

year. Effective January 1, 1985, the percentage amount of all moneys in excess of \$125,000 daily average retained by the licensee shall be 10.5 percent of the regular mutuel pool, 12.5 percent of the two horse multiple mutuel pool, and 18.5 percent of the three or more horse multiple mutuel pool, and paid to the [harness racing board] HARNESS RACING BOARD for use of the State shall be 6.5 percent.

(4) Each such licensee having a total wager in excess of \$166,666.67 daily average during the racing season, in any one year similarly shall pay to the [harness racing board] HARNESS RACING BOARD for the use of the State, breakage computed to ten cents (10¢) on the entire amount thereof provided, however, that each such licensee shall deduct and retain one half of the breakage computed to ten cents (10¢) on the amount wagered on races conducted at a facility owned by the licensee. Any breakage retained by the licensee shall be used for physical improvements (as approved by the State Harness Racing Board for the year 1976 and thereafter) to the facility owned by the licensee. At least one half of those improvements shall be for those areas commonly referred to as "backstretch" areas which shall include, for example, but not be limited to, grooms' quarters, horse stalls, paddock facilities and track kitchens.

(5) Each such licensee shall similarly pay a license fee of twenty-five dollars (\$25.00) for each day that races are held, provided that the [harness racing board] HARNESS RACING BOARD shall authorize each licensee under this section to conduct not more than 67 days of racing. The [harness racing board] HARNESS RACING BOARD is authorized, in its discretion, on or before December 1 of each year to award an additional 54 days for racing for the ensuing year. The additional days of racing may be awarded under such terms and conditions as the board may prescribe for any substantial alterations, additions, changes, improvements, or major repairs to or upon the property owned or leased by any licensee and used for the conduct of racing. However, no more than 18 additional days of racing may be awarded to any single licensee. The discretion of the board on the award of all additional dates shall be final, and the award of all dates shall constitute a license and not a franchise.

(8) In addition each licensee shall allocate from its share of all money wagered in excess of \$125,000 daily average on all races conducted by it during the year (1) a sum equal to 0.50 percent to the Maryland Standardbred Fund created by Section 17A of this article; and (2) for calendar years 1981, 1982, 1983, and 1984 only, a sum equal to 0.50 percent to be used, with the approval of the [harness racing board] HARNESS RACING BOARD, for purses and to pay the cost of track maintenance, physical improvements, and personnel-related expenses, and to ensure the maintenance of proper living conditions in the backstretch.

(b-1) In addition to the foregoing, each licensee licensed under the provisions of this section, and having a total wager not in excess of \$166,666.67 daily average on all races conducted