessary traveling expenses while in the performance of his duties in accordance with the State Travel Reimbursement Act.

Provided, that persons serving as members of the State Board of Education on the effective date of this act shall continue to serve as members of the State Board of Education for the terms for which they were appointed.

SECTION 9. AMENDATORY 70 O.S. 1991, Section 16-101, is amended to read as follows:

Section 16-101. There is hereby created the State Textbook Committee, which shall be composed of two members from each congressional district ~~as constituted on the effective date of this act~~, appointed by the Governor with the advice and consent of the Senate and one member, appointed by the Governor with the advice and consent of the Senate, who shall be a lay citizen educator not having a teaching certificate and having at least one child in the Oklahoma Public School System. A majority of the twelve members appointed from the ~~Congressional Districts~~ congressional districts shall be classroom teachers. The regular terms of all members shall be for three (3) years. Provided, that all members of the State Textbook Committee currently appointed and serving shall serve as members of the State Textbook Committee created by this section, for the terms for which they were appointed. No member shall be eligible to succeed himself. At no time shall more than one member of the State Textbook Committee be an employee of the same school district. Each member appointed from a congressional district shall have had not less than five (5) years' teaching or supervisory experience in the public schools of Oklahoma at the time of his appointment, and shall be actively employed in the public schools of Oklahoma during the term of his service on said Committee. The State Superintendent of Public Instruction or a designated member of his staff shall serve as Secretary of said Committee and vote only

when there is a tie vote in the membership of the Committee. Each member shall receive necessary traveling expenses while in the performance of his duties pursuant to the State Travel Reimbursement Act.

Within one (1) week after the first day of February of each year, said Committee may meet at the call of the State Superintendent of Public Instruction at the State Capitol and elect by secret written ballot a chairman and vice-chairman from its membership to serve for the year. The terms for which new members from the congressional districts are appointed shall be staggered by the Governor in making his appointments to the end that the terms of four members shall expire each year. Provided, that the four new members appointed each year shall be certified in one of the curriculum areas in which the textbooks will be adopted that ensuing fiscal year.

SECTION 10. AMENDATORY 74 O.S. 1991, Section 1804, is amended to read as follows:

Section 1804. A. The Oklahoma Tourism and Recreation Commission shall consist of one member from each ~~of the six~~ Congressional Districts, ~~as said Districts were defined in 1968~~ congressional district, who shall be a resident and a qualified elector in the ~~District~~ district which ~~such member is~~ appointed, and two members appointed from the state at large. No more than one member shall be from any one county. Commission members shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall serve at the pleasure of the Governor. ~~Of the members first appointed, the member from District One shall be appointed for a term of one (1) year; the member from District Two shall be appointed for a term of two (2) years; the member from District Three shall be appointed for a term of three (3) years; the member from District Four shall be appointed for a term of four (4) years; the member from District Five shall be appointed for a term of five (5) years; the member from District Six shall be appointed for a term of six (6) years; and the member at large shall be appointed for a term of six (6) years. By July 1, 1980, the Governor shall appoint a second member at large who shall serve in the same manner as other members of the Commission, and whose term of office shall be six (6) years. At the expiration of the term of each member and of each succeeding member, the Governor shall appoint a successor who shall serve for a term of six (6) years. The Lieutenant Governor shall serve as an ex officio voting member of the Commission. Whenever a vacancy on the Commission occurs by death, resignation, or otherwise, the Governor shall fill the same by appointment, with the advice and consent of the Senate, and the appointee shall hold office during the unexpired term. Each member shall hold office until his successor has been appointed and qualified.~~

B. No member of the Commission shall seek election to a federal, state, or county office while serving on the Oklahoma Tourism and Recreation Commission.

C. Each member of the Commission, before serving on the Commission, shall take and subscribe to the constitutional and statutory oaths of office and file said oaths with the Secretary of State. Members of the Commission shall be reimbursed for travel expenses to Commission meetings as provided in the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

D. Within three (3) days after appointment of the Commission, the Governor shall call said Commission to meet at Oklahoma City. The Commission shall be organized by the Governor who shall appoint from the Commission the Chairman, the Vice Chairman, and the

Secretary. The Commission is authorized and directed to adopt rules and regulations for conducting its proceedings. A majority of the Commission shall constitute a quorum for transacting business. The Commission shall meet at least monthly and may meet at such other times as it deems necessary for effectively performing its duties and responsibilities. Special meetings may be called by the Chairman or by any three members of the Commission.

SECTION 11. AMENDATORY 74 O.S. 1991, Section 2054, is amended to read as follows:

Section 2054. A. The governing and administrative powers of the Oklahoma World Trade Development Authority shall be vested in a Board of Directors consisting of nine (9) members, four of whom shall be appointed by the Governor, two of whom shall be appointed by the Speaker of the House of Representatives, and two of whom shall be appointed by the President Pro Tempore of the Senate, with the ~~advise~~ advice and consent of the Senate. At least one member shall be appointed from each ~~Congressional District in existence as of April 1, 1980~~ congressional district. The remaining member, who shall be chairman of the Authority, shall be the Governor of the State of Oklahoma. Members shall be qualified electors of the state and actual residents of the ~~Congressional District~~ congressional district from which they are appointed. Members shall annually elect a secretary, a treasurer and a vice-chairman. Should a vacancy occur within the Office of the Governor of this state, the vice-chairman shall serve as acting chairman of the Authority. The Board may elect such other officers as it deems proper. Appointments to fill a vacancy of one of the appointed members shall be made in the same manner as the original appointment.

B. Each member of the Board shall be a person of recognized ability and experience in one of the following areas: finance; international trade; business management; economics; agriculture; livestock management; and Oklahoma international organization leadership.

C. The Governor shall appoint two members of the Board who shall hold office until the third Monday in June, 1988; the Governor, the Speaker, and the President Pro Tempore shall each appoint one member of the Board who shall hold office until the third Monday in June, 1989; and the Governor, the Speaker, and the President Pro Tempore shall each appoint one member of the Board who shall hold office until the third Monday in June, 1990. Their respective successors shall be appointed for terms of three (3) years from the third Monday in June of the year of appointment. Members shall serve until successors are appointed, confirmed and qualified.

D. Each member before entering upon his duties shall take and subscribe to the oath or affirmation required by the Oklahoma Constitution. A record of each such oath or affirmation shall be filed in the office of the Secretary of State.

E. No member shall receive compensation for his service on the Board directly or indirectly; provided that each appointive member may receive reimbursement for travel expense pursuant to the procedures established by the Board of Directors of the Authority.

F. Five members of the Board shall constitute a quorum and the affirmative vote of the majority of members present at a meeting of the Board shall be necessary and sufficient for any action taken by the Board, except that the affirmative vote of at least five members shall be required for the approval of any resolution authorizing the issuance of any bonds pursuant to this act.

G. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all rights and perform all the duties

of the Board. Any action taken by the Board may be authorized by resolution at any regular or special meeting and shall take effect upon the date the chairman certifies the action of the Authority by affixing his signature to the resolution unless some other date is otherwise provided in the resolution.

H. The Board may delegate to one or more of its members or to its officials, agents, or employees such powers and duties as it may deem proper; however, the officials, agents, or employees of the Authority shall not be considered employees of the state for any reason.

SECTION 12. AMENDATORY 82 O.S. 1991, Section 1085.1, is amended to read as follows:

Section 1085.1 A. There is hereby created the Oklahoma Water Resources Board, hereinafter referred to as the Board, consisting of nine (9) members to be appointed by the Governor, by and with the advice and consent of the Senate. The Board shall constitute a body corporate and politic and an instrumentality, agency and department of the State of Oklahoma, and exercise by the Board of the powers conferred by this act shall be deemed and shall be held to be an essential governmental function of the State of Oklahoma. One member shall be appointed for a term of one (1) year; one member shall be appointed for a term of two (2) years; one member shall be appointed for a term of three (3) years; one member shall be appointed for a term of four (4) years; one member shall be appointed for a term of five (5) years; two members shall be appointed for a term of six (6) years; and two members shall be appointed for a term of seven (7) years. Upon the expiration of said terms, their successors shall be appointed for terms of seven (7) years. One member shall be appointed from each of the congressional districts of this state ~~as they existed in 1957~~, and three members shall be appointed at large. Each member shall be a qualified elector of this state. At all times the membership of the Board shall have represented on it at least one member well versed in each of the following major types of water use: recreational, industrial, irrigational, municipal, rural residential, agricultural and soil conservation work. Not more than two members may be selected representing any one of the major types of water use. The Board shall meet at least once each month. The members of the Board may be removed only for cause. Whenever a vacancy shall occur, the Governor shall appoint a qualified person to fill the unexpired term of the vacant office. Each member of the Board upon entering upon his duties shall take and subscribe to the constitutional and statutory oath of office and file the same with the Secretary of State.

B. The Board shall organize annually by electing a chairman, vice chairman, and secretary from the membership of the Board, who shall perform such duties as shall be prescribed by the Board.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

If a change in the number of congressional districts creates a conflict between a requirement that a board, commission, authority, or other statutory entity shall have a specified number of members and a requirement that one or more members shall be appointed from each congressional district, the appointing authority shall make appointments as follows:

1. If the conflict has been created by a decrease in the number of districts, the appointing authority shall make additional appointments as necessary to maintain a full board and may make said

additional appointments without regard to the appointee's district of residence; and

2. If the conflict has been created by an increase in the number of districts, the appointing authority shall make only such appointments as are necessary to maintain a full board, doing so in such fashion that the members are distributed among the districts to the greatest possible extent.

SECTION 14. AMENDATORY 3A O.S. 1991, Section 200.1, is amended to read as follows:

Section 200.1 A. As used in the Oklahoma Horse Racing Act:

1. "Commission" means the Oklahoma Horse Racing Commission;
2. "Enclosure" means all areas of the property of an organization licensee to which admission can be obtained only by payment of an admission fee or upon presentation of proper credentials and all parking areas designed to serve the facility which are owned or leased by the organization licensee;
3. "Family" means husband, wife, and any dependent children;
4. "Financial interest" means an interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in a business entity, or as a result of salary, gratuity, or other compensation or remuneration from any person;
5. "Horse racing" means any type of horse racing, including but not limited to Arabian, Appaloosa, Paint, Pinto, Quarter Horse, and Thoroughbred horse racing.
 - a. "Arabian horse racing" means the form of horse racing in which each participating horse is an Arabian horse registered with the Arabian Horse Club Registry of America and approved by the Arabian Horse Racing Association of America or any successor organization, mounted by a jockey, and engaged in races on the flat over a distance of not less than one-quarter (1/4) mile or more than four (4) miles.
 - b. "Appaloosa horse racing" means the form of horse racing in which each participating horse is an Appaloosa horse registered with the Appaloosa Horse Club or any successor organization and mounted by a jockey.
 - c. "Quarter Horse racing" means the form of horse racing where each participating horse is a Quarter Horse registered with the American Quarter Horse Association or any successor organization, mounted by a jockey, and engaged in a race on the flat.
 - d. "Paint horse racing" means the form of horse racing in which each participating horse is a Paint horse registered with the American Paint Horse Association or any successor organization and mounted by a jockey.
 - e. "Pinto horse racing" means the form of horse racing in which each participating horse is a Pinto horse registered with the Pinto Horse Association of America, Inc. or any successor organization and mounted by a jockey.
 - f. "Thoroughbred horse racing" means the form of horse racing in which each participating horse is a Thoroughbred horse registered with the Jockey Club or any successor organization, mounted by a jockey, and engaged in races on the flat;
6. "Minor" means any individual under eighteen (18) years of age;

7. "Minus pool" means a pari-mutuel pool in which, after deducting the take-out, not enough money remains in the pool to pay the legally prescribed minimum return to those placing winning wagers, and in which the organization licensee would be required to pay the remaining amount due;

8. "Occupation licensee" means any person who has obtained an occupation license;

9. "Organization licensee" means any person receiving an organization license;

10. "Pari-mutuel system of wagering" means a form of wagering on the outcome of horse races in which those who wager purchase tickets of various denominations on a horse or horses and all wagers for each race are pooled and held by the organization licensee for distribution. The pari-mutuel system of wagering uses an electric totalizator or similar equipment which automatically registers the wagers made on each horse and prints and issues a ticket representing each wager;

11. "Pari-mutuel pool" means the total money wagered by individuals on any horse or horses in a particular horse race to win, place, or show and held by the organization licensee pursuant to the pari-mutuel system of wagering. There is a separate pari-mutuel pool for win, for place, and for show, and for each ~~of the other forms~~ multiple combination of betting ~~provided for approved by the rules and regulations of the Oklahoma Horse Racing Commission, including only the daily double, the quinella, the exacta, the pick six and the National Breeders' Cup pick seven;~~

12. "Person" means any individual, partnership, corporation, or other association or entity; and

13. "Race meeting" means the entire period of time not to exceed twenty (20) calendar days separating any race days for which an organization license has been granted to a person by the Commission to hold horse races at which the pari-mutuel system of wagering is conducted, to hold non-pari-mutuel horse races or to conduct accredited work or training races.

B. The Commission may define by rule or regulation any term which is not defined in the Oklahoma Horse Racing Act.

SECTION 15. AMENDATORY 3A O.S. 1991, Section 205.6, as amended by Section 1 of Enrolled Senate Bill No. 198 of the 2nd Session of the 43rd Oklahoma Legislature, is amended to read as follows:

Section 205.6 A. Any organization licensee conducting a race meeting may provide places on the race meeting grounds at which it may conduct and supervise the pari-mutuel system of wagering on the horse races conducted by the organization licensee at the race meeting. No other place or method of betting, pool making, wagering, or gambling shall be used or permitted by the organization licensee. The pari-mutuel system of wagering shall be permitted only on horse races conducted at a racetrack where such pari-mutuel system of wagering is authorized pursuant to the provisions of the Oklahoma Horse Racing Act.

B. Except as provided in subsection E of this section, each organization licensee that holds a race meeting at which the pari-mutuel system of wagering is conducted shall retain an amount equal to eighteen percent (18%) of all money wagered, to be distributed as follows:

1. The first One Hundred Million Dollars (\$100,000,000.00) wagered per calendar year for each type of racing shall be distributed as follows provided, that all racing dates exclusively for Thoroughbred racing in a calendar year shall be combined for the purpose of computing taxation rates and all racing dates for mixed

racing and all other individual breeds in a calendar year shall be combined but considered separate from Thoroughbred racing for the purpose of computing taxation rates:

- a. One-ninth (1/9) of the eighteen percent (18%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. One hundred percent (100%) of the revenue derived pursuant to the provisions of this paragraph shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and
- b. Five-ninths (5/9) of the eighteen percent (18%) shall be retained by the organization licensee; and
- c. One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as purses for participating horses.

2. All money wagered per calendar year for each type of racing in excess of One Hundred Million Dollars (\$100,000,000.00) but not to exceed One Hundred Fifty Million Dollars (\$150,000,000.00) shall be distributed as follows provided, that all racing dates exclusively for Thoroughbred racing in a calendar year shall be combined for the purpose of computing taxation rates and all racing dates for mixed racing and all other individual breeds in a calendar year shall be combined but considered separate from Thoroughbred racing for the purpose of computing taxation rates:

- a. Until July 1, 1995:
 - (1) One-ninth (1/9) of the eighteen percent (18%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. One hundred percent (100%) of the revenue derived pursuant to the provisions of this paragraph shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and
 - (2) Four-ninths (4/9) of the eighteen percent (18%) shall be retained by the organization licensee; and
 - (3) One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as purses for participating horses; and
 - (4) One-ninth (1/9) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as follows:
 - (a) seventy-five percent (75%) as purses for participating horses, and
 - (b) twenty-five percent (25%) shall be remitted to the Commission, at such intervals as required by the Commission, for deposit in the Oklahoma Breeding Development Fund Special Account.
- b. Beginning July 1, 1995:
 - (1) Two-ninths (2/9) of the eighteen percent (18%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. One hundred percent (100%) of the revenue derived

pursuant to the provisions of this paragraph shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and

- (2) Four-ninths (4/9) of the eighteen percent (18%) shall be retained by the organization licensee; and
- (3) One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as purses for participating horses.

3. All money wagered per calendar year for each type of racing in excess of One Hundred Fifty Million Dollars (\$150,000,000.00) shall be distributed as follows provided, that all racing dates exclusively for Thoroughbred racing in a calendar year shall be combined for the purpose of computing taxation rates and all racing dates for mixed racing and all other individual breeds in a calendar year shall be combined but considered separate from Thoroughbred racing for the purpose of computing taxation rates:

a. Until July 1, 1995:

- (1) One-ninth (1/9) of the eighteen percent (18%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. One hundred percent (100%) of the revenue derived pursuant to the provisions of this paragraph shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and
- (2) One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee; and
- (3) One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as purses for participating horses; and
- (4) Two-ninths (2/9) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as follows:
 - (a) seventy-five percent (75%) as purses for participating horses, and
 - (b) twenty-five percent (25%) shall be remitted to the Commission, at such intervals as required by the Commission, for deposit in the Oklahoma Breeding Development Fund Special Account.

b. Beginning July 1, 1995:

- (1) One-third (1/3) of the eighteen percent (18%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. One hundred percent (100%) of the revenue derived pursuant to the provisions of this paragraph shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and

- (2) One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee; and
- (3) One-third (1/3) of the eighteen percent (18%) shall be retained by the organization licensee to be distributed as purses for participating horses.

C. Beginning July 1, 1995, notwithstanding any other provisions of this act, the state shall collect six percent (6%) of the total amount wagered under the provisions of this act at such time the organization licensee has no further debt service.

D. In addition to the amount required to be retained by the provisions of subsection B of this section, each organization licensee holding a race meeting at which the pari-mutuel system of wagering is conducted shall retain an additional amount equal to two percent (2%) of all money wagered on ~~a daily double, quinella, or exacta~~ multiple race wagers involving not to exceed three races and on multiple horse wagers in the same race.

1. Until July 1, 1995, such amount shall be retained by the organization licensee to be distributed as follows:

- a. Seventy-five percent (75%) as purses for participating horses, and
- b. Twenty-five percent (25%) shall be remitted to the Commission, at such intervals or required by the Commission, for deposit in the Oklahoma Breeding Development Fund Special Account.

2. Beginning July 1, 1995, such amount shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. The revenue derived from the provisions of this paragraph shall be paid monthly by the Oklahoma Tax Commission to the State Treasurer to be deposited to the credit of the General Revenue Fund of the State Treasury.

E. 1. Until July 1, 1995, each organization licensee shall retain an amount equal to twenty-five percent (25%) of all money wagered on ~~pick six wagers~~ multiple race wagers involving more than three races, to be distributed as follows:

- a. Two twenty-fifths (2/25) of the twenty-five percent (25%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. The revenue shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and
- b. Two-fifths (2/5) of the twenty-five percent (25%) shall be retained by the organization licensee; and
- c. Eight twenty-fifths (8/25) of the twenty-five percent (25%) shall be retained by the organization licensee to be distributed as purses for participating horses; and
- d. One-fifth (1/5) of the twenty-five percent (25%) shall be retained by the organization licensee to be distributed as follows:
 - (1) Seventy-five percent (75%) as purses for participating horses; and
 - (2) Twenty-five percent (25%) shall be remitted to the Commission, at such intervals as required by the Commission, for deposit in the Oklahoma Breeding Development Fund Special Account.

2. Beginning July 1, 1995, each organization licensee shall retain an amount equal to twenty-five percent (25%) of all money wagered on ~~pick six wagers~~ multiple race wagers involving more than three races, to be distributed as follows:

- a. Seven twenty-fifths (7/25) of the twenty-five percent (25%) shall be remitted to the Oklahoma Tax Commission on the first business day following the close of the racing day on which it was assessed. The revenue shall be apportioned monthly to the General Revenue Fund of the state for the support of the state government, to be paid out only pursuant to appropriation by the Legislature; and
- b. Two-fifths (2/5) of the twenty-five percent (25%) shall be retained by the organization licensee; and
- c. Eight twenty-fifths (8/25) of the twenty-five percent (25%) shall be retained by the organization licensee to be distributed as purses for participating horses.

F. Organization licensees shall keep accurate books and records of all moneys wagered on each day of a race meeting and of the taxes paid pursuant to the provisions of this section. The Oklahoma Tax Commission or an authorized representative shall have access at all reasonable times to such records for the purpose of examining and checking the records and ascertaining whether the proper amount of taxes is being paid. The Oklahoma Tax Commission shall require verified reports and a statement of the total of all moneys wagered daily at a race meeting and may prescribe forms upon which such reports and statement shall be made. The organization licensee shall provide the Oklahoma Tax Commission with such space and accommodations as may be necessary for the Oklahoma Tax Commission to implement its duties pursuant to the provisions of the Oklahoma Horse Racing Act.

G. No revenue bonds issued by a public trust, as authorized by the provisions of Title 62 of the Oklahoma Statutes, shall be used to finance any racetrack or racing facility.

SECTION 16. AMENDATORY 74 O.S. 1991, Section 471, is amended to read as follows:

Section 471. There is hereby established an advisory committee to the Legislature of Oklahoma and to the Governor of Oklahoma. Such committee shall be composed of ~~three (3)~~ four (4) members of the Oklahoma Bar to be appointed by the Governor with the advice of the President of the Oklahoma Bar Association and two (2) members, at least one of whom is a member of the House of Representatives, to be appointed by the Speaker of the House of Representatives and two (2) members, at least one of whom is a member of the Senate, to be appointed by the President Pro Tempore of the Senate. Each member shall serve for four (4) years or until his death, resignation, or failure or refusal, certified by the remaining members, to perform his duties, renders his place vacant, whereupon the vacancy shall be filled in the same manner as the original appointment. In the event a legislative member fails to retain his seat in his respective house prior to the expiration of his term on the committee, his place on the committee shall be rendered vacant. The members of such committee, hereafter called commissioners, shall be the official commissioners of the State of Oklahoma to the National Conference of Commissioners on Uniform State Laws. They shall attend the annual meetings of such national conference. They shall report annually to the Legislature and to the Governor concerning the work of said conference and all other matters relating to their duties. They shall advise the Legislature and its committees concerning proposals for uniform and model state laws, the effect

which such proposals would have on the law of this state, and such other matters as may be pertinent to desirable uniformity in legislation between this state and other states.

SECTION 17. AMENDATORY 3A O.S. 1991, Section 204, as amended by Section 3 of Enrolled Senate Bill No. 862 of the 2nd Session of the 43rd Oklahoma Legislature, is amended to read as follows:

Section 204. A. The Oklahoma Horse Racing Commission shall:

1. have supervision of:
 - a. all race meetings held in this state; provided, for non-pari-mutuel race meetings and training races held at non-pari-mutuel tracks jurisdiction of the Commission shall be limited to a period of time beginning twelve (12) hours before the commencement of the first race on a race day and ending four (4) hours after the finish of the last race on a race day,
 - b. all occupation and organization licensees in this state, and
 - c. all persons on the property of an organization licensee; provided, for non-pari-mutuel race meetings and training races held at non-pari-mutuel tracks supervision of such persons shall be limited to the period set out in subparagraph a of this paragraph;
2. have the authority to promulgate rules and regulations for the purpose of administering the provisions of the Oklahoma Horse Racing Act;
3. administer and enforce the provisions of the Oklahoma Horse Racing Act and the rules and regulations of the Commission;
4. adjudicate controversies arising from the enforcement of the provisions of the Oklahoma Horse Racing Act and the rules and regulations of the Commission;
5. allocate racing days of not to exceed six (6) days per calendar week, dates, and hours which are in the best interests of the people of this state to organization licensees;
6. promulgate rules and regulations for the granting or refusing and the suspension or revoking of licenses;
7. promulgate rules and regulations for the holding, conducting, and operating of all race meetings held in this state; provided, ~~the Commission shall adopt~~ the rules of the American Quarter Horse Association for regulation of the holding, conducting and operating of non-pari-mutuel race meetings and training races held at non-pari-mutuel tracks shall serve as the rules for the holding, conducting and operating of non-pari-mutuel race meetings and training races held at non-pari-mutuel tracks, except that appeals from decisions of the stewards shall be to the Commission, until such time as the Commission has promulgated substantially similar rules for regulation of the holding, conducting and operating of non-pari-mutuel race meetings and training races held at non-pari-mutuel tracks;
8. have supervision and control of the pari-mutuel machines and all other equipment at all race meetings held in this state;
9. check the making of pari-mutuel pools and the distribution of such pools and be authorized to contract with the Office of the State Auditor and Inspector to cause the places where race meetings are held to be inspected at reasonable intervals;
10. promulgate rules and regulations governing:
 - a. bids on leases, and
 - b. the rate charged by an organization licensee for admission to races, and

- c. the rate charged for the performance of any service or for the sale of any article on the premises of an organization licensee;
11. approve all contracts and agreements for the payment of money and all salaries, fees, and compensations by any organization licensee;
12. have the authority to exclude, or compel the exclusion, from any race meeting:
- a. any person who violates the provisions of any rule, regulation, or order of the Commission or any law of this state, any other state, or the United States, or
 - b. any person who has been previously convicted of violating any law of this state, any other state, or the United States, or
 - c. any other person, licensed or unlicensed, whose conduct or reputation is such that his presence at the race meeting may, in the opinion of the Commission reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of the race meeting. No person shall be excluded or ejected from a race meeting solely on the grounds of race, color, creed, sex, national origin, or ancestry;
13. have investigatory powers and authority to place attendants and such other persons as may be deemed necessary by the Commission in the offices, on the tracks, or in places of business of any organization licensee for the purpose of determining whether an organization or occupation licensee is complying with the provisions of the Oklahoma Horse Racing Act and the rules and regulations of the Commission;
14. have authority to acquire or contract with, or establish, maintain, and operate testing laboratories and related facilities for the purpose of conducting:
- a. human substance abuse testing on occupation licensees who may affect the outcome of race results. Human substance abuse tests and the laboratories performing such tests must meet the nationally recognized standards specified in the Mandatory Guidelines for Federal Workplace Drug Testing Programs adopted by the United States Department of Health and Human Services. The Commission may require any occupation licensee to submit to a human substance abuse test if the Commission has probable cause to believe that such licensee is possessing or using any controlled dangerous substance or any other drug in violation of any federal or state law, and
 - b. a saliva test, a blood test, a urine test, or other tests or combinations of tests on the horses run or to be run in any race meeting. Prior to the Commission entering into any contract pursuant to this paragraph, the Attorney General shall review and approve the contract. Any contract entered into pursuant to this paragraph shall contain the specifications that were in the request for bid for the contract;
15. approve of all proposed construction on property owned or leased by an organization licensee;
16. have authority to require that all financial, employment, or other records of an organization licensee shall be kept in such manner as prescribed by the Commission and shall be subject to inspection by the Commission. The organization licensee shall submit to the Commission an annual balance sheet, profit-and-loss

statement, and any other information the Commission deems necessary in order to administer the provisions of the Oklahoma Horse Racing Act;

17. have the authority to suspend or revoke a license or impose fines in amounts not to exceed Ten Thousand Dollars (\$10,000.00) against individuals for each violation and in amounts not to exceed Twenty Thousand Dollars (\$20,000.00) against organization licensees for each violation of any provision of the Oklahoma Horse Racing Act, any rules or regulations adopted by the Commission, or any order of the Commission, or for any other action which, in the discretion of the Commission, is a detriment or impediment to horse racing or both such suspension or revocation and fine. Each day upon which such violation or other action by the organization licensee occurs shall constitute a separate offense;

18. have authority to suspend a horse from participating in races if the horse has been involved in any violation of the rules promulgated by the Commission or the provisions of the Oklahoma Horse Racing Act; and

19. prepare and submit an annual report to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. The report shall include an account of the operations, actions, and orders of the Commission, and an accounting of all revenue received by the Commission.

B. 1. The Commission may delegate to stewards or the Executive Director, those of its powers and duties as it deems necessary to fully implement and effectuate the purposes of the Oklahoma Horse Racing Act.

2. The Commission, upon appeal or due consideration, may overrule any decision of a steward except decisions regarding disqualifications for interference during the running of a race if a preponderance of evidence indicates:

- a. the stewards mistakenly interpreted the law; or
- b. new evidence of a convincing nature is produced; or
- c. the best interests of racing and the state may be better served.

3. Any decision pertaining to the finish of a race, as used for purposes of pari-mutuel pool distribution to winning ticket holders, may not be overruled. Any decision pertaining to the distribution of purses may be changed only if a claim is made in writing to the Commission by one of the involved owners or trainers, and a preponderance of evidence clearly indicates to the Commission that one or more of the grounds for protest, as provided for in the rules and regulations prepared by the Commission, has been substantiated.

SECTION 18. AMENDATORY 3A O.S. 1991, Section 205.2, as amended by Section 5 of Enrolled Senate Bill No. 862 of the 2nd Session of the 43rd Oklahoma Legislature, is amended to read as follows:

Section 205.2 A. Applications for organization licenses must be filed with the Commission at a time and place prescribed by the rules and regulations of the Commission. Beginning with organization license applications for the ~~1993~~ 1994 calendar year, the Commission shall develop and use separate application forms for applicants requesting an organization license to conduct horse racing with the pari-mutuel system of wagering and applicants requesting an organization license to conduct horse racing without the pari-mutuel system of wagering. ~~If such application forms are not ready for~~ For use for the 1993 calendar year organization licenses, an applicant requesting to conduct horse racing without the pari-mutuel system of wagering ~~may~~ shall make application with the Commission on American Quarter Horse Association application

forms. Applications for an organization license to conduct horse racing without the pari-mutuel system of wagering for the 1993 calendar year shall be filed with the Commission on or before the 1st day of August, 1992. Each applicant requesting an organization license to conduct horse racing with the pari-mutuel system of wagering shall include with each application a nonrefundable license fee equal to the sum of Five Thousand Dollars (\$5,000.00) for each race meeting and Two Hundred Dollars (\$200.00) for each racing day requested. Provided, the fee for Five Thousand Dollars (\$5,000.00) shall be waived for applicants applying pursuant to the provisions of Section 208.2 of this title. Each applicant requesting an organization license to conduct horse racing without the pari-mutuel system of wagering or to conduct accredited work or training races shall include with each application a nonrefundable license fee of Five Hundred Dollars (\$500.00) for each race meeting. Such fee shall be in the form of a certified check or bank draft payable to the order of the Commission. Within thirty (30) days after the date specified for filing, the Commission shall examine the applications for compliance with the provisions of the Oklahoma Horse Racing Act and such rules and regulations as may be promulgated by the Commission. If any application does not comply with the provisions of the Oklahoma Horse Racing Act or the rules and regulations promulgated by the Commission, the application may be rejected or the Commission may direct the applicant to comply with the provisions of the Oklahoma Horse Racing Act or the rules and regulations of the Commission within a reasonable time as determined by the Commission. Upon proof by the applicant of compliance, the Commission may reconsider the application. If it is found to be in compliance with the provisions of the Oklahoma Horse Racing Act and the rules and regulations of the Commission, the Commission may then issue an organization license to the applicant.

B. The Commission may exercise discretion in the issuing of organization licenses to qualified applicants. The Commission may also determine and grant racing dates different from those requested by the applicants in their applications.

C. The Commission may determine and grant the number of racing days to be allotted to each applicant. When granting organization licenses and allocating dates for race meetings which will, in the judgment of the Commission, be conducive to the best interests of the public and the sport of horse racing, the Commission shall give consideration to:

1. the character, reputation, experience, and financial integrity of each applicant and of any other person that:
 - a. directly or indirectly controls such applicant, or
 - b. is directly or indirectly controlled by such applicant or by a person who directly or indirectly controls such applicant; and
2. the facilities and accommodations of the applicant for the conduct of race meetings; and
3. the location of the race meeting of the applicant in relation to the principal centers of population of this state; and
4. the highest prospective total revenue to be derived by the state from the conduct of the race meeting.

D. Prior to the issuance of an organization license to conduct pari-mutuel race meetings, the applicant shall file with the Commission a bond payable to the State of Oklahoma in an amount determined by the Commission which is not less than Two Hundred Thousand Dollars (\$200,000.00) and not more than the total financial liability of the organization licensee throughout the race meeting for which the organization license is requested, executed by the

applicant and a surety company or companies authorized to do business in this state, and conditioned upon the payment by the organization licensee of all taxes and other monies due and payable pursuant to the provisions of the Oklahoma Horse Racing Act and all purses due and payable, and upon the fact that, upon presentation of winning tickets, the organization licensee will distribute all sums due to the patrons of pari-mutuel pools. The financial liabilities incurred by the organization licensee in the form of real estate mortgages shall not be included in the determination of the bond amount.

E. The Commission shall notify each applicant of the racing dates allotted to such applicant. The notice shall be in writing and sent by registered mail to the applicant at the address stated in the Application. The notice shall be mailed within two (2) business days of the date the allotment is made. After the mailing of such notice of allotment, each applicant shall file with the Commission within ten (10) days an acceptance of such allotment on a form prescribed and furnished by the Commission.

F. Each organization license shall specify the name of the person to whom it is issued, the dates upon which horse racing is permitted, and the location, place, track, or enclosure where the race meeting is to be held.

G. All employees of an organization licensee shall be citizens of the United States, and not less than ninety percent (90%) of such employees shall be residents of this state for not less than eighteen (18) months immediately preceding such employment.

H. All horse racing conducted pursuant to the provisions of an organization license is subject to the provisions of the Oklahoma Horse Racing Act and of the rules, regulations and directives promulgated by the Commission, and every organization license issued by the Commission shall contain a statement to that effect.

I. Any organization licensee may provide, with prior approval by the Commission, that at least one horse race a day may be devoted to the racing of a type of horse which is different from the type of horse being raced in the other races conducted by the organization licensee on that day. When scheduled races are trial heats for futurities or stakes races electronically timed from the starting gates, no organization licensee shall move the starting gates or allow the starting gates to be moved until all trial heats are complete, except in an emergency as determined by the stewards.

J. Organization licenses may be revoked if the organization licensee or any person owning an interest in the organization licensee:

1. violates any provision of the Oklahoma Horse Racing Act; or
2. violates any provision of the rules and regulations promulgated pursuant to the provisions of the Oklahoma Horse Racing Act; or
3. has been convicted of a felony; or
4. has been convicted of violating any law regarding gambling or controlled dangerous substances of the United States, this state, or any other state; or
5. has failed to disclose or has stated falsely any information contained in the application; or
6. has concealed in whole or in part the true ownership of the organization licensee.

Any organization license revocation proceeding shall be conducted pursuant to the provisions of Sections 301 through 326 of Title 75 of the Oklahoma Statutes.

K. The fees received by the Commission pursuant to the provisions of this section shall be deposited to the credit of the General Revenue Fund of the State Treasury.

L. The provisions of the Oklahoma Horse Racing Act and rules promulgated by the Commission shall apply to an organization licensee during the entire calendar year in which the license was issued.

SECTION 19. AMENDATORY Section 6 of Enrolled Senate Bill No. 862 of the 2nd Session of the 43rd Oklahoma Legislature, is amended to read as follows:

Section 6. For the 1992 calendar year, any applicant for an organization license to conduct horse racing without the pari-mutuel system of wagering that has had an organization license sometime during 1991 or the twelve (12) months preceding the effective date of this act ~~and had submitted an application for an organization license for the 1992 calendar year,~~ shall be issued an organization license for the 1992 calendar year within five (5) days of the effective date of this act ~~unless the Commission, during the five-day period, denies the license in the manner provided by law.~~

SECTION 20. The provisions of Section 2 shall not be codified in the Oklahoma Statutes.

SECTION 21. Sections 14 and 15 of this act shall become effective July 1, 1992.

SECTION 22. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 15th day of May, 1992.

President of the Senate

Passed the House of Representatives the 25th day of May, 1992.

Speaker of the House of Representatives