

Pension Fund, if this Fund is established and administered by the organization representing a majority of the horsemen racing in the State.

[(ii)] 2. The formula for distribution of the purse money shall be determined by an agreement between an organization representing the horsemen and the tracks, the agreement to be subject to the approval of the Commission. It is the intention that the allocation shall be made in the approximate amount of 85 percent to the current year's overnight races and 15 percent not to exceed 17 percent to the current year's stake races.

[(iii)] 3. An amount to be determined by the organization, equal to not less than 1 percent but not more than 2 percent, shall be deducted from all open purses and paid to the organization representing a majority of the horsemen in the State[.]; AND

[(5) (i)] (IV) 1. 7.70 percent of the regular mutuel pools, 8.70 percent of the multiple mutuel pools involving 2 horses, and 11.70 percent of the multiple mutuel pools involving 3 or more horses shall be retained by the licensee. The licensee shall pay from its share 0.25 percent of all mutuel pools to the Maryland Race Track Employees Pension Fund, to be administered by representatives of the licensee and the employees.

[(ii)] 2. The increased funds allocated to licensees commencing July 1, 1985 pursuant to PARAGRAPH (2) OF THIS subsection [(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 PARAGRAPH (2) OF THIS 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.] A. By August 1, 1985 a report on the proposed use of the increased funds for the licensees' current fiscal year;

[2.] B. 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