

COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1623  
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 5-104, Arizona Revised Statutes, is amended to  
3 read:

4 5-104. Racing commission; director; department; powers and  
5 duties

6 A. The commission shall:

7 1. Issue racing dates.

8 2. Prepare and adopt such complete rules to govern the racing meetings  
9 as may be required to protect and promote the safety and welfare of the  
10 animals participating in such racing meetings, to protect and promote public  
11 health, safety and the proper conduct of racing and pari-mutuel wagering and  
12 any other matter pertaining to the proper conduct of racing within this  
13 state.

14 3. Conduct hearings on applications for permits and approve permits  
15 and shall conduct such rehearings on licensing and regulatory decisions made  
16 by the director as required pursuant to rules adopted by the commission.

17 4. Conduct all reviews of applications to construct capital  
18 improvements at racetracks as provided in this chapter.

19 5. Adopt rules governing the proper and humane methods for the  
20 disposition and transportation of dogs by breeders, kennels or others.

21 B. The director shall license personnel and shall regulate and  
22 supervise all racing meetings held and pari-mutuel wagering conducted in this  
23 state and cause the various places where racing meetings are held and  
24 wagering is conducted to be visited and inspected on a regular basis. The  
25 director may delegate to stewards such of the director's powers and duties as  
26 are necessary to fully carry out and effectuate the purposes of this chapter.  
27 The director shall exercise immediate supervision over the department of  
28 racing. The director is subject to ongoing supervision by the commission,

1 and the commission may approve or reject decisions of the director in  
2 accordance with rules established by the commission.

3 C. The commission or the department is authorized to allow stewards,  
4 with the written approval of the director, to require a jockey, apprentice  
5 jockey, sulky driver, groom, horseshoer, outrider, trainer, assistant  
6 trainer, exercise rider, pony rider, starter, assistant starter, jockey's  
7 agent, veterinarian, assistant veterinarian, cool-out, lead-out, paddock  
8 employee, security or maintenance worker, official or individual licensed in  
9 an occupational category whose role requires direct hands-on contact with  
10 horses or greyhounds, while on the grounds of a permittee, to submit to a  
11 test if the stewards have reason to believe the licensee is under the  
12 influence of or unlawfully in possession of any prohibited substance  
13 regulated by title 13, chapter 34.

14 D. The department shall employ the services of the office of  
15 administrative hearings to conduct hearings on matters requested to be heard  
16 by the director or the commission for the department except for those  
17 rehearings that are required by the terms of this chapter to be conducted by  
18 the commission. Any person adversely affected by a decision of a steward or  
19 by any other decision of the department may request a hearing on such  
20 decision. The decision of the administrative law judge becomes the decision  
21 of the director unless rejected or modified by the director within thirty  
22 days. The commission may hear any appeal of a decision of the director in  
23 accordance with title 41, chapter 6, article 10.

24 E. The department may visit and investigate the offices, tracks or  
25 places of business of any permittee and place in those offices, tracks or  
26 places of business expert accountants and such other persons as it deems  
27 necessary for the purpose of ascertaining that the permittee or any licensee  
28 is in compliance with the rules adopted pursuant to this article.

29 F. The department shall ESTABLISH AND collect the FOLLOWING LICENSING  
30 fees ~~payable for a license issued by it, as follows~~ AND REGULATORY  
31 ASSESSMENTS, WHICH SHALL NOT BE REDUCED FOR HARDSHIP TAX CREDITS PURSUANT TO

1 SECTION 5-111, SUBSECTION I OR FOR CAPITAL IMPROVEMENTS PURSUANT TO SECTION  
2 5-111.02 OR 5-111.03:

- 3 ~~1. Occupational licenses, up to fifty dollars.~~
- 4 ~~2. Owner, trainer, veterinarian, authorized agent, officials,~~  
5 ~~assistant trainer, stable name renewal or kennel name renewal, up to~~  
6 ~~seventy-five dollars.~~
- 7 ~~3. Owner-trainer, driver, jockey, jockey agent or apprentice jockey,~~  
8 ~~up to one hundred fifty dollars.~~
- 9 ~~4. New stable name or new kennel name, up to five hundred dollars.~~
- 10 ~~5. Duplicate license, up to five dollars.~~
- 11 ~~6. Temporary license, up to fifty dollars.~~
- 12 ~~7. If not licensed pursuant to paragraph 9 of this subsection with a~~  
13 ~~combination license, greyhound racing kennels, up to one hundred dollars.~~
- 14 ~~8. If not licensed pursuant to paragraph 9 of this subsection with a~~  
15 ~~combination license, farms or other operations where greyhounds are raised~~  
16 ~~for the purpose of dog racing, up to one hundred dollars.~~
- 17 ~~9. Any combination of greyhound racing kennels, farms or other~~  
18 ~~operations where greyhounds are raised for the purpose of dog racing, up to~~  
19 ~~one hundred dollars.~~

20 1. FOR EACH RACING LICENSE ISSUED, A FEE ESTABLISHED BY THE  
21 DEPARTMENT.

22 2. FROM THE PURSE ACCOUNTS PROVIDED FOR IN SECTION 5-111, A REGULATORY  
23 ASSESSMENT TO PAY FOR RACING ANIMAL MEDICATION TESTING, ANIMAL SAFETY AND  
24 WELFARE.

25 3. FROM EACH PERMITTEE, A REGULATORY ASSESSMENT FOR EACH DAY OF DARK  
26 DAY SIMULCASTING CONDUCTED IN EXCESS OF THE NUMBER OF LIVE RACING DAYS  
27 CONDUCTED BY THE PERMITTEE.

28 4. FROM EACH COMMERCIAL RACING PERMITTEE, A REGULATORY ASSESSMENT  
29 PAYABLE FROM AMOUNTS DEDUCTED FROM PARI-MUTUEL POOLS BY THE PERMITTEE, IN  
30 ADDITION TO THE AMOUNTS THE PERMITTEE IS AUTHORIZED TO DEDUCT PURSUANT TO  
31 SECTION 5-111, SUBSECTION C FROM AMOUNTS WAGERED ON LIVE AND SIMULCAST RACES  
32 FROM IN-STATE AND OUT-OF-STATE WAGERING HANDLED BY THE PERMITTEE.

1           G. The commission shall establish financial assistance procedures for  
2 promoting adoption of racing greyhounds as domestic pets and for promoting  
3 adoption of retired racehorses. The provision of financial assistance to  
4 nonprofit enterprises for the purpose of promoting adoption of racing  
5 greyhounds as domestic pets and for the purpose of promoting adoption of  
6 retired racehorses is contingent on a finding by the commission that the  
7 program presented by the enterprise is in the best interest of the racing  
8 industry and this state. Upon a finding by the commission, the commission is  
9 authorized to make grants to nonprofit enterprises whose programs promote  
10 adoption of racing greyhounds or adoption of retired racehorses. The  
11 commission shall develop an application process. The commission shall  
12 require an enterprise to report to the commission on the use of grants under  
13 this subsection. Financial assistance for nonprofit enterprises for the  
14 purpose of promoting adoption of racing greyhounds as domestic pets under  
15 this subsection shall not exceed the amount collected for license fees under  
16 subsection F, ~~paragraphs 7, 8 and 9~~ of this section **FOR GREYHOUND RACING**  
17 **KENNELS, FARMS OR OTHER OPERATIONS WHERE GREYHOUNDS ARE RAISED FOR THE**  
18 **PURPOSE OF DOG RACING.** Financial assistance for nonprofit enterprises that  
19 promote adoption of retired racehorses under this subsection shall not exceed  
20 the amount of retired racehorse adoption surcharges collected pursuant to  
21 this subsection. The commission shall collect a retired racehorse adoption  
22 surcharge in addition to each civil penalty assessed in connection with horse  
23 or harness racing pursuant to this article. The amount of the retired  
24 racehorse adoption surcharge shall be five per cent of the amount collected  
25 for each applicable civil penalty.

26           H. A license is valid for the period established by the commission,  
27 but not to exceed three years, except for a temporary license issued pursuant  
28 to section 5-107.01, subsection F. The licensing period for horse racing  
29 shall begin July 1. The licensing period for greyhound racing shall begin  
30 February 1.

31           I. Upon application in writing by an objector to any decision of track  
32 stewards, made within three days after the official notification to the

1 objector of the decision complained of, the department or administrative law  
2 judge shall review the objection. In the case of a suspension of a license  
3 by the track stewards, such suspension shall commence at once and run for a  
4 period of not more than sixty days. Before the end of this suspension  
5 period, filing an application for review is not cause for reinstatement. If  
6 at the end of this suspension period the department or administrative law  
7 judge has not held a hearing to review the decision of the stewards, the  
8 suspended license shall be reinstated until such time as the department or  
9 administrative law judge holds a hearing to review the objection. Except as  
10 provided in section 41-1092.08, subsection H, a final decision of the  
11 commission is subject to judicial review pursuant to title 12, chapter 7,  
12 article 6.

13 J. The commission or the director may issue subpoenas for the  
14 attendance of witnesses and the production of books, records and documents  
15 relevant and material to a particular matter before the commission or  
16 department. Such subpoenas shall be served and enforced in accordance with  
17 title 41, chapter 6, article 10.

18 K. Any member of the commission, the administrative law judge or the  
19 director or the director's designee may administer oaths, and such oaths  
20 shall be administered to any person who appears before the commission to give  
21 testimony or information pertaining to matters before the commission.

22 L. The commission shall adopt rules which require permittees to retain  
23 for three months all official race photographs and videotapes. The  
24 department shall retain all such photographs and videotapes which are used as  
25 evidence in an administrative proceeding until the conclusion of the  
26 proceeding and any subsequent judicial proceeding. All photographs and  
27 videotapes must be available to the public on request, including photographs  
28 and videotapes of races concerning which an objection is made, regardless of  
29 whether the objection is allowed or disallowed.

30 M. The director may establish a management review section for the  
31 development, implementation and operation of a system of management reports  
32 and controls in major areas of department operations, including licensing,

1 work load management and staffing, and enforcement of the provisions of this  
2 article and the rules of the commission.

3 N. In cooperation with the department of public safety, the director  
4 shall establish a cooperative fingerprint registration system. Each  
5 applicant for a license or permit under this article or any other person who  
6 has a financial interest in the business or corporation making the  
7 application shall submit to fingerprint registration as part of the  
8 background investigation conducted pursuant to section 5-108. The  
9 cooperative fingerprint registration system shall be maintained in an updated  
10 form using information from available law enforcement sources and shall  
11 provide current information to the director upon request as to the fitness of  
12 each racing permittee and each racing licensee to engage in the racing  
13 industry in this state.

14 O. The director shall develop and require department staff to use  
15 uniform procedural manuals in the issuance of any license or permit under  
16 this article and in the enforcement of this article and the rules adopted  
17 under this article.

18 P. The director shall submit an annual report containing such  
19 operational and economic performance information as is necessary to evaluate  
20 the department's budget request for the forthcoming fiscal year to the  
21 governor, the speaker of the house of representatives, the president of the  
22 senate and the Arizona state library, archives and public records no later  
23 than September 30 each year. The annual report shall be for the preceding  
24 fiscal year and contain such performance information as:

25 1. The total state revenues for the previous fiscal year from the  
26 overall pari-mutuel handle with an itemization for each dog racing meeting,  
27 each horse racing meeting, each harness racing meeting and each additional  
28 wagering facility.

29 2. The total state revenues for the previous fiscal year from the  
30 regulation of racing, including licensing fees assessed pursuant to  
31 subsection F of this section and monetary penalties assessed pursuant to  
32 section 5-108.02.

1           3. The amount and use of capital improvement funds pursuant to  
2 sections 5-111.02 and 5-111.03 which would otherwise be state revenues.

3           4. The number of licenses and permits issued, renewed, pending and  
4 revoked during the previous fiscal year.

5           5. The investigations conducted during the previous fiscal year and  
6 any action taken as a result of the investigations.

7           6. The department budget for the immediately preceding three fiscal  
8 years, including the number of full-time, part-time, temporary and contract  
9 employees, a statement of budget needs for the forthcoming fiscal year and a  
10 statement of the minimum staff necessary to accomplish these objectives.

11          7. Revenues generated for this state for the preceding fiscal year by  
12 persons holding horse, harness and dog racing permits.

13          8. Recommendations for increasing state revenues from the regulation  
14 of the racing industry while maintaining the financial health of the industry  
15 and protecting the public interest.

16          Q. The commission may certify animals as Arizona bred or as Arizona  
17 stallions. The commission may delegate this authority to a breeders'  
18 association it contracts with for these purposes. The commission may  
19 authorize the association, racing organization or department to charge and  
20 collect a reasonable fee to cover the cost of breeding or ownership  
21 certification or transfer of ownership for racing purposes.

22          R. The department has responsibility for the collection and accounting  
23 of revenues for the state boxing and mixed martial arts commission including,  
24 but not limited to, licensing fees required by section 5-230, the levy of the  
25 tax on gross receipts imposed by section 5-104.02 and cash deposited pursuant  
26 to section 5-229. All revenues collected pursuant to this subsection, from  
27 whatever source, shall be reported and deposited pursuant to section  
28 5-104.02, subsection C, EXCEPT THAT LICENSING FEES REQUIRED BY SECTION 5-230  
29 SHALL BE DEPOSITED IN THE RACING REGULATION FUND ESTABLISHED BY SECTION  
30 5-113.01. The director shall adopt rules as necessary to accomplish the  
31 purposes of this subsection and chapter 2, article 2 of this title.





1           D. A promoter may issue complimentary tickets that are exempt from  
2 taxation pursuant to this title. If a promoter issues complimentary tickets,  
3 the exemption from taxation applies to two per cent of the total number of  
4 tickets issued for the event or seventy-five tickets, whichever is greater.

5           E. ~~As used in~~ FOR THE PURPOSES OF this section, "gross receipts" means  
6 all receipts from the face value of tickets sold.

7           Sec. 3. Section 5-113, Arizona Revised Statutes, is amended to read:

8           5-113. Disposition of revenues and monies; funds; committee

9           A. EXCEPT AS PROVIDED IN SECTION 5-113.01, all revenues derived from  
10 permittees, permits and licenses as provided by this article shall be  
11 deposited, pursuant to sections 35-146 and 35-147, in the state general fund.

12           B. The Arizona county fairs racing betterment fund is established  
13 under the jurisdiction of the department. The department shall distribute  
14 monies from the fund to the county fair association or county fair racing  
15 association of each county conducting a county fair racing meeting in such  
16 proportion as the department deems necessary for the promotion and betterment  
17 of county fair racing meetings. All expenditures from the fund shall be made  
18 upon claims approved by the department. In order to be eligible for  
19 distributions from the fund, a county fair association must provide the  
20 department with an annual certification in the form required by the  
21 department supporting expenditures made from the fund. Balances remaining in  
22 the fund at the end of a fiscal year do not revert to the state general fund.

23           C. The county fairs livestock and agriculture promotion fund is  
24 established under the control of the governor and shall be used for the  
25 purpose of promoting the livestock and agricultural resources of the state  
26 and for the purpose of conducting an annual Arizona national livestock fair  
27 by the Arizona exposition and state fair board to further promote livestock  
28 resources. The direct expenses less receipts of the livestock fair shall be  
29 paid from this fund, but such payment shall not exceed thirty per cent of the  
30 receipts of the fund for the preceding fiscal year. Balances remaining in  
31 the fund at the end of a fiscal year do not revert to the state general fund.  
32 All expenditures from the fund shall be made upon claims approved by the

1 governor, as recommended by the livestock and agriculture committee, for the  
2 promotion and betterment of the livestock and agricultural resources of this  
3 state. The livestock and agriculture committee is established and shall be  
4 composed of the following members, at least three of whom are from counties  
5 that have a population of less than five hundred thousand persons, appointed  
6 by the governor:

- 7 1. Three members representing county fairs.
- 8 2. One member representing Arizona livestock fairs.
- 9 3. One member representing the university of Arizona college of  
10 agriculture.
- 11 4. One member representing the livestock industry.
- 12 5. One member representing the farming industry.
- 13 6. One member representing the governor's office.
- 14 7. One member representing the Arizona state fair conducted by the  
15 Arizona exposition and state fair board.
- 16 8. One member representing the general public.

17 D. The governor shall appoint a chairman from the members. Terms of  
18 members shall be four years.

19 E. Members of the committee are not eligible to receive compensation  
20 but are eligible to receive reimbursement for expenses pursuant to title 38,  
21 chapter 4, article 2.

22 F. The Arizona breeders' award fund is established under the  
23 jurisdiction of the department. The department shall distribute monies from  
24 the fund to the breeder, or the breeder's heirs, devisees or successors, of  
25 every winning horse or greyhound foaled or whelped in this state, as defined  
26 by section 5-114, in a manner and in an amount established by rules of the  
27 commission to protect the integrity of the racing industry and promote,  
28 improve and advance the quality of race horse and greyhound breeding within  
29 this state. The department may contract with a breeders' association to  
30 provide data, statistics and other information necessary to enable the  
31 department to carry out the purposes of this subsection. Persons who are not  
32 eligible to be licensed under section 5-107.01 or persons who have been

1 refused licenses under section 5-108 are not eligible to participate in the  
2 Arizona greyhound breeders' award fund. Balances remaining in the fund at  
3 the end of a fiscal year do not revert to the state general fund. For the  
4 purposes of this subsection, "breeder" means the owner or lessee of the dam  
5 of the animal at the time the animal was foaled or whelped.

6 G. The Arizona stallion award fund is established under the  
7 jurisdiction of the department to promote, improve and advance the quality of  
8 stallions in this state. The department shall distribute monies from the  
9 fund to the owner or lessee, or the owner's or lessee's heirs, devisees or  
10 successors, of every Arizona stallion whose certified Arizona bred offspring,  
11 as prescribed in section 5-114, finishes first, second or third in an  
12 eligible race in this state. The department may contract with a breeders'  
13 association to provide data, statistics and other information necessary to  
14 enable the department to carry out the purposes of this subsection. Balances  
15 remaining in the fund at the end of a fiscal year do not revert to the state  
16 general fund. The commission shall adopt rules pursuant to title 41, chapter  
17 6 to carry out the purposes of this subsection. The rules shall prescribe at  
18 a minimum:

19 1. The manner and procedure for distribution from the fund, including  
20 eligibility requirements for owners and lessees.

21 2. Subject to availability of monies in the fund, the amount to be  
22 awarded.

23 3. The requirements for a stallion registered with the jockey club,  
24 Lexington, Kentucky or with the American quarter horse association, Amarillo,  
25 Texas to be certified as an Arizona stallion.

26 4. The types and requirements of races for which an award may be made.

27 H. The greyhound and retired racehorse adoption fund is established.  
28 The department shall administer the fund and maintain separate accounts for  
29 greyhound adoptions and retired racehorse adoptions. All revenues derived  
30 from license fees collected from dog breeders, racing kennels and other  
31 operations WHERE GREYHOUNDS ARE RAISED FOR THE PURPOSE OF DOG RACING pursuant  
32 to section 5-104, subsection F, ~~paragraphs 7, 8 and 9~~ shall be deposited,

1       pursuant to sections 35-146 and 35-147, in the greyhound adoption account of  
2       the fund. All revenues derived from retired racehorse adoption surcharges  
3       collected pursuant to section 5-104, subsection G shall be deposited,  
4       pursuant to sections 35-146 and 35-147, in the retired racehorse adoption  
5       account of the fund. The department shall distribute monies from the fund to  
6       provide financial assistance to nonprofit enterprises approved by the  
7       commission to promote the adoption of former racing greyhounds as domestic  
8       pets and to promote the adoption of retired racehorses pursuant to section  
9       5-104, subsection G in a manner and in an amount established by rules of the  
10      commission. Balances remaining in the fund at the end of a fiscal year do  
11      not revert to the state general fund.

12           I. The county fair racing fund is established. The department shall  
13      administer the fund. Monies in the fund are continuously appropriated. The  
14      department shall use fund monies for the administration of county fair  
15      racing. Any monies remaining unexpended in the fund at the end of the fiscal  
16      year in excess of seventy-five thousand dollars shall revert to the state  
17      general fund.

18           J. The agricultural consulting and training fund is established. The  
19      Arizona department of agriculture shall administer the fund. Monies in the  
20      fund are continuously appropriated. The Arizona department of agriculture  
21      shall use monies in the fund for the agricultural consulting and training  
22      program established by section 3-109.01. Balances remaining in the fund at  
23      the end of a fiscal year do not revert to the state general fund.

24           Sec. 4. Title 5, chapter 1, article 1, Arizona Revised Statutes, is  
25      amended by adding section 5-113.01, to read:

26           5-113.01. Racing regulation fund

27           THE RACING REGULATION FUND IS ESTABLISHED. ALL REVENUES DERIVED FROM  
28      PERMITTEES, PERMITS AND LICENSES PURSUANT TO SECTION 5-104, SUBSECTION F AND  
29      SECTION 5-230 SHALL BE DEPOSITED, PURSUANT TO SECTIONS 35-146 AND 35-147, IN  
30      THE RACING REGULATION FUND. THE DEPARTMENT SHALL ADMINISTER THE RACING  
31      REGULATION FUND. MONIES IN THE RACING REGULATION FUND ARE SUBJECT TO  
32      LEGISLATIVE APPROPRIATION TO THE DEPARTMENT TO BE USED BY THE DEPARTMENT TO

1 SUPPORT THE MISSION OF THE DEPARTMENT. THE RACING REGULATION FUND IS EXEMPT  
2 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

3 Sec. 5. Section 5-230, Arizona Revised Statutes, is amended to read:

4 5-230. License fees; expiration; renewal

5 A. The commission may establish and issue annual licenses AND MAY  
6 ESTABLISH AND COLLECT FEES FOR THOSE LICENSES.  ~~, subject to the collection~~  
7 ~~of advance fees by the department, provided that the fees do not exceed the~~  
8 ~~following amounts:~~

9 ~~1. Promoters, two hundred dollars.~~

10 ~~2. Matchmakers, one hundred dollars.~~

11 ~~3. Managers, fifty dollars.~~

12 ~~4. Judges, referees, announcers and ringside physicians, twenty-five~~  
13 ~~dollars.~~

14 ~~5. Timekeepers, boxers, boxers' trainers and boxers' seconds, ten~~  
15 ~~dollars.~~

16 ~~6. For a corporation filing for a license to participate in the~~  
17 ~~holding of any boxing contest, four hundred dollars.~~

18 ~~7. Officer, director or other person affiliated with a corporation,~~  
19 ~~fifty dollars.~~

20 B. A license expires December 31 at midnight in the year of its  
21 issuance and may be renewed on filing an application for renewal of a license  
22 with the commission and payment of the license fee prescribed in  
23 subsection A. The application for renewal of a license shall be on a form  
24 provided by the commission. There is a thirty day grace period during which  
25 a license may be renewed if a late filing penalty fee equal to the license  
26 fee is submitted with the regular license fee. A licensee that files late  
27 shall not conduct any activity regulated by this chapter until the commission  
28 has renewed the license. If the licensee fails to apply to the commission  
29 within the thirty day grace period the licensee must apply for a new license  
30 pursuant to subsection A.

31 Sec. 6. Laws 2009, chapter 1, section 9 is amended to read:

32 Sec. 9. Appropriations; purpose



1 deposited in the fund in fiscal year 2010-2011, as may be necessary to  
2 monitor, process or oppose claims filed by injured persons that may result in  
3 collection from the fund.

4 Sec. 9. Office of administrative hearings; prompt hearings

5 Notwithstanding section 41-1092.05, subsection A, Arizona Revised  
6 Statutes, for fiscal year 2011-2012, the office of administrative hearings  
7 shall hold hearings for appealable agency actions and contested cases as soon  
8 as reasonably possible after a notice of appeal is filed or a request for a  
9 hearing is made.

10 Sec. 10. Racing and boxing fees; increases; exemption from rule  
11 making

12 A. It is the intent of the legislature that fees be in amounts  
13 sufficient to support the mission of the department of racing and that the  
14 additional revenue generated by any fee increases pursuant to sections 5-104  
15 and 5-230, Arizona Revised Statutes, as amended by this act, shall not exceed  
16 \$1,042,000 in fiscal year 2011-2012 and \$2,062,000 beginning in fiscal year  
17 2012-2013.

18 B. The Arizona department of racing is exempt from the rule making  
19 requirements of title 41, chapter 6, Arizona Revised Statutes, for the  
20 purpose of establishing fees pursuant to sections 5-104 and 5-230, Arizona  
21 Revised Statutes, as amended by this act, until July 1, 2012."

22 Amend title to conform

and, as so amended, it do pass

JOHN KAVANAGH  
Chairman

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3/31/11  
H:jmb

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03/28/2011  
6:09 PM  
C: meb