

CR 89-160

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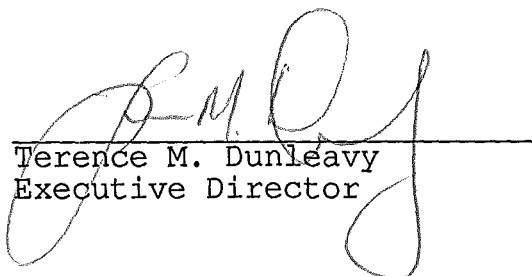
STATE OF WISCONSIN)
)
WISCONSIN RACING BOARD)

SS CLEARINGHOUSE RULE 89-160

I, Terence M. Dunleavy, Executive Director of the Wisconsin Racing Board and custodian of the official records, certify that the annexed rules, relating to the operation of pari-mutuel racing in Wisconsin, were duly approved and adopted by this Board on September 22, 1989.

I further certify that this copy has been compared by me with the original on file in this Board and that it is a true copy of the original, and of the whole original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at 150 East Gilman, Room 1000, in the City of Madison this 18th day of January, 1990.


Terence M. Dunleavy
Executive Director

4-1-90

ORDER OF THE WISCONSIN RACING BOARD CREATING RULES

The Wisconsin Racing Board proposes an order to create Chapter RACE 3, Chapter RACE 4, Chapter RACE 6, Chapter RACE 7, Chapter RACE 8, Chapter RACE 10, Chapter RACE 11, Chapter RACE 13, Chapter RACE 14, Chapter RACE 15, Chapter RACE 16, Chapter RACE 17, Chapter RACE 20 and Chapter RACE 23. These rules govern the conduct of animal racing in the State of Wisconsin and pari-mutuel wagering thereon, the licensing of personnel involved in racing, the humane treatment of animals involved in racing and the mechanisms by which an aggrieved party may appeal a decision of the Wisconsin Racing Board.

ANALYSIS BY THE WISCONSIN RACING BOARD

Statutory Authority: s.562.02(1)(a) Stats.

Statutes Interpreted: s.562.02(e), s.562.02(1)(d),
s.562.02(e), s.562.02(1)(h),
s.562.04(2), s.56205(7),
s.562.065(1), s.562.09(a),
s.562.09(2)(b), s.562.09(2)(b)(2),
s.562.093(e)(m), s.562.105,
s.562.12.

Chapter RACE 3. This chapter defines the circumstances and procedures by which a party may take an appeal, and receive a final administrative decision from, the Wisconsin Racing Board. This chapter sets forth the procedures for initiating such hearing, the conduct of the hearing, and the rendering of a final decision by the board. This chapter defines the proper subject matter of such appeals as the review of rulings of the stewards of any race meeting, the propriety of exclusions of persons pursuant to s.562.02(e), Stats., enforcement proceedings initiated by the board, and all contested cases as provided for in Ch. 277, Wis. Stats. This chapter also defines the procedures for the conduct of hearings before the board including appointment of a hearing officer, discovery procedures, and the powers and duties of the hearing officer.

Chapter RACE 4. This chapter defines the duties and responsibilities of associations and racetrack operators who are licensed pursuant to s.562.05(1)(a) and (b) as they relate to the conduct and operation of a race meeting. This chapter governs such areas as the number of races permitted, the content of racing programs, procedures for approval of contracts between associations and operators and third parties, requirements as to the racing oval and track surface, purse structures, and security and first-aid requirements.

Chapter RACE 6. Chapter RACE 6 sets forth the procedures and criteria for use by the board in determining the allocation of racing dates to be made to persons licensed pursuant to s.562.05(1)(b) or (c), Stats.

Chapter RACE 7. Chapter RACE 7 sets forth the rules under which greyhound racing is to be conducted. This chapter sets forth the procedures for registration of ownership of greyhounds, procedures for schooling races to qualify for pari-mutuel races, the classification of racing greyhounds, procedures for advances and declines in grades, and procedures for entering greyhounds into pari-mutuel races. This chapter also defines the permitted equipment for racing greyhounds and the procedures for sequestering and guarding racing animals prior to a race. This chapter also lists the racing officials for a race meeting and defines the duties and responsibilities of stewards, the clerk of the scales, lead-outs, paddock judges, starters, racing secretaries, chartwriters and the photo-finish operator

Chapter RACE 8. Chapter RACE 8 governs the conduct of an association's pari-mutuel operations. This chapter defines the reports required to be submitted to the board by racing associations, the duties of the mutuel manager, minimum ticket prices and payouts, and procedures for the sale of pari-mutuel tickets. The chapter also sets forth certain circumstances under which refunds of wagers may be given, races cancelled, or the number of wagering pools reduced.

Chapter RACE 10. Chapter RACE 10 sets forth the procedures and requirements for the operation of totalizator systems. Totalizator systems include the computer hardware and software which do the calculations concerning odds and payouts on the various pari-mutuel pools offered by a racing association. This chapter sets forth the minimum requirements relative to hardware and software, testing of totalizator systems, security and access to totalizator systems and modifications in an existing system. This chapter also sets forth the requirements relative to the content of pari-mutuel tickets, operation of the tote boards, and reporting requirements concerning the issuance, cashing and refund of wagering tickets. This chapter also sets forth the procedures by which a party may apply for a license to operate a totalizator system at a race meeting in this state.

Chapter RACE 11. Chapter RACE 11 sets forth the procedures by

which the racing board shall act at an open meeting. This chapter sets forth the procedures by which a party may request board action and how such board action is noticed to the public.

Chapter RACE 13. Chapter RACE 13 sets forth the procedures and requirements for obtaining an occupation license to participate in pari-mutuel racing in Wisconsin. This chapter sets forth the procedures for applying for an occupation license, the fees for the various categories of such license, the standards which must be met to obtain a license, and provisions defining impermissible conflicts of interest and other prohibited activities by occupation licensees.

Chapter RACE 14. Chapter RACE 14 sets forth the requirements relative to permissible administration of medication to racing animals. This section provides that no medication or foreign substance may be administered to a racing animal within 48 hours prior to the scheduled post-time of the first race of the day on which the animal is entered and establishes penalties for a violation of medication rules. The chapter also defines the circumstances under which a party may possess a needle or syringe on the backstretch and the procedures for obtaining body fluid samples from racing animals for testing for prohibited substances. This chapter also sets forth requirements relative to recordkeeping by veterinarians practicing on the backstretch, the conduct of post-mortems and the powers and duties of the board veterinarian.

Chapter RACE 15. Chapter RACE 15 governs the humane treatment of racing animals in Wisconsin. This chapter provides that no racing animal which has been trained on a live lure is eligible to race in Wisconsin, sets forth the procedures by which a party may euthanize a greyhound, and provides for penalties regarding violation of these rules.

Chapter RACE 16. Chapter RACE 16 governs wagering-related activities by licensees. This chapter prohibits touting and bookmaking and also defines the permissible circumstances under which a licensee may wager on the outcome of a race.

Chapter RACE 17. Chapter RACE 17 sets forth the board's requirements relative to the system of accounts which must be kept by racing associations. This chapter establishes a uniform system of accounts to be kept by each racing association to facilitate board audits.

Chapter RACE 20. Chapter RACE 20 sets forth the procedures by which a party may apply for a license as a concessionaire at a Wisconsin racetrack. This chapter sets forth the procedures for filing the application, the information required of the applicant and sets forth the license fees to be charged.

Chapter RACE 23. Chapter RACE 23 sets forth the requirements concerning races and kennel contracts for greyhounds which are

whelped in Wisconsin or owned by Wisconsin residents. The chapter provides that each racing association shall ensure that two kennels are owned by Wisconsin residents and that at least one race each day be restricted to Wisconsin whelped greyhounds whenever possible. This chapter also sets forth the qualifications for participating in the Wisconsin whelped program.

SECTION 1. Chapter RACE 3, Chapter RACE 4, Chapter RACE 6, Chapter RACE 7, Chapter RACE 8, Chapter RACE 10, Chapter RACE 11, Chapter RACE 13, Chapter RACE 14, Chapter RACE 15, Chapter RACE 16, Chapter RACE 17, Chapter RACE 20, and Chapter RACE 23 are created to read:

CHAPTER RACE 3

APPEALS, HEARINGS AND ENFORCEMENT PROCEEDING

RACE 3.01 PURPOSE. These rules shall apply to all hearings conducted by the board pursuant to ch.562 Stats:

(1) To review final decisions, orders, rulings, recommendations or actions of the stewards of any race meeting;

(2) To hearings on the propriety of the exclusion of persons pursuant to s.562.02(e), Stats.;

(3) To all enforcement proceedings and matters initiated by the board within the jurisdiction of the board including but not limited to proceedings instituted by petition for rule to show cause;

(4) To all contested cases as provided for in ch.227 Stats.

RACE 3.02 COMPUTATION OF TIME. The computation of time in computing any period of time prescribed in this chapter, including acts of default, shall be governed by s.990.001(4) Stats. Papers received by the board for filing after 5:00 p.m. shall be considered as filed the following day.

RACE 3.03 REQUEST FOR HEARING.

(1) All requests for hearings:

(a) Shall be in writing;

(b) Shall contain an address and telephone number where the person requesting the hearing may be notified of the time and place of the hearings; and

(c) Shall set forth the reasons why the decision of the stewards should be reversed or modified, or why the relief requested should be granted. The documents should take the form of a pleading in a civil case, where practicable.

(2) Requests for hearing from orders of the stewards suspending an occupation licensee, recommending denial or revocation of an occupation licensee, imposing a forfeiture on an occupation license or from orders of the stewards excluding an occupation licensee shall be instituted by filing a written request for a hearing no later than 45 days after notice of the suspension, forfeiture or exclusion has been communicated to the licensee. A request for hearing shall not stay enforcement of the decision of the stewards. If the party requesting the appeal desires that the director stay the decision of the stewards, the party shall specify in his request for hearing the reasons supporting the issuance of the stay. The director shall decide whether to grant the stay within 48 hours of receipt of the request.

(3) All other requests for hearing shall be instituted by filing a written request for hearing no later than 15 days after receipt of notice of the action of the board or stewards.

(4) Requests for hearing may be filed in person or by certified mail to the board's administrative office at 150 E. Gilman Avenue, P.O. Box 7975, Madison, WI 53707-7975. Requests submitted by certified mail shall be deemed timely if they are postmarked within the applicable time frame for filing an appeal.

(5) Any party appealing an action affecting the distribution of a purse shall serve all other owners of an animal in the race, as identified in the official program, with a copy of the request for hearing. A copy of such notices shall be filed with the request for hearing.

RACE 3.04 DETERMINATION OF PARTIES AND APPEARANCES.

(1) PARTIES.

(a) The board, any person requesting a hearing pursuant to s.RACE 3.03, and any person against whom a proceeding is initiated by the board shall be considered parties to the hearing for purposes of s.227.53, Stats.

(b) Any other person may petition the board to be admitted as a party to the hearing. The board shall grant such a motion upon a determination that the movant has substantial interests to which the order of the board in the contested case will apply and affect.

(2) APPEARANCES.

(a) A person who files a request for hearing need not be represented by an attorney.

(b) Except as provided in pars. (c) and (d) no one may appear before the board in a representative capacity except those licensed to practice law in Wisconsin or any other state.

(c) A partnership may be represented by any partner on behalf of the partnership.

(d) A corporation may be represented by an officer or director of the corporation.

(3) SERVICE.

(a) Service of all documents and exhibits filed in connection with a hearing to be made part of the record shall be served on all parties as provided in s.801.11, Stats., or by certified mail to last known address of the party or their attorney.

(b) No documents or exhibits shall be accepted or considered by the hearing officer or board unless they are admitted into evidence and served on all parties.

RACE 3.05 CONDUCT OF HEARINGS OF THE BOARD. Board hearings shall be conducted in conformance with this chapter and, as to all aspects not specified in this chapter, in conformance with ch.227, Stats.;

(1) SELECTION OF HEARING OFFICER.

(a) **Powers and Duties.** Hearing officer shall be appointed pursuant to s.227.46(1), Stats. The hearing officer shall have all the powers and duties enumerated in ch.227, Stats. In addition, a hearing officer appointed pursuant to this section may:

1. Exclude evidence that is relevant but merely cumulative;

2. Upon objection to the admissibility of evidence, receive the disputed evidence subject to a subsequent ruling by the board;

3. Exclude evidence upon his own motion or motion of either party, but a party offering evidence that is ruled inadmissible shall be permitted to make a brief offer of proof with such ruling being subject to subsequent ratification by the board. Unless expressly overruled, such decision by the hearing officer shall be deemed ratified.

(b) Official notice The board and hearing officer may take official notice of:

1. The customs and usages of racing upon which pari-mutuel wagering is conducted; and

2. Matters within its specialized knowledge and expertise.

(c) Pre-hearing conference. If the hearing officer determines that a party has refused in bad faith or for purposes of delay to stipulate to facts that are not fairly in dispute, or has otherwise abused the hearing process so as to impede the board in the discharge of its functions, the hearing officer shall recommend to the board, in the memorandum prepared pursuant to s.227.44(4)(b), Stats., that the party appear before the board to show cause why a forfeiture should not be imposed pursuant to s.562.02(2)(f), Stats. In making this determination, the hearing officer may consider any difficulty in obtaining evidence due to the closure of a race meet, which difficulty was occasioned by a delay in requesting a hearing until near the end of the race meet.

NOTE: It is in the interest of the board that all evidentiary matters not fairly in dispute be admitted into evidence pursuant to stipulation of the parties. Consequently, the board encourages the utilization of the pre-hearing conference procedures as contained in s.227.44(4), Stats.

(2) **SUBPOENAS.**

(a) Subpoenas for the attendance of witnesses from any place in Wisconsin or for the production of books, papers, accounts or documents, either during or prior to a hearing shall be issued by the board or hearing officer upon its own motion, or upon verified application of a party showing that a subpoena is reasonably required.

(b) Verified applications for subpoenas to compel the production of books, papers, accounts or documents shall identify the material sought.

(c) Witness fees shall be as set forth in s.814.67, Stats., or as agreed to by the parties.

(3) DEPOSITIONS AND INTERROGATORIES.

(a) No deposition shall be taken of a witness in a proceeding except upon verified application to the board or hearing officer showing that the proposed deposition is reasonably required and setting forth the information sought or the facts to be proved. The application may be waived by agreement of the parties provided that the taking of depositions shall not be cause for postponement of hearings or delay of the board's disposition of the proceeding.

(b) Parties may serve interrogatories, requests to produce documents for inspection and copying, and requests for the admission or denial of material facts upon written application to the board or hearing officer showing good cause and certifying that an effort has been made to obtain the requested material from the party from whom it is sought. If the hearing officer grants leave to serve interrogatories, requests to produce documents or requests to admit or deny material facts, the hearing officer shall set a reasonable time for compliance with the order to answer or to produce the requested material.

(c) At the request of either party, the hearing officer shall require that a person subject to the board's jurisdiction submit to examination upon written interrogatories at a reasonable time and place. Answer to questions propounded upon written interrogatories shall be received in evidence by agreement of the parties or when the person who has answered the interrogatories is out-of-state, ill, or otherwise incapable of testifying in person at the hearing, and if the answers are relevant to the hearing.

RACE 3.06 DECISIONS.

(1) PROPOSED DECISIONS.

(a) In all cases in which a proposed decision is required by s.227.46(2), Stats., the hearing officer shall within 7 working days of the close of the presentation of evidence and arguments by the parties, prepare and submit to the board a proposed decision meeting the requirements of s.227.46(2), Stats. Within 24 hours of receipt of the decision the board shall serve on all parties a copy of the proposed decision.

Each party adversely affected by the proposed decision shall, within 7 working days of receipt of the proposed decision, file any objections to the proposed decision in writing.

(b) In all other cases, unless otherwise directed by the chairman pursuant to written order upon appointment of a hearing officer, the board shall base its decision on the record certified to it by the hearing officer without a proposed decision as set forth in s.227.46(3)(b), Stats., subject to any rulings on motions or objections.

(2) **FINAL DECISION.** The board shall review the record in its entirety before rendering a decision.

CHAPTER RACE 4

DUTIES AND RESPONSIBILITIES OF ASSOCIATIONS AND RACETRACK OPERATORS

RACE 4.01 PURPOSE. The purpose of this chapter is to identify the duties and responsibilities of associations and racetrack operators regarding the operation of a race meeting. The duties and responsibilities here are in addition to those set forth elsewhere in the board's rules.

RACE 4.02 NUMBER OF PARI-MUTUEL RACES. For the purpose of pari-mutuel wagering all races are considered separate and distinct:

(1) No association shall permit wagering on more than thirteen races during the course of a single racing program unless prior permission is granted by the board. This rule shall not apply during a racing meet of seven or fewer days.

(2) Associations may request wagering on additional races. In acting on such requests, the board shall consider the effect of extra races on state revenue and on track and board employees, and the availability of greyhounds.

RACE 4.03 INFORMATION/COMPLAINT WINDOW. Each association shall provide and clearly identify an information or complaint window where complaints may be made by members of the public. The association shall make available a current set of all board rules for public inspection during racing hours at every such window.

RACE 4.04 RACING PROGRAMS.

(1) REQUIRED INFORMATION FOR DAILY PROGRAMS.

The association shall cause all daily racing programs to contain the following information:

(a) This race meeting is conducted under the authority of a license issued by the Wisconsin racing board and pursuant to the rules and regulations adopted by the board;

(b) The Honorable _____, Governor;

(c) Wisconsin racing board, 150 E. Gilman, Madison, Wisconsin 53703, (608)267-3291;

(d) Wisconsin racing board members and titles;

(e) Wisconsin racing board executive director;

(f) Names and titles of;

1. Track officers,
2. Track officials,
3. Wisconsin racing board officials;

(g) The address and telephone number of the track facility;

(h) A prominent notice that there is an information window where complaints may be made by the public. Such notice shall specify the exact location of such windows;

(i) The location of facilities for handicapped patrons;

(j) The location of the board's office at the track facility;

(k) The location of photo finish pictures;

(l) The approximate payouts on different pari-mutuel odds.

(2) PROGRAM TO SUPPLY PARI-MUTUEL INFORMATION FOR PATRONS.

Each association shall include in the program sufficient information to advise the public and new track patrons about the pari-mutuel system. This information shall include but not be limited to the following:

(a) Wagers are to be made by program number;

(b) Tickets shall be retained until the stewards have declared the race official;

(c) Payouts are not permitted until the stewards have notified the pari-mutuel department of the official order of finish;

(d) The board has adopted detailed rules for occurrences such as dead heats or the failure of patrons to select the winning animals or combinations of finishing animals. Such rules are available for public inspection at the information windows and the office of the board located at the track;

(e) The period of time and procedures for uncashed tickets to be redeemed;

(f) The program shall provide a page for the advertisement and dissemination of information regarding the track's adopt-a-greyhound program;

(g) The association is responsible for the accuracy of all information contained in the program. The association shall obtain prior approval of the proposed program from the board.

RACE 4.05 APPROVAL OF CONTRACTS.

(1) **SCOPE.** This section applies to any contract for goods and services or both entered into by any person licensed by the board pursuant to s.562.05(1)(a) or (b), Stats., and any other person.

(2) **BOARD APPROVAL.**

(a) Any contract in excess of \$10,000 for any goods or services or both shall be subject to approval by the board and submitted to the board for approval by the licensee. Such a contract shall not, as a matter of public policy, become effective and binding on the parties to the contract unless and until it has been approved by the board. Any contract not so approved shall be considered void as against public policy. Any person requesting board approval of a contract pursuant to this section shall provide the director a copy of the contract, which has been signed by all parties to the contract, within 15 days of execution.

(b) Any multiple contracts under \$10,000 which the board finds are for same or substantially similar goods or services or both shall be deemed to be a contract requiring approval. Any multiple contracts deemed to be a contract requiring approval shall not be binding on the parties unless and until it has been approved by the board. Any contract or contracts not so approved shall be considered void as against public policy. If the board finds that the use of multiple contracts was to circumvent the requirements of this section, the parties thereto shall be subject to a forfeiture not to exceed \$10,000 or suspension or revocation of licensure or both.

(c) Any amendment, alteration, addition or deletion of the terms of a contract previously approved by the board shall also be approved by the board. Such amendment, addition, alteration or deletion shall not, as a matter of public policy, become effective and binding on the parties until approved by the board. Any amendment, alteration, addition or deletion not so approved shall be considered void as against public policy. Any person requesting board approval of an

amendment, alteration, addition or deletion shall provide the director a copy of the same, which has been signed by all parties, within 15 days of execution.

(d) Upon a determination, after a hearing pursuant to ch.RACE 3, that a person, without board approval, has entered into a contract or amendment thereto governed by this section, whether the contract or amendment is oral or written, or has attempted to circumvent the requirements of this section by behaving as if a contractual agreement existed although not reduced to writing or otherwise not meeting all legal requirements for formation of a binding contract, shall be subject to a forfeiture not to exceed \$10,000, and suspension or revocation of the license.

(3) **FILING WITH THE BOARD.** Any contract for any goods or services or both not in excess of \$10,000 entered into by any person licensed by the board and any other person shall be filed with the board by the licensee within 5 days of the effective date of the agreement. Any amendment, alteration, addition or deletion thereto shall be filed with the board by the licensee within 5 days of the effective date of the amendment, alteration, addition or deletion. Any amendment, alteration, addition or deletion which makes the total value of any goods or services or both governed by the contract and amendment, alteration, addition or deletion to be in excess of \$10,000 shall require board approval of both the original contract and amendment, alteration, addition or deletion as provided in this section. Failure to so obtain board approval by the licensee shall subject the licensee to the disciplinary procedures specified in this section.

RACE 4.06 SECURITY AND FIRST AID REQUIREMENTS.

(1) Security reports shall be filed with the board by the association on a daily basis.

(2) The association shall provide on site 24 hour security for the kennel compound.

(3) The association shall provide a video monitoring system approved by the board which allows monitoring of the lockout kennel, the movement of the lead-outs and animals from the lockout kennel to the starting boxes, the final inspection of the greyhound's equipment during inclement weather, the activities at the starting boxes and any other areas deemed necessary by the board.

(4) Each association shall equip and maintain adequate first-aid facilities and have in attendance during all performances a physician or licensed nurse.

(5) The association shall completely enclose the kennel compound with a chain link fence at least six feet high with an eight foot clear zone around the outside perimeter.

(6) The association shall maintain an intravenous kit with saline solution for the emergency treatment of greyhounds.

RACE 4.07 RACE TRACK REQUIREMENTS.

(1) Any race track operator or association making any change pertaining to the racetrack itself, or the erection or demolition of any structure or the remodeling of any structure which is to be used as a part of the facilities for conducting a race meeting must first receive the approval of the board, if such change, erection, demolition or remodeling causes a change in value in excess of \$10,000.

(2) The association shall provide on the racetrack at least 1 curtain whose position has been approved by the board. The curtain shall be positioned so as not to distract or interfere with the greyhounds during the course of the race.

(3) The association shall provide an inside lure with an extendable arm.

(4) The association shall provide a watering system for the track which provides adequate volume and pressure to provide uniform watering of the track surface. If a water track vehicle is used, it shall have a boom so the vehicle will travel along the outside edge of the track without disturbing the portion of the track on which the greyhounds run.

(5) The association shall provide appropriate parking places for all board employees.

(6) The association shall provide on all tracks, a photo-finish camera which shall be installed as an aid to the stewards. However, in all cases, the camera is merely an aid and the decision of the stewards shall be final. The type of equipment used is to be approved by the board. Each association shall keep on file for one year after the close of the meeting film strips of each race for reference or reproduction upon request of the board. The association shall post all photo finish race pictures in a conspicuous place after the race.

(7) The association shall provide that crates in the lockout kennel shall all be at floor level and constructed of stainless steel, or a comparable impermeable material approved by the board, meeting the following size specifications: three feet wide, four feet deep and four feet high.

(8) The association shall provide that crates located in each kennel shall be constructed of stainless steel or a comparable impermeable material approved by the board, meeting the following size specifications: three feet wide, four feet deep and three feet high.

(9) The board shall approve all kennel contracts prior to the commencement of racing. Any contract not so approved shall be void as against public policy, and the kennel shall not be eligible to participate at the race meeting.

(10) All kennel contracts shall contain the following clauses:

(a) "Each kennel licensed by the board shall permit unrestricted access to said kennel by the board and its designated representatives."

(b) "During the first two years of a kennel contract, track management has discretionary power to place a kennel on probationary status by written notification at any time a kennel's win record places it in the lowest three kennel positions during each of the three preceding months. A kennel can remove itself from probation by placing above three or more kennels in number of wins for any month during the next three months. Otherwise, track management has discretionary power to dismiss the kennel. The track must dismiss any kennel that has finished in the bottom four positions two out of the past three years and cannot re-book that kennel owner for five years. The Wisconsin racing board may grant an exemption to this rule due to acts beyond the control of the parties which could not be avoided by the exercise of due diligence. Track management can dismiss a kennel for other causes only subject to appeal to the board."

RACE 4.08 PURSE STRUCTURE.

(1) The association shall submit at least 45 days prior to the first day of race meet the proposed purse distribution formula for approval by the director.

(2) The association shall pay all purse payments directly to the owner of the greyhound or, if a greyhound is leased, the purse shall be paid directly to the lessor and lessee of the greyhound as agreed in the lease agreement on file with the association.

RACE 4.09 ALTERNATIVE USE OF FACILITIES. No association or track operator shall use racetrack grounds or facilities for purposes other than authorized by these rules without first obtaining prior approval of the board.

RACE 4.10 FEES. The association shall be responsible for all reasonable costs incurred by the board relative to tests of totalizator systems and all audits of any association or pari-mutuel book, record, document or other source of information.

RACE 4.11 OPERATOR RESPONSIBILITY. The racetrack operator who has contracted with an association licensed pursuant to s.562.05(1)(b) may be penalized as if they were the association, for any failure by the association to fulfill an obligation imposed by, or an action in violation of, ch.562 Stats., or board regulations. In making this determination the board shall consider whether the operator knew, or by exercise of due diligence should have known of the violation; the ability of the operator to independently take action to avoid the violation, or, by virtue of the contractual relationship with the association, enforce any performance by the association necessary to avoid the violation.

CHAPTER RACE 6

CRITERIA FOR GRANTING LICENSES AND DETERMINING RACING DATES

RACE 6.01 PURPOSE. Pursuant to s.562.05(9)(a) Stats., the board shall annually determine the time and number of days, or the specific dates, during which racing may be conducted under a license granted by the board.

RACE 6.02 PROCEDURE. The determination set forth in s.RACE 6.01 shall be made subsequent to the annual granting of licenses pursuant to ch.562.05(1)(b) or (c), Stats. This determination shall not constitute a contested case pursuant to ch.227, Stats.

RACE 6.03 CRITERIA FOR AWARD OF DATES. In making the determination pursuant to s.RACE 6.01, the board shall consider factors relating to the economic and practical feasibility of conducting race meetings at various tracks. Factors to be considered shall include without limitation: the types and dates of race meetings being held elsewhere, both within and outside this state; the effects that various types of pari-mutuel racing have on one another; the quality of racing provided at various tracks; past dates; past performance of the licensee; whether the licensee has complied with all applicable laws and rules relating to racing; whether the assignment will maximize revenues to the state; whether the assignment will adversely affect the public health, welfare and safety and stability of dates and of the racing circuit; and the economic impact on the community where the race meeting is being held.

RACE 6.04 AMENDMENT OF OPENING DATE. Upon request of a person licensed pursuant to s.562.05(1)(a), Stats., the board may amend the date by which each type of racing authorized is to begin. In making this determination, the board shall consider, but not be limited to, the reason for this determination, the good faith efforts of the licensee, and effect on state revenue.

CHAPTER RACE 7

RULES OF GREYHOUND RACING

RACE 7.01 PURPOSE. The purpose of this chapter is to ensure that race meetings held in Wisconsin are of the highest quality and free from practices which are corrupt, incompetent, dishonest or unprincipled and maintain the appearance as well as the fact of complete honesty and integrity of pari-mutuel racing.

RACE 7.02 REGISTRATION.

(1) The national greyhound association shall be recognized as the official breeding registry of all greyhounds. No trainer or association shall allow any greyhound to be entered, permitted to race or schooled at any racetrack licensed by the board unless properly registered by the national greyhound association of Abilene, Kansas.

(2) No person may enter a greyhound unless it has been tattooed and registered in the national greyhound association stud book.

(3) A certificate of registration for each greyhound shall be filed with the racing secretary by the trainer or kennel owner along with the last four performance lines, except for maidens, whose certificates shall contain the last two performance lines.

(4) Any change in any ownership or leasehold interest in any greyhound at any race meet shall immediately be registered and recorded with the board by the trainer, lessee or owner. Such change shall immediately be reported to the stewards and racing secretary by the new ownership interest and shall be accompanied by a copy of the documents effecting such transfer.

(5) The lessee of the greyhound shall file a copy of the lease agreement with the racing secretary. The lease agreement shall include:

- (a) The name of the greyhound;
- (b) The name and address of the owner;
- (c) The name and address of the lessee;
- (d) The kennel name, if any, of each party;
- (e) The terms of the lease.

(6) No owner of a greyhound shall have greyhounds in more than two kennels at any given racetrack.

RACE 7.03 SCHOOLING.

(1) Only schooling races meeting the following requirements shall be considered official by the board:

(a) An official schooling race shall not be conducted unless at least 2 stewards, or a racing official designated by the presiding steward, are present 30 minutes before the start of the race and during the race.

(b) Each association shall provide a photo-finish camera approved by the board to be in operation at all official schooling races.

(c) All schooling shall be at a distance not less than 5/16 of a mile.

(d) Each official schooling race shall consist of at least 6 greyhounds. However, if less than 6, the animals may be schooled with the permission of the stewards.

(e) All greyhounds in official schooling races shall be raced at their established racing weight and started from the starting box wearing racing blankets and muzzles.

(2) PROCEDURES FOR SCHOOLING.

(a) Any greyhound that has not raced for a period of 10 racing days or more shall be officially schooled at least once before being eligible for entry.

(b) Hand schooling shall not be considered official.

(c) Any greyhound may be ordered on the schooling list by a majority of the stewards at any time for good cause and shall be schooled officially before being allowed to enter a race.

(d) Each association shall provide unofficial schooling at least 2 times per week, weather permitting, for a minimum of 2 hours per session.

(e) Each association shall provide official schooling at least 2 times per week, weather permitting.

(f) Only greyhounds permanently kenneled in the compound shall be schooled, except for greyhounds entered in open stakes.

RACE 7.04 QUALIFYING TIME.

(1) Each association shall establish a qualifying time for its 5/16 mile distance and inform the stewards in writing of this time prior to the first day of the race meet.

(2) Any change in the qualifying time established during the course of the race meeting shall be reported in writing to the stewards.

(3) Any greyhound that fails to meet the qualifying time as established shall not be permitted to enter.

RACE 7.05 GRADING SYSTEM.

(1) GRADE CLASSIFICATIONS.

(a) The racing secretary shall be responsible for the proper grading of greyhounds under provisions of this section. Before the first day of a race meet the racing secretary, after sufficiently schooling all greyhounds and considering their past performances, shall classify and assign greyhounds to proper grades.

(b) The racing secretary shall use the following six grades; A, B, C, D, E and M.

(c) Grade M refers to maiden classification which indicates a greyhound has not won an official race at a pari-mutuel racetrack supervised by a regulatory agency.

(d) A greyhound that falls in a race shall be considered a starter. However, a greyhound shall not be considered a starter if the start would result in the greyhound being graded off.

(e) For a greyhound that transfers to the racetrack from another racetrack during a race meeting, the racing secretary shall assign the grade held by the greyhound at the time of the transfer or the equivalent grade of such track, depending on the previous track's grading system, or the next 2 grades higher or lower.

(f) The racing secretary may re-grade a greyhound at anytime within its first 3 starts, but not more than 1 grade higher or lower.

(g) A greyhound that has advanced from grade M and has been dropped from further racing without winning another official start may be re-qualified after a period of 30 days. Upon requalification the greyhound shall be placed in grade E by the racing secretary.

(h) Greyhounds not racing because of illness or injury for 30 days or more may be re-classified.

(i) All stakes races shall be indicated by the letter "S" and the grade.

(2) ADVANCE IN GRADE.

(a) The racing secretary shall advance a greyhound that wins a maiden race to grade E.

(b) The racing secretary shall advance a greyhound that wins a race 1 grade until reaching grade A.

(c) On request by a kennel owner or trainer, the racing secretary may advance a greyhound that finishes second, third or fourth in a maiden race to grade E and then must advance as provided in this section. For a greyhound re-graded on request under this subsection, the association shall place the letter "M" after the greyhound's name in the racing program.

(3) DECLINE IN GRADE. The racing secretary shall lower a greyhound to the next lower grade for the following reasons:

(a) If the greyhound fails to finish in the top 3 positions in three consecutive starts; or

(b) If the greyhound fails to finish better than third at least once in 4 consecutive starts.

(4) DROP IN ELIGIBILITY.

(a) If a greyhound in grade E fails to finish in the top 4 positions in 4 consecutive starts the greyhound shall be dropped from further racing at that race meeting. However, a greyhound that wins a maiden race and advances to grade E in its initial entry in that grade may fail to finish in the top 4 finishing positions in 6 consecutive starts before being dropped from further racing.

(b) If a maiden fails to finish in the top 4 positions in 6 consecutive starts, the greyhound shall be dropped from further racing at the meeting, except that if it re-qualifies, the greyhound shall be given 2 additional starts. If the greyhound fails to finish in the top 4 positions in those 2 starts, the greyhound shall be dropped from further racing at the race meeting.

RACE 7.06 ENTRIES.

(1) PROCEDURES FOR ENTRY.

(a) All entries shall be made to the racing secretary. Every entry in a race shall be in the name of the registered owner, lessee, or kennel name and shall be made in person or in writing.

(b) Joint subscriptions and entries may be made by any one or more of the owners. However, all owners shall be jointly and severally liable for all fees and forfeits.

(c) Entries which have closed shall be compiled without delay by the racing secretary and conspicuously posted.

(d) Entrance money shall not be refunded on the death of a greyhound or failure to start.

(2) ELIGIBILITY FOR ENTRY.

(a) A greyhound shall not be qualified to be entered or to start in any race if owned in whole or in part or is under the control, directly or indirectly, of a disqualified person. Any purse money won shall be returned.

(b) No greyhound shall be permitted to enter or to start unless conditioned by a licensed trainer as registered with the board.

(c) No greyhound on the schooling list or the veterinarian's list shall be allowed to enter.

(d) Female greyhounds coming in season during the race meeting shall not be accepted for entry within thirty days from the date noted the greyhound came in season. Before being accepted for entry the greyhound shall be examined by the board's veterinarian and schooled to the satisfaction of the stewards.

(e) Lactating females shall not be eligible to enter, school or race.

(f) No greyhound under the age of fourteen months may enter any official race.

(3) STAKES.

(a) Entries for stakes races, the conditions of which have previously been published, shall close at the time advertised in such publication and no entry shall be received after that time. If the race fails to fill, additional time may be granted. The time for closing is as follows:

1. When an hour for closing is designated entries and declarations for stakes shall not be received afterwards;

2. If an hour is not designated entries and declarations shall be mailed up to midnight of the day entries close, provided they are received in time for compliance with every other condition of the race.

(b) In the event the number of entries to any stake race is in excess of the number of greyhounds that may be permitted to start, the starters for the race shall be determined by the racing secretary according to the published conditions of the race.

(c) An entry in a stakes race shall not be withdrawn. However, in a multiple race series an entry may be scratched if the board veterinarian determines that it is unable to compete. A greyhound scratched from a stakes race shall not start officially before the stakes race is final.

(d) In the absence of notice to the contrary, entrance and declarations for stakes races which close during or on the eve of a racing meet shall close at the office of the racing secretary. Closing at all other times for stakes races shall be at the office of the association.

(e) All stakes races shall be indicated by the letter "S" and the grade. The letter "S" shall appear at the top of each page of the program for this type of race. After racing in a grade S race, the greyhound's grade shall include the S followed by the greyhound's current grade.

(f) A person entering a greyhound shall be liable for the entrance money or stake. Should the subscriber transfer the entry, the subscriber shall be liable.

(g) If a stakes race is not run all stakes or entrance money shall be refunded.

(h) If the racing secretary allows a greyhound to start in a race without its entrance money or stake having been paid, the racing secretary shall be liable for the money due.

(i) Subscription of entry or right of entry shall survive the death of nominator or subscriber of the greyhound.

(4) DRAWING.

(a) The post positions of greyhounds starting shall be assigned by random lot or drawing, including computerized drawing.

(b) Entries shall not be drawn and assigned a post position unless a steward representing the board and the racing secretary are present. The kennel owner or trainer may be present, but their absence at the time of drawing shall constitute a waiver of their right to be present.

(c) The racing secretary shall post, in an area previously designated for this purpose, the date, time and place for the drawing of entries and assignment of post positions at least 1 day prior to the running of the race.

(d) The following provisions apply to the listing of greyhounds not drawn:

1. Immediately after the drawing of entries for a performance the racing secretary shall publish a list of greyhounds not drawn;

2. The list shall be posted in an area available for viewing by kennel owners and trainers;

3. In drawing the entries for the next performance the racing secretary shall give priority to the greyhounds on the list;

4. The racing secretary shall maintain on the list a balance of greyhounds in different grades and distances.

(e) In purse races, there shall be at least 7 greyhounds of completely different ownership. No trainer or owner shall have more than 2 greyhounds in any race except in stakes or sweepstakes. In all other purse races, the following conditions shall apply:

1. No double entries shall be allowed until all single interests are used and double entries shall be uncoupled for wagering purposes.
2. The kennel owner shall have agreed to a double entry.
3. When no other single entry is available, the racing secretary may use a double entry without the permission of the owner.
4. Greyhounds nominated for any distance over 5/16 mile shall be subject to double entry without permission of the owner.

RACE 7.07 DECLARATIONS AND SCRATCHES.

- (1) The declaration of a greyhound out of an engagement is irrevocable and shall only be made by the trainer.
- (2) Declarations shall be made to the racing secretary or the assistant to the racing secretary at least 1/2 hour before the time designated for the drawing of post positions.
- (3) Greyhounds declared or scratched shall lose all preference accrued up to that date unless excused by the stewards.
- (4) If three or more greyhounds are declared out or scratched in any one race, the stewards may cancel the race.

RACE 7.08 WEIGHTS AND WEIGHING.

- (1) **ESTABLISHING OF RACING WEIGHT.**
 - (a) Before any greyhound is allowed to school or race, the trainer shall establish its racing weight with the clerk of scales.
 - (b) The established racing weight may be changed on written request of the trainer and by written consent of the stewards, providing the change is made 4 calendar days before the greyhound is allowed to race at the new weight.
 - (c) All greyhounds having an established weight change of more than 1 pound shall be schooled at least once at the discretion of the stewards at the new weight before being eligible to start.

(d) Greyhounds that have not raced or schooled officially for a period of 3 weeks shall be allowed to establish a new racing weight with the consent of the stewards and shall be schooled officially immediately upon receipt of consent.

(2) WEIGHING IN.

(a) All greyhounds shall be weighed not less than 1 hour before the time of the first race of the program in which they are to appear. Only 1 weigh-in shall be permitted.

(b) As each greyhound is weighed in, there shall be an identification tag attached to its collar indicating the number of the race in which the greyhound is entered and its post position. This tag shall not be removed until the greyhound has been weighed out and blanketed.

(c) All greyhounds must be weighed in and weighed out with the muzzle, collar and lead strap approved by the board's paddock judge.

(d) Upon weighing-in, should there be a variation of more than 1 1/2 pounds from the greyhounds established weight the stewards shall order that greyhound scratched.

(e) Immediately after being weighed in, the greyhounds shall be placed in lock-out kennels under the supervision of the association paddock judge or kennel master.

(f) If at weighing-in time there is more than two pounds variation between the present weight and the weight at weighing-in time of its last race, the stewards shall order the greyhound scratched.

(g) Upon placement of the greyhounds in the lock-out kennels after weighing-in, no person except racing officials or designated representatives of the board shall be allowed in the lock-out kennels. At no time shall less than two such authorized individuals be present in the lock-out kennel.

(3) WEIGHING OUT. Each greyhound shall be weighed out prior to entry into the paddock. If a greyhound loses weight in excess of 1 1/2 pounds from its weigh-in weight while in the lock-out kennels, the stewards shall consult with the board veterinarian. If, in the opinion of the board's veterinarian, the loss of weight while in the lock-out kennels does not impair the racing condition of the greyhound, the stewards shall allow the greyhound to race. Otherwise, the greyhound shall be scratched.

(4) MISCELLANEOUS.

(a) The clerk of scales shall require a greyhound to remain on the scales until such time as no more than one-quarter pound movement in scale action is caused by the greyhound moving while being weighed.

(b) The weight regulations provided in these rules shall be printed in the daily program.

(c) The stewards shall have the option of ordering the weighing of a greyhound entered in a race at any time from the time the greyhound is entered in a race until post time.

(d) Entered greyhounds not brought to weigh-in due to illness or injury shall be examined by the board's veterinarian and the results of the examination reported to the stewards.

RACE 7.09 RULES OF THE RACE.

(1) RACE PREPARATION.

(a) All greyhounds shall wear the regulation muzzle and blanket while racing. Following the race, racing blankets shall not be removed until the greyhounds are accepted by their trainer or designee.

(b) Before leaving the paddock for the starting box the muzzles and blankets of each greyhound shall be carefully examined and again examined in front of the steward's stand before the stewards and the public, or on video display terminals with prior approval of the stewards. All muzzles and blankets used shall be approved by the board paddock judge.

(c) All greyhounds shall be exhibited in the display area of the paddock before post time of the race in which they are entered.

(d) After the greyhounds leave the paddock on their way to the starting point, and until the race has concluded, all persons except racing officials and necessary attendants shall be excluded from the track.

(e) Prior to the first post time for each performance the lure operator shall test the lure to ensure that the lure is in proper working order. Any problems that would prevent the operation of a consistent lure shall be reported immediately to the stewards.

(2) RULES OF THE RACE.

(a) The greyhounds shall be started from a type of starting box approved by the board and there shall be no start until and no recall after the doors of the starting box have opened. Each starting box shall be equipped with an automatic opener with a manual back-up.

(b) If less than three greyhounds finish, the stewards shall declare it "no race" and all wagers and entry fees shall be refunded.

(c) The trainer or designee shall receive the greyhound from the lead-out at the conclusion of each race in which they are responsible for an entry.

(d) No race shall be called official unless the lure is in advance of the greyhounds at all times during the race. If at any time during the race, any greyhound or greyhounds touch or overtake the lure the stewards shall declare it "no race" and all monies wagered shall be refunded.

(e) If a greyhound bolts the course, or runs in the opposite direction during the running of the race, and in so doing, in the opinion of the stewards, interferes with any other greyhound so as to alter the outcome of the race, the stewards may declare it "no race" and all monies wagered shall be refunded.

(f) If a greyhound bolts the course, runs in the opposite direction, or does not run the entire prescribed distance for the race, it shall forfeit all rights in the race, and no matter where it finishes, the stewards shall declare the finish of the race the same as if that greyhound was not a participant. However, that greyhound shall be considered a "starter" for grading purposes.

(g) The stewards at each race meet shall designate individuals who may remove a greyhound from the track when it appears it may interfere with the running of the race. No other person shall enter the track during the running of the race.

(h) If a greyhound is left in the box when the doors of the starting box open at the start, there shall be no refund of monies wagered. Such greyhound shall be considered a starter.

(3) STEWARDS LIST.

(a) If the stewards determine that an animal, during a race, is fractious, unruly or otherwise runs so as to cause interference to other animals in the race, the stewards may place that animal on the schooling list.

(b) No animal placed on the schooling list shall be permitted to race without schooling back to the satisfaction of the stewards.

(c) When the stewards charge a greyhound for interference in any official race, films shall be made available for viewing by the kennel owner or trainer. Upon written appeal to the stewards of an interference ruling and placement of the greyhound on the schooling list, the stewards may review the film and their decision in the presence of the kennel owner or trainer.

(4) DEAD HEATS.

(a) When greyhounds run a dead heat for first place all monies and prizes to which the winner would have been entitled shall be divided equally. Each greyhound shall be deemed a winner.

(b) When greyhounds run a dead heat for second place, they shall divide equally the second place money and whatever additional placing monies are involved in the dead heat.

(c) When greyhounds run a dead heat for third place, they shall divide equally the third place money and whatever additional placing monies are involved in the dead heat.

(d) If the dividing owners cannot agree as to a prize which cannot be divided, the question shall be determined by lot in the presence of the stewards.

(5) OBJECTIONS.

(a) All objections as to eligibility of an animal to race shall be made to the stewards in writing, signed by the objector, and a copy sent immediately to the director.

(b) Objections to a greyhound engaged in a race shall be made only by the trainer of another greyhound engaged in the same race, or by an racing official.

(c) All objections shall be made within forty-eight hours after the race is run.

(d) The stewards may impose a forfeiture upon a determination that an objection was made without reasonable basis.

RACE 7.10 RACING OFFICIALS.

(1) GENERAL.

(a) The following are designated officials of a race meeting:

1. The board of stewards (presiding state steward, board steward and association steward).
2. Director of racing.
3. Racing secretary.
4. Assistant racing secretary.
5. Board paddock judge.
6. Association paddock judge.
7. Kennel master.
8. Chartwriter.
9. Lure operator.
10. Starter.
11. Timer-photo finish operator.
12. Announcer.
13. Mutuel manager.
14. Investigator.

15. Board veterinarian.

16. Clerk of scales.

17. General manager.

18. Board auditor.

19. Humane officer.

(b) All designated racing officials shall be appointed by the association except the board stewards, board auditor, board paddock judge, investigator and board veterinarian, all of whom shall be appointed by the board. All association racing officials shall be licensed by the board. The successor to an official whom is replaced shall be subject to the approval of the board.

(c) Associations shall submit to the board the names of all racing officials not less than 45 days prior to the first day of the race meeting, with biographical data relating to the expertise and qualifications of the individuals. No person shall serve in more than one racing official position without the prior approval of the board.

(d) No racing official shall accept, directly or indirectly, any gratuity, reward or favor in connection with racing at the meeting.

(e) No racing official shall accept anything of value from any licensee.

(f) Racing officials shall report to the stewards all observed violations of the rules.

(g) No occupational licensee shall use profane or indecent language to a racing official or otherwise disturb the peace of any race meet, nor act in a manner which causes any disturbance or disruption of the racing or other operation of the association, or of the acts of any racing officials or employees of the association, or is in any manner detrimental to the best interests of racing.

(h) Any grievance or complaint against a racing official, a licensee or an employe of the licensee shall be made in writing to the stewards. The stewards shall consider the matter, take whatever action is deemed appropriate, and make a full report of their action to the board. Complaints against the stewards or employes of the board shall be made in writing to the director.

(2) STEWARDS.

(a) The stewards shall supervise the race meeting to which they are assigned including the actions and decisions of all racing officials in carrying out their duties. In all cases of a conflict the decisions of the stewards shall control. The stewards shall be responsible for enforcing ch.562 Stats. and the board's rules.

(b) There shall be three stewards for each race meeting, two of whom shall be appointed by the board and one who shall be nominated by the association for approval by the board.

(c) Should any situation occur which may not be covered by the rules of racing, it shall be determined by the stewards in conformity with custom and usage in the industry and in the best interest of racing.

(d) The stewards shall have the power at any time to order an examination by the board veterinarian of any animal entered or which has run in a race.

(e) During each racing day the stewards of the meeting shall be at the board offices on the grounds of the association where the racing meeting is being held not later than weighing-in time to exercise the authority and perform the duties imposed on the stewards by the rules of racing.

(f) In an emergency, when a vacancy occurs among the racing officials other than the stewards, the stewards shall immediately fill the vacancy:

1. The appointment shall be effective only for one day unless the stewards determine continuation of such appointment is required.

2. Such appointment shall be reported immediately to the director by the stewards.

(g) In an emergency when a vacancy occurs for an association steward, the presiding steward shall appoint a racing official to serve for that program. The appointment shall only be effective for one day, unless the presiding steward determines continuation of such appointment is required.

(h) The question of whether a start was a fair start shall be the decision of the stewards and such decision shall be final and if the stewards decide that a start was not a fair start the race shall be declared a "no race."

(i) The stewards shall determine the finish of the race by the relative position of the muzzles of the greyhounds. In cases where the muzzle is off, hanging or in the mouth the stewards shall consider the relative position of the nose of the greyhound.

(j) The stewards shall display the numbers of the first three greyhounds in each race in order of their finish. If the stewards differ in their placing, the majority shall prevail. Nothing in these rules shall be construed to prevent the stewards from correcting an error before the display of the sign "official."

(k) The stewards shall be responsible for hand timing each race.

(3) CLERK OF SCALES.

(a) The clerk of scales shall weigh all greyhounds in and out and post the scale sheet of weight promptly after weighing.

(b) The clerk of scales shall immediately report to the stewards any infraction of the rules as to weight and weighing.

(4) LEAD-OUTS.

(a) Lead-outs shall be employed by the association for the purpose of leading the greyhounds to the starting box. Only licensed lead-outs shall lead greyhounds from the paddock to the starting box.

(b) There shall be one lead-out for each greyhound on the racetrack during races on which pari-mutuel wagering is conducted.

(c) Lead-outs shall present a neat appearance and conduct themselves in an orderly manner and shall be attired in clean uniforms provided by the association.

(d) The lead-out shall put the greyhound in its assigned box before the race and then retire to a designated place.

(e) The lead-out shall handle the greyhound in a humane manner at all times.

(f) No lead-out shall have any interest in any greyhound participating in the race meet where the lead-out is employed.

(g) Lead-outs shall be assigned to post positions by the board paddock judge or designee by lot before each race program.

(h) Lead-outs shall not hold any conversation with the public or with one another, either in the paddock, enroute to the starting post or while returning to the paddock.

(i) Lead-outs shall remain in the restricted area of the paddock at all times, except to accompany an assigned greyhound to the starting box.

(j) No lead-out shall smoke while in uniform and on duty.

(k) It shall be the responsibility of the association to properly train lead-outs in the handling of greyhounds. The training shall include the proper method of leading greyhounds, weighing, placement in and removal from lock-out kennels, handling of blankets, muzzles and leashes, placement in starting box and returning of the greyhound to the paddock after the finish of a race.

(5) PADDOCK JUDGE.

(a) No greyhound not fully identified and checked against the card index systems (bertillon card) maintained by each association shall start in a schooling or official pari-mutuel race. The identification cards shall be filled in and completed by the association paddock judge before greyhounds are entered for schooling or for a race.

(b) The board paddock judge shall fully identify and check against the card index system of identification maintained by the association the greyhounds starting in schooling and official pari-mutuel races. The board paddock judge shall report to the stewards any greyhound who does not conform to the card index identification.

(c) Under the supervision of the board paddock judge, the association paddock judge or the kennel master shall unlock the lockout kennel immediately before weigh-in time to see that the lockout kennels are in good repair and that nothing has been deposited in any of the crates for the greyhounds' consumption. The

board paddock judge shall see that the lockout kennels are kept in repair and proper sanitary condition and shall direct the association to make the required corrections when deemed necessary. The kennel master or an assistant shall receive the greyhounds from the trainer one at a time, and see that each greyhound is placed in its lockout kennel and remain on guard from that time until the greyhounds are removed for the last race.

(d) The board paddock judge shall not allow anyone to weigh in a greyhound unless that person has in their possession a valid owner's, trainer's or assistant trainer's license.

(e) The association paddock judge or kennel master shall keep on hand and ready for use extra muzzles of all sizes, lead straps and collars.

(6) STARTER.

(a) The starter shall report any causes of delay to the stewards.

(b) All starting boxes to be used during a performance shall be tested by the association prior to the first race of the performance and the results of such tests shall be communicated to the stewards by the starter before the first race.

(7) RACING SECRETARY.

(a) The racing secretary shall maintain a complete and updated file of all lease and ownership papers on greyhounds racing at the race meet. All ownership and lease documents shall be inspected to be sure they are accurate, complete and updated. To perform this responsibility the racing secretary shall have the authority to demand the production of any documentation or evidence relating to the ownership of a greyhound. Kennel owners and trainers shall file with the racing secretary all current ownership and lease records and forms. By filing these documents the owner and trainer warrant that the documents are true, accurate and authentic.

(b) The racing secretary shall receive all entries and declarations.

(c) The racing secretary shall form each race, and ensure that only greyhounds which are eligible to start and which meet any special entry requirements are drawn into the race. The racing secretary shall make every effort to ensure fairness and equal opportunity for all greyhound owners and kennel owners in the forming of all races.

(d) As soon as entries have closed for each race program, the racing secretary shall compile and post a list of entries minus any subsequent withdrawals. Names of greyhounds on the leftover list shall also be compiled and posted in an announced location.

(8) CHARTWRITER.

(a) The chartwriter shall compile the information necessary for the program.

(b) The program shall contain:

1. The names of the greyhounds entered to run in each of the day's races, which shall appear in order of their post position;

2. The grade of the race;

3. The numerical designation of the post position at the left of the name and shall correspond to the numeral displayed on each greyhound;

4. Four past performance lines, except maidens shall have at least 3 past performance lines and all such lines shall be in reverse chronological order, with the most recent performance listed first;

5. Name, color, sex, date of whelping, breeding (dam and sire), established racing weight, number of starts in official races and number of times finishing first, second, third and fourth, total purses won, name of owner or lessee, name of trainer, distance of race, track record and such other information as will enable the public to properly judge the greyhound's ability; and

6. In case the name of a greyhound is changed, the new name together with the former name shall be published in the official entries and program until after the greyhound has started six times.

(9) PHOTO FINISH/TIMER.

(a) The photo finish operator/timer shall maintain the photo finish and timing equipment in proper working order and shall be responsible for photographing each race.

(b) The photo finish operator/timer shall declare the official time of each race. The time of the race shall be taken from the opening of the doors of the starting box.

(c) Each association shall install an automatic timing device approved by the board. The timer shall use the time shown on the timing device as the official time of the race if the timer is satisfied that the timing device is functioning properly. Otherwise, the timer shall consult with the stewards and use the time shown on the stop watch. When the stop watch time is used as the official time of the race it shall be so announced to the public.

(d) When the "photo" sign is posted by the stewards on the totalizator board the photo finish operator/timer shall prepare a photograph which shall be made available and displayed for public viewing.

CHAPTER RACE 8

PARI-MUTUEL OPERATIONS

RACE 8.01 PURPOSE. The purpose of this chapter is to establish the rules governing pari-mutuel operations at Wisconsin racetracks.

RACE 8.02 DEFINITIONS.

(1) "Outs liability account" means unclaimed winnings which are summarized and stored in the totalizator system computer.

(2) "Racetrack enclosure" means all the buildings, structures, and grounds utilized in connection with the operation of a race meeting.

RACE 8.03 ASSOCIATION PARI-MUTUEL OPERATIONS.

(1) GENERAL REPORTS SUBMITTED BY ASSOCIATIONS.

(a) The association shall file admission reports daily with the board auditor. The association shall file weekly, monthly and end of race meeting admission reports to the director. All association reports shall include:

1. The beginning turnstyle reading number;
2. The ending turnstyle reading number;
3. The total turnstyle reading number;
4. All locations that individuals entered the facility; or
5. Comparable information provided by such other monitoring device as may be approved by the board.

(b) At the close of each race meeting the association shall remove its outs liability account from the totalizator system computer and deliver to the board a report of its outstanding ticket liability, the outs book, and a copy of the magnetic tape used to generate the outs book. Such records shall include the date of the race, the winning numbers, the denominations of the outstanding tickets and the payouts.

1. The association shall deliver to the board no later than 90 days after the last performance of each race meeting a check representing the value of all outstanding tickets. All tickets paid after the final performance shall be secured by the association and delivered to the board no later than 90 days after the last performance of the race meeting.

2. No outs liability account may be removed by any person from the totalizator system unless the board auditor is present. The totalizator licensee shall print only 2 sets of outs books at the time the outs liability account is removed from the computer system. No subsequent sets of the outs book may be printed by any person without written approval by the board. The outs book shall include:

- a. The date of the race;
- b. The denomination of each outstanding ticket;
- c. The payouts; and
- d. The unique serial number of each outstanding ticket as required by s.RACE 10.07(12).

3. An association may keep its outs liability account in the totalizator system computer if the totalizator system is operating at a racetrack where a race meeting is in progress. If an association elects to keep the outs liability account in the computer system beyond ten days after the close of a race meeting, that association, within ten days after the close of the meeting, must file a letter with the board which shall:

- a. State the dollar amount of the outstanding tickets at the close of the race meeting;
- b. State that the outs liability account will remain in the computer system;
- c. State the name of the racetrack where the account will be open for cashing of winning tickets by members of the public;

d. State the name of the person who will be responsible for maintaining the integrity of the outs account and for maintaining the daily record of the account for reporting to the board;

e. Indicate the approximate date when the account will be removed from the computer system; and

f. Maintain and protect all tickets until the removal of the outs liability account.

(c) The association shall file with the director within 48 hours after the close of each race day all board approved recapitulation documents pertaining to pari-mutuel taxes, special program taxes, breakage, refunds, admissions taxes owed and minus pools resulting, and the reason for the minus pool.

(d) The association shall file with the director monthly reports computing the total amounts paid to the board, pursuant to ss.562.065(3)(c), (d) and (e), Stats., within 5 days of the end of each month.

(e) The association shall file with the director annual statements under s.562.065(3)(c)4, Stats. within 30 days after the end of the meet.

(f) The association shall file a report to the board auditor of all mutuel clerk overages and shortages on a weekly basis as well as any complaints made against them by patrons.

(2) ASSOCIATION MUTUEL MANAGER-DUTIES AND RESPONSIBILITIES.

(a) Before the association posts the payout prices of any pool the mutuel manager shall review the calculating sheets of such race and compare them to the prices on the tote board to ensure they agree. Such review shall show pay-breaks-commission which sets forth the payout to the public, breakage and retained commission, and added together, show they equal total pool. Calculating sheets are to be verified as to winners and prices. Tote board prices are to be rechecked by the association before the end of the performance and any irregularities shall be reported to the board.

(b) The mutuel manager shall ensure that no wagers are accepted after the off-bell.

(c) Should any emergency arise in connection with the operation of the mutuel department not covered by these rules and an immediate decision is necessary, the mutuel manager, subject to the approval of the stewards, shall make the decision and render a report to the director within 24 hours concerning the incident.

(d) The association mutuel manager shall provide to the board auditor such information as the board auditor may request and cooperate with the board auditor in every way so that the board auditor may be certain that the mutuel department is being operated in strict accordance with the law and the rules of the board.

(e) The association mutuel manager shall require that mutuel clerks' windows remain open a reasonable length of time after the last race for patrons to cash winning tickets.

(f) The association mutuel manager shall employ only those persons licensed by the board prior to assumption of their duties as mutuel clerks.

(g) The association mutuel manager shall maintain complete records of all wagering so the board may upon review ascertain for any race the opening line, subsequent odds fluctuations, the amount and window at which wagers were placed on any wagering interest, and other information which may from time to time be required. A copy of wagering records shall be retained by each association and secured for a period not less than one year and may not be destroyed without written approval from the board.

RACE 8.04 TOTALIZATOR. Each association shall install and operate during its race meeting an electric totalizator approved by the board. The totalizator shall be tested daily by the totalizator licensee to ensure its proper working order and report any irregularities to the board stewards and board auditor:

(1) ODDS BOARD CONTROL.

The controls necessary to operate the order of finish on the odds board shall be located in the steward's stand and controlled by the association steward.

(2) ODDS BOARD UPDATE.

There shall be operated in connection with such totalizator one or more odds boards. Approximate odds on each wagering interest in the win pool shall be updated on the odds board at intervals of not more sixty seconds.

RACE 8.05 PARI-MUTUEL WAGERING.

(1) Each association may permit wagering only on races conducted by that association, except on races pursuant to s.562.057, Stats.

RACE 8.06 REFUNDS.

(1) **SCRATCHES AND NON-STARTERS.** If after wagering has commenced an animal is scratched or declared a non-starter the wagering on the animal shall be refunded by the association unless otherwise prohibited by rule.

(2) **FAILURE OF STARTING BOX.**

In a greyhound race, if the doors in front of any box in a mechanically or electrically operated starting box should fail to open simultaneously with the other starting box doors, thereby preventing an animal from obtaining a fair start when the starter dispatches the field, the following shall apply:

(a) If any animal is so prevented from starting, the entire amount in the win, place and show pools wagered on that animal shall be refunded unless the animal finishes first, second, third or fourth in which case the animal shall be considered a starter for all pools in which the animal earned a placing and a non-starter in all other pools.

(b) If less than five animals in different wagering interests leave the boxes the entire amount wagered in the show, superfecta and trifecta pool shall be refunded.

(c) If less than four animals in different wagering interests leave the boxes the entire amount wagered in the place, show, quiniela and perfecta pools shall be refunded.

(d) If less than two animals leave the boxes, the entire amount wagered in the win, place, show and any other multiple pools shall be refunded.

(e) In all races on which multiple wagering is permitted, except on the second half of the daily double, if any animal is so prevented from starting, the entire amount wagered on any combination including that animal shall be refunded unless prohibited by other rules.

(3) **RACE CANCELLATION.** If for any reason a race is cancelled or declared no race by the stewards after wagering has commenced on that race the association shall refund all wagers unless otherwise prohibited by rule.

(4) **TOTALIZATOR BREAKDOWN.** In the event of an irreparable breakdown of the totalizator during the wagering on a race the stewards shall declare no race and the association shall refund all wagers.

RACE 8.07 MINIMUM TICKET PRICES/PAYOUTS. For all wagers except the trifecta, superfecta, tri-superfecta and twin trifecta, the minimum wager to be accepted by any association shall be \$2. The minimum payout by an association on a \$2 wager shall be \$2.20. The association may set the minimum wager for the trifecta, superfecta, tri-superfecta and twin trifecta combinations, as in a wheel or box, at \$1, provided that no ticket shall be sold for less than \$2.00. For purposes of pari-mutuel calculations the minimum payout for a \$1 wager shall be \$1.10. In cases where a minus pool occurs, the association shall be responsible for the payment of the minimum payout from their share of the pari-mutuel commission.

RACE 8.08 MINORS BARRED. No association may permit any minor to purchase or cash pari-mutuel tickets, nor permit any minor to be at a mutuel window at any time.

RACE 8.09 WAGERING EXPLANATIONS. Each association shall cause to be published in the daily race program a general explanation of pari-mutuel wagering and an explanation of each type of wagering pool offered. The association shall also post the explanation in conspicuous places on the association grounds so as to adequately inform the public. This explanation shall be submitted by the association to the state steward prior to publication so as to insure an absence of conflict with these rules. The association shall post a copy of the board rules regarding the calculation and distribution of the wagering pools contained in ch.RACE 9 in a conspicuous place.

RACE 8.10 PRIOR APPROVAL FOR WAGERING POOLS. No association may conduct any wagering pool without prior approval of the board.

RACE 8.11 NUMBER OF POOLS.

(1) If less than six wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit show and superfecta wagering on that race.

(2) If less than five wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit place, show and trifecta wagering on that race.

(3) If less than four wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit quiniela and perfecta wagering on that race.

(4) If less than three wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit wagering on that race.

RACE 8.12 SALE OF PARI-MUTUEL TICKETS.

(1) **TIME OF SALE.** Pari-mutuel tickets may not be sold on any race performance more than one hour before post time of the first pari-mutuel race of each performance unless prior approval is obtained from the board. All wagering shall be conducted only within the racetrack enclosure in which authorized racing takes place.

(2) **TICKET WINDOWS.**

No pari-mutuel tickets may be issued except through clerk windows clearly designated by number. The association shall prominently display this number to the wagering public. At mutuel windows where special or limited mutuel services are offered, the association shall properly designate those windows by signs. The association shall obtain prior board approval for any alternative method of selling pari-mutuel tickets.

(3) **MUTUEL PLAN.**

No method and manner of selling pari-mutuel tickets shall be used unless approved by the board. Such approval shall include but not be limited to the number of windows, distribution of windows, the manner of denomination in which pari-mutuel tickets shall be sold and the mutuel staffing plan. The latter shall be filed by the association with the board sixty days prior to the opening of each race meet. Mutuel department and totalizator licensee employees shall be clearly identified as such, so that easy identification can be made by the public.

RACE 8.13 OFFICIAL SIGN FINAL. Once the "official" sign has been posted, no changes may be made to the order of finish for purposes of mutuel payouts. Any ruling of the stewards regarding the award of purse money or order of

finish for purposes of grading made after the "official" sign has been posted shall have no bearing on the mutuel payout.

RACE 8.14 ERRORS IN POSTING PAYOUTS. If an error is made in posting the payout figures on the totalizator board, it shall be corrected by the association or totalizator system licensee. Only the correct amounts shall be used by the association in the payout regardless of the error on the totalizator board. If it is impossible to correct the posted payout because of mechanical failure, the association shall cease all cashing of winning tickets and a statement shall be made by the association over the public address system stating the facts and corrections. The association shall be responsible for any overpayment or underpayment and shall be required to submit a report to the director within 48 hours after each occurrence. Any underpayment shall be remitted by the association to the board within 48 hours after the close of that race day.

RACE 8.15 LOST TICKETS. No claims for lost pari-mutuel tickets shall be considered.

RACE 8.16 MUTILATED OR ALTERED TICKETS. No mutilated or altered pari-mutuel ticket that is not identifiable as being a valid ticket shall be accepted for payment.

RACE 8.17 RACING OFFICIALS - DUTIES AND RESPONSIBILITIES.

(1) BOARD AUDITOR.

The director shall appoint for each race meeting a representative to be known as the board auditor to monitor the conduct of the mutuel department during each race meeting. The track operator and association shall grant the board auditor free access to all of the books, papers and records of the association, into any room or any enclosure of the association, at any and all times said access is necessary. The board auditor shall report to the director any failure of the association to comply with the act or any rules of the board.

(2) DUTIES OF BOARD AUDITOR.

The officers and employees of the association shall give the board auditor such information as may be requested. The board must be assured that the mutuel department of the association is being properly operated in strict accordance with the act and the rules of the board.

CHAPTER RACE 10

TOTALIZATOR OPERATIONS

RACE 10.01 PURPOSE. This section governs supervision of the pari-mutuel wagering system, collection of taxes prescribed in the act and protection of the wagering public.

RACE 10.02 DEFINITIONS.

- (1) "Cancelled ticket" means a ticket which represents a wager which has been cancelled and withdrawn from the pari-mutuel pools.
- (2) "Cashed ticket" means any pari-mutuel ticket which is refunded or which is presented for payment of a winning wager and is paid.
- (3) "Cashier accounting" means the record of teller activity by transaction and time of transaction.
- (4) "Central processing unit" or "CPU" means the main computer which controls and stores both programs and data.
- (5) "Computer log library" means a record of all operator initiated actions of the transaction processor.
- (6) "Console" means the totalizator status monitor which displays current race pool status information.
- (7) "Issued ticket" means a wager for which the ticket issuing machine produced a hard copy.
- (8) "Refunded ticket" means a ticket which has been refunded for the value of a wager that is no longer valid.
- (9) "Ticket issuing machine" or "TIM" means a machine which prints hard copies of wagers.
- (10) "Totalizator system licensee" means any person, corporation or company which operates totalizator equipment and is licensed by the board.
- (11) "Tote room" means the room at a race track in which the totalizator system's computer is housed.
- (12) "Utilities" means the programs that are provided by computer vendors to perform tasks such as duplication of program tapes, modification of master files, and access to passwords.

RACE 10.03 GENERAL PROVISIONS - BOARD AUDITOR.

(1) DUTIES AND RESPONSIBILITIES OF BOARD AUDITORS.

The board auditor shall verify the pari-mutuel wagering pool totals for each racing day and for each program, which verification shall be the basis for computing state taxes, association commissions and purses. The board auditor shall also assist the director and the stewards in investigation of alleged violations of the act and of the rules of the board.

(2) ACCESS TO TOTALIZATOR AND PARI-MUTUEL FACILITY.

The board auditor shall have access to all rooms and facilities on the grounds of the race track used by, or in connection with, the operation of the pari-mutuel department and the totalizator system.

(3) WORK AREA FOR PARI-MUTUEL AUDITORS.

Each association shall provide a work area for use by the board auditor. This work area shall:

(a) Be located not more than one hundred fifty feet from the entrance of the tote room;

(b) Permit unrestricted entry to the totalizator facilities, particularly computer data entry devices such as control desk consoles, inside tote board, on closed circuit television monitor of the outside tote board whichever is used, and printers;

(c) Include locking file cabinets for the sole use of board representatives within the work area and other locking storage facilities which can store computer printouts or magnetic tape and are sufficient in size to handle all board controlled wagering records for each individual association for a period of one year;

(d) Include a video and audio device which enables the board auditor to receive the same information as the patrons;

(e) Include power outlets to operate electronic equipment; and

(f) Include a telephone.

(4) SYSTEM FAILURE.

If, for any reason, during the course of a racing program the totalizator system is unable to record wagers received from the public or guarantee the integrity of the pari-

mutuel pools, the totalizator system licensee shall advise the mutuel manager who shall then immediately notify the board auditor and the stewards. The totalizator system licensee shall keep the board auditor advised of its efforts to correct the problem and, if said licensee is unable to correct the problem, it shall so advise the board auditor. After consultation with the association, the stewards may order the cancellation of wagering for the race or program and the refund of the affected wagers. The stewards, after consultation with the association may permit some or all of the remaining races to be contested as wagerless exhibitions, after taking into consideration factors including, but not limited to, the purses, the amount of wagering, and the time required to make repairs to the totalizator system.

(5) WAIVERS FOR SCIENTIFIC ADVANCEMENTS.

An association or totalizator system licensee may petition the board for a waiver for a change in technology if:

(a) A written application is first submitted to the director describing in detail the purpose, nature, and extent of the requested waiver; and

(b) Actual demonstrations of the technology are presented to the director.

NOTE: Whenever this chapter requires a document to be filed with the board, such document shall be filed with the director at the board's central office located at 150 E. Gilman, Suite 1000, Madison, Wisconsin 53703.

RACE 10.04 PROCEDURES AND REPORTS REQUIRED OF ASSOCIATIONS.

(1) CASHED TICKETS.

Each association shall maintain facilities and enforce procedures which ensure the security of cashed tickets and the integrity of outstanding ticket records. Such security requirements shall include, but not be limited to, the following:

(a) Access of all totalizator employees to cashed tickets storage areas shall be prohibited;

(b) Cashed tickets shall be maintained in a two hour fire resistant facility unless other comparable fire protection is installed and operable;

(c) Cashed and cancelled tickets shall be maintained for sixty days unless the director or the stewards direct, in writing, that the association continue to

retain the tickets specified for the purpose of conducting an investigation;

(d) Cashed ticket storage facilities shall be secured by a locking system;

(e) Only the mutuel manager or his or her designee shall have access to cashed ticket storage areas for outstanding ticket records and uncashed ticket records; and

(f) Access to magnetic log tapes and the computer log library tapes by the mutuel manager and employees of the mutuel department shall be prohibited. The possession of magnetic log tapes and computer log library tapes shall be retained by associations for a period of one year from the end of the race meet.

(2) SUMMARY OF OPERATORS.

The mutuel manager of the association shall prepare a summary of the pari-mutuel operations report for each racing program to be submitted to the board auditor daily. This shall serve as the original record of wagering activities at the racetrack.

RACE 10.05 MUTUEL TICKETS.

(1) MARKING OF TICKETS.

To prevent re-entry in the pari-mutuel system for duplicate cashing, the association shall cause each cashed or refunded ticket to be marked in a manner which will not destroy the identity of the ticket but will indicate that it has been cashed, or so indicated by computer imprint.

(2) STATUS OF OUTS ACCOUNT.

The association shall provide the board auditor each racing day with a computer print-out of outstanding tickets cashed during the previous racing day and, at the request of the board auditor, produce, subject to the limitation in s.RACE 10.04(1)(c), the actual tickets requested which were cashed during a particular program.

(3) CANCELLATION OF TICKETS. Issued tickets may be cancelled by the association only under the following conditions:

(a) Tickets of two hundred and fifty dollars and under shall be cancelled upon request before the off-bell on which the wager was placed. Wagers over two hundred and fifty dollars shall be cancelled upon approval of the mutuel manager or his or her designee; or

(b) When, on order of the stewards, all wagers on a wagering interest are cancelled.

(4) RECORDS OF REFUNDS AND CANCELLATIONS.

The seller or cashier or both shall retain and account for all refunded or cancelled tickets. These refunded or cancelled tickets will be retained by the association, in the manner prescribed in s.RACE 10.04(1). In the case of a request for an extension, as detailed in s.RACE 10.04(1), the tickets shall be retained until all audit tests have been completed and the director issues a letter allowing for the disposal of such tickets and records. If a refunded or cancelled ticket is not available for inspection then sufficient supporting documentation, in the form of a seller cashier history shall be available upon request. In no event shall a refunded mutuel ticket which has been removed from the totalizator system by a keyboard entry be accepted by the board auditor as a record of payment unless the actual hard copy ticket is presented during the audit.

(5) COMPUTER PRINT-OUTS.

Each association shall make available to the board auditor for inspection and review all computer printouts generated by the totalizator system and shall upon request supply the board auditor with copies of such printouts.

(6) ADDITIONAL METHOD OF CALCULATION.

If any written method of calculation or check-up, in addition to the computer printouts specified in s.RACE 10.05(5) is used or undertaken by the association, exact copies of all such calculations or check-ups shall be delivered by the association to the board auditor as soon as possible after each race.

RACE 10.06 MUTUEL FACILITIES; TICKETS; SPECIFICATION REQUIREMENTS AND PROCEDURES.

(1) NO REDUCTION IN CAPACITY.

An association shall not change a totalizator system if the change will reduce the functional capacity of the system without prior board approval.

NOTE: An example of a decrease in functional capacity is going from a cash/sell system to a sell only system.

(2) TOTALIZATORS.

Each association shall use ticket issuing machines, linked to a computer based totalizator system, that shall:

- (a) Record the progressive, aggregate, and final total in dollars wagered in each pool and on each entry or mutuel field;
- (b) Compute the approximate and final odds in the win pool for each entry in each race at intervals not greater than sixty seconds and relay those odds to the infield display board and to other display devices;
- (c) Compute commissions, breaks, and components; and
- (d) Compute the payout prices.

(3) FINAL CONFIRMATION.

For the purpose of confirming the final record of pari-mutuel sales for each race each association and totalizator licensee shall, for each wagering pool, obtain a computer printout or store on magnetic media the following information for each ticket issuing machine for one year:

- (a) The total dollars wagered on each entry; and
- (b) The combination of entries.

(4) LOCKING DEVICES.

Each totalizator licensee shall provide for the purpose of locking ticket issuing machines at the start of each race:

- (a) One device located within the stewards' stands; and
- (b) One device located in the tote room for use as an emergency locking device independent from the console.

(5) CONTROL OF LOCKING DEVICES.

The locking control switch referred to in s.RACE 10.06(4) shall be controlled by a board steward. This switch shall disable all ticket issuing machines from issuing tickets instantaneously. The execution of the locking control switch shall be noted by the ringing of the off-bell. It shall be the ultimate responsibility of the mutuel department representative to assure that "stop wagering", meaning a cessation of all wagering, occurs. In no event shall the association allow bets to be accepted or tickets to be cancelled after the relevant stop wagering command has been issued.

(6) ACCOUNTING FOR INDIVIDUAL TICKETS.

For the purpose of accounting of individual tickets, each association shall cause each ticket to be identified by a unique computer generated ticket number.

(7) TICKETS.

The association shall cause every issued ticket to have printed on it:

- (a) The name of the race track;
- (b) The number of the race;
- (c) The uniquely assigned computer generated ticket number;
- (d) The date the ticket was issued;
- (e) The date for which the ticket is issued;
- (f) When appropriate, the designation of either matinee or night program;
- (g) The number of the TIM or window location;
- (h) The type of pool;
- (i) The number of each entry;
- (j) The denomination of each bet; and
- (k) The total dollar amount of each ticket.

(8) SECURITY FOR TOTALIZATOR EQUIPMENT.

Each association shall provide a security system for the facilities housing the totalizator computers when such equipment is on site. Such security system shall:

- (a) Be capable of detecting authorized and unauthorized entry through use of a coded locking system, card identification or other devices approved by the board; and
- (b) Detect unauthorized entry and notify the board or the director or both prior to the next program; and
- (c) Contain procedures for entry to the facilities housing the totalizator computers outside normal operating hours.

(9) ACCESS TO TOTALIZATOR ROOM.

Each association shall authorize specific individuals, and may authorize visitors, to have access to the totalizator room. A list of such authorized individuals shall be maintained by the association and shall be made available to the board auditor. Such individuals, and those persons authorized pursuant to s.RACE 10.03(2) shall be made the only individuals permitted to enter the totalizator room on a daily basis.

RACE 10.07 TOTALIZATOR SYSTEM: SYSTEM REQUIREMENTS.

(1) GENERAL SYSTEM REQUIREMENTS.

Totalizator system licensees shall meet or exceed the totalizator system features listed in ss.RACE 10.07(2) through RACE 10.07(22).

(2) REDUNDANT CAPABILITIES.

Totalizator systems shall have redundant capabilities to ensure the comparison of individual pool totals so that no data is lost due to a processor failure.

(3) REDUNDANT HARDWARE.

All totalizator systems shall have redundant hardware including, but not limited to, the acceptance, recording, and accounting of wagering transactions to ensure that in normal operating circumstances a totalizator system failure will not cause interruption in pari-mutuel operations.

(4) STOP WAGERING COMMAND.

All totalizator systems shall provide a device located in the stewards' stand and the tote room which shall disable all ticket issuing machines from accepting all bets and issuing tickets on all races for which the "stop wagering" command has been issued pursuant to s.RACE 10.06(5).

(5) RECORD OF STOP WAGERING COMMAND.

All totalizator systems shall:

(a) Identify and record on the system log file which switch issued the stop wagering command;

(b) Record the time of day that the command was issued; and

(c) Confirm visually and audibly that wagering has stopped.

(6) ODDS BOARD CONTROL.

The association shall cause the controls necessary to operate the order of finish on the odds board to be located in the steward's stand and be controlled by the association steward.

(7) ODDS UPDATE.

(a) In conjunction with the totalizator system, the association shall provide one or more odds boards. Approximate odds on each wagering interest in the win pool shall be updated on the odds board at intervals of not more than sixty seconds.

(b) All totalizator systems shall provide a computer printout at intervals of not more than sixty seconds of all dollars wagered on each wagering interest in the win pool and other wagering information given to the public during the wagering period.

(8) RETENTION OF RACING PROGRAM DATA.

All totalizator systems shall store racing program data on disk or other storage devices with the capability to transfer the data to hard copy in readable format. Such information shall be stored for a period of one year from the end of the race meeting.

(9) CONTROL ACCESS TO TOTALIZATOR COMPUTER EQUIPMENT.

Security or safeguard mechanisms or both shall be installed by the totalizator system licensee to prevent unauthorized access to totalizator computer equipment. This security shall be capable of detecting authorized and unauthorized entry through use of a password. Security systems meeting the above requirements shall be approved by the director or his designee.

(10) SOFTWARE.

All totalizator systems shall have the necessary software to create, read, and verify the integrity of the data on the magnetic tapes. Each tape shall be labeled by the totalizator system licensee separately for each racing program. The label shall include association name, program number, file generation number, date produced, and time of day produced.

(11) PROVIDE SUMMARY.

All totalizator systems shall be able to produce, and the totalizator system licensee shall provide the board upon demand:

(a) Subject to the time limitation in s.RACE 10.07(8), a log file which can recreate the program and produce hard copy;

(b) A report which summarizes each racing program's total wagering activity on a race by race basis; and

(c) A listing of the daily cashed tickets and outstanding tickets cashed by unique ticket number or ticket issuing machine or both for each program.

(12) UNIQUE TICKET NUMBER.

All totalizator systems shall assign a unique ticket number to each ticket issued. The unique ticket number shall be printed on the ticket at the time of issue by the ticket issuing machine and shall be recorded in the computer.

(13) UNCASHED TICKETS.

All totalizator systems shall retain within the computer system ticket numbers of all outstanding tickets. These ticket numbers shall be retained in a computer data file protected by the security system. All access to these files outside of normal operating routines shall be password protected and a log of all such access shall be recorded.

(14) COMPUTER PRODUCED REPORTS.

All totalizator systems shall print on all computer produced reports, the totalizator software's version number, date of execution and time of day executed.

(15) MAGNETIC LOG FILES.

All totalizator systems shall use the magnetic log files as input for the accounting reports produced in the cashier accounting function.

(16) TOTALIZATOR SECURITY SUB-SYSTEM.

Totalizator program operation shall be under the control of a software security sub-system.

(a) This sub-system shall have the ability to validate used sign-on data entered through a ticket issuing machine and shall use table look-up techniques to determine which functions the user is permitted to perform when the totalizators are in use.

(b) The security sub-system shall record on the system log file any attempt to:

1. Stop execution of the system;
2. Alter the contents of the memory or auxiliary storage device; or
3. Modify the sequence of instructions within the computer.

(17) ACCESS TO SUB-SYSTEMS.

The association and totalizator system licensee shall ensure that the operating or security sub-system or both shall be accessible from no more than two terminals at any one point in time. The association shall locate these terminals in the tote room and access to these sub-systems shall require password entry prior to execution.

(18) EMERGENCY POWER SOURCE.

Each totalizator system licensee shall provide an emergency or alternate system of electrical supply capable of providing enough power to operate the central processing units where data which has been accepted is stored.

(19) POWER FLUCTUATIONS.

All totalizator systems shall provide the hardware which include voltage regulators, isolation transformers, to minimize the effects of a power fluctuation on the totalizator system. This hardware, insofar as possible, shall maintain power into the computers at a constant level within design limits and shall be selected by the totalizator company for compatibility with its system design.

(20) TWO INDEPENDENT SETS OF POOL TOTALS.

All totalizator systems shall have the capability to maintain at least two independent sets of pool totals and compare them at least every sixty seconds. An entry to the system logs shall be produced at any time a difference in final pool totals is encountered. If it cannot be ascertained by the totalizator system licensee which final pool is correct, the highest pool total shall be used in all calculations, including payouts and commissions.

(21) LOSS OF COMMUNICATIONS REPORTS.

All totalizator systems shall detect and write to the system log file and produce a hard copy report of lost communication with hardware peripheral devices including the disc drives, printers, consoles, ticket issuing machines, and any other devices which may be part of the system configuration. Also it shall include a message on the

system log file indicating such loss of communication and the time of such loss. In the event of a system failure a written report with hard copy back-up shall be required and included in the hard copy reports of the system log file.

(22) CANCELLATIONS.

Where totalizator systems allow issued tickets to be cancelled such cancellations must occur within the provisions of s.RACE 10.05(3).

RACE 10.08 TOTALIZATOR SYSTEM: PROCEDURAL REQUIREMENTS.

(1) GENERAL PROCEDURAL REQUIREMENTS.

Every totalizator system licensee must satisfy the procedural requirements set forth in s.RACE 10.08(2) through s.RACE 10.08(11).

(2) PRE-RACE MEETING TESTS.

All totalizator equipment to be used for a race meeting shall, before the beginning of said race meeting, be tested by the totalizator licensee in the presence and supervision of the board auditor. This test shall be completed no later than three days before the beginning of the race meeting. Notice of this test shall be made to the director no later than seven days prior to the opening of the race meeting. This test shall include those procedures that are set forth in s.RACE 10.08(3).

(3) PRE-PROGRAM TESTS.

All totalizator equipment in use for a program shall, before the start of each program, be tested by the totalizator personnel and all necessary repairs and adjustments made to ensure proper operation of ticket issuing machines and totalizator computers and recording of wagers in accordance with these rules. These tests shall be:

(a) conducted at a time that does not conflict with the time established by the association for opening the pari-mutuel windows for sales; and

(b) conducted with data supplied by the board auditor when so requested by the director.

(4) TOTALIZATOR PROGRAMS.

(a) All copies of programs at a pari-mutuel facility shall be on magnetic tape or disk file and be stored in a secured cabinet under the control of a totalizator licensee.

(b) After the program has been loaded into the computer the magnetic tape or disk file shall be re-secured.

(5) DUPLICATE COPY OF TOTALIZATOR PROGRAMS.

All totalizator system licensees shall maintain a duplicate copy of all totalizator programs to be used during the race meeting. The duplicate copy shall be in source code format or absolute program files and be placed on magnetic tape for storage. These tapes shall be placed under seal by the totalizator system licensee for the board and retained for future comparison with totalizator programs actually in use during the meet. These duplicate tapes shall be kept under the dual control of the totalizator system licensee and the board auditor and shall be retained on the premises of the association.

(6) NOTICE OF SOFTWARE MODIFICATIONS.

All totalizator system licensees shall inform the director of planned totalizator program modifications by sending written notice to the board at least one week in advance of performing a software modification. In situations where programs are modified in response to operational problems requiring immediate attention, the totalizator system licensee shall inform the director of the change immediately after the modification has been made. A narrative log explaining all software modifications shall be kept by the totalizator system licensee in the tote room.

(7) TESTING OF SOFTWARE MODIFICATIONS.

Totalizator system licensees shall establish written procedures to test software modifications, and documentation of testing procedures and results shall be made available to the director upon request. Totalizator operators shall use either a hardware or software transaction generator to provide entry data for use in simulation of a complete program including production of all reports. The director shall review such test procedures and results prior to installation of a new version of a totalizator system within the state.

(8) CONTROLLING SYSTEM UTILITIES.

All totalizator system licensees shall adhere to formal written procedures for controlling system utilities and furnish the director with a copy of these procedures. These procedures shall include but not be limited to such matters as control over duplication of program tapes, control over use of any system utility programs or any application

programs used to modify master files, and control over utility programs or other procedures used to change system passwords.

(9) ACCESS TO TOTE ROOM.

Ten days prior to the opening of each race meeting the totalizator system licensee shall provide the director with a list of its representatives authorized to have access to the tote room, paper stock, or equipment for each meeting.

(10) CONTROL LOG.

Each totalizator system licensee shall maintain, in conjunction with the association, a control log of keys or other security entry devices used to access the totalizator room and a log indicating to whom each is assigned. When the employment of a person possessing a key or security entry device to the totalizator room is terminated, the key or security entry device shall be collected.

(11) BACK-UP PROCEDURES.

Totalizator operators shall include back-up procedures to reconstruct all computer programs and data files. The board reserves the right to review and approve back-up procedures based upon and including, but not limited to, the ability to recover lost data.

(12) SHUT-DOWN PROCEDURES.

Each totalizator system licensee shall as part of its normal daily shut-down procedures:

- (a) Remove all console logs from the hardware with each entry on the console log preceded by the date and time of the entry;
- (b) Clear all C.P.U. memory or magnetic core program date; and
- (c) Secure the tote room to prohibit unauthorized entry.

RACE 10.09 TOTALIZATOR SYSTEM LICENSEES.

(1) CRITERIA FOR ELIGIBILITY. An application for a totalizator system license shall:

- (a) Have a contract to provide a totalizator system with an association; and

(b) Provide the board evidence that the applicant has the experience and expertise to operate a totalizator system at the race meeting at which the applicant proposes to participate in Wisconsin racing. Such evidence shall include but not be limited to a demonstration that the applicant can comply with ch.RACE 10.

(2) LICENSE APPLICATION.

(a) An application for a license to operate as a totalizator system licensee shall be made on forms furnished by the board.

(b) One original and ten copies of the application shall be filed at the board's central office.

(c) Each license issued pursuant to s.RACE 10.09 expires on December thirty-first of the year it was issued.

(d) The board shall require each applicant to submit a five thousand dollar license application fee payable to the board for the purpose of covering background investigations and general operation costs. If the board approves an application for license pursuant to this rule, or renewal of such, the applicant shall, within ten days after the receipt of the board's notice of approval, file a written acceptance with the board and make payment of the required license fee.

1. For the issuance of a first year license, a five thousand dollar operation fee is required to operate per location.

2. Each subsequent license fee shall be determined as four thousandths of one percent of the handle generated during the previous calendar year at the race meet for which the license is sought.

(e) The applicant shall submit with the application copies of all contracts with associations and instruments evidencing any indebtedness between the applicant and any and all associations.

(f) If circumstances change or events occur after the filing of an application the applicant shall submit an amendment to the board. Examples of such changes include, but are not limited to, a change of corporate officers, the signing of additional contracts with associations.

NOTE: These forms may be obtained at the board's central office at 150 E. Gilman, Room 1000, Madison, Wisconsin 53703.

(3) TIME OF FILING AN APPLICATION.

(a) Applications for a totalizator system license shall be filed sixty days prior to the opening of the racing meet at which the applicant seeks to participate.

(b) The board may, in its discretion upon good cause shown, receive applications for a totalizator system license to operate fewer than sixty days prior to the opening of a meet. Good cause means a change in ownership of totalizator licensee; upgrading a totalizator; changes in the financial position of a totalizator system licensee, such as but not limited to the dissolution or bankruptcy of the totalizator system licensee; or the impossibility of a licensee to furnish equipment for an upcoming race meet.

(4) GROUNDS FOR DENIAL OF AN APPLICATION.

All licensure standards contained in subch.B of ch.RACE 13 shall apply to totalizator licenses.

(5) CHANGE OF OFFICERS OR DIRECTORS.

Within fifteen days after election, appointment or resignation of an officer or director of a licensed totalizator system, the totalizator system licensee shall notify the board in writing of the identity of each new or resigned officer or director and shall file an amended application for each person.

(6) LICENSE DEEMED PERSONAL.

Licenses to operate totalizator systems are deemed personal in nature and non-transferable and shall terminate upon a substantial change of ownership of the totalizator company unless the board grants approval of the substantial change of ownership. The sale or transfer of five percent or more of any ownership interest of a totalizator company shall be considered a substantial change of ownership. In acting upon a request for approval of a substantial change in ownership, the board shall consider the same factors as it considers in the initial grant of a totalizator system license to an applicant for a totalizator system license.

CHAPTER RACE 11

POWERS AND DUTIES OF THE WISCONSIN RACING BOARD

RACE 11.01 PURPOSE. The purpose of this chapter is to govern the exercise of the board's powers and duties.

RACE 11.02 ADMINISTRATION AND OPERATION. Any person desiring any approval, opinion or other board action with respect to any matter within the jurisdiction of the board shall initially notify the director of the nature of the request and shall not directly contact individual members of the board. The director shall submit to the members of the board, with the copy of the agenda for every board meeting, a memorandum specifying all items submitted for board consideration but not placed on the agenda.

RACE 11.03 OPEN RECORDS. The board shall make its records available to the public pursuant to subch. II of ch.19, Stats.

RACE 11.04 BOARD MEETINGS.

(1) REQUEST FOR BOARD ACTION.

(a) All persons who seek board action shall submit this request in writing, specifying the action requested, no later than fifteen calendar days before the date of the board meeting at which the action of the board is requested. The board may waive this requirement if it finds that an emergency exists and that such emergency could not reasonably have been anticipated.

(b) This section shall not apply to requests for hearing pursuant to ch.RACE 3 or applications for any license granted by the board.

(2) BOARD MEETINGS AGENDA.

(a) The director shall prepare for each board meeting an agenda which shall constitute notice of the matters to be heard by the board at that meeting, including closed session. Copies of the agenda shall be made available to news media who have filed a written request for such agenda and all other interested persons requesting the agenda. The agenda shall be prepared in such a form as is required by s.19.84, Stats.

(b) The board may take action on matters that do not appear on the agenda only as provided in s.19.84, Stats. However, the board shall take no action relative to any licenses granted by it, nor any racing dates previously awarded, unless notice of the matter appears on the printed agenda.

(3) **ANNUAL NOTICE OF MONTHLY MEETINGS.** The board shall publish on or before January 31 its tentative schedule of monthly board meetings for that calendar year. This publication shall not preclude the board from changing the date of a meeting when necessary to achieve the attendance of the maximum number of board members, or cancelling a meeting if no board action is required, or for other good cause. The director will notify all interested parties whenever a meeting date is changed.

(4) All board meetings shall be conducted in accordance with subch. IV of ch.19, Stats.

RACE 11.05 POWER OF THE BOARD. Nothing contained under this section shall alter or diminish the power of the board to review or originate action in any case covered by any of the board's rules or otherwise within the jurisdiction of the board.

CHAPTER RACE 13

LICENSING

Subchapter A: Procedures

RACE 13.01 SCOPE AND PURPOSE. This chapter governs occupational licenses granted by the board. This chapter establishes licensure as a pre-requisite for participation in greyhound racing in the state of Wisconsin. Licensure is granted only by the board subject to compliance with the rules of the board and the Wisconsin statutes. Acceptance of a license shall be construed as consent and agreement to the rules. Failure to comply with any law relating to racing may be grounds for immediate revocation of this license. Licenses pursuant to s.562.05(1)(a) and (b), Stats., are governed by ch.RACE 5.

RACE 13.02 SUBMISSION OF APPLICATION.

(1) Any person desiring an occupation license shall apply on forms provided by the board. If additional information is requested for the purpose of determining an applicant's eligibility or qualifications, the board shall notify the applicant that he or she shall provide such supplemental information.

(2) Applications shall be obtained from the license office at any race track regulated by the board or from the board's central administrative office.

(3) Applications shall be filed in the licensing office at the race track where the applicant wishes to participate in a race meeting.

NOTE: The forms may be obtained at the board's central office at 150 E. Gilman, Room 1000, Madison, Wisconsin 53703.

RACE 13.03 COMPLETE APPLICATION. An application shall not be considered until the application form has been filled out and executed completely, all information requested by the board has been supplied and the appropriate license fee has been paid.

RACE 13.04 DURATION AND EXTENT OF OCCUPATION LICENSES.

(1) Each occupation license shall expire at midnight on December thirty-first of each year.

(2) An occupation license issued at one race meeting during the calendar year shall be valid at any other race meeting regulated by the board that year provided that the holder has not been suspended by the board or any other racing jurisdiction.

RACE 13.05 RACE FEES.

(1) ASSOCIATION LICENSES:

a.	General Manager/Assistant General Manager	\$100.00
b.	Practicing Veterinarian	\$100.00
c.	Concession Owner	\$100.00
d.	Totalizator Operator	\$ 50.00
e.	Association Steward	\$ 50.00
f.	Chartwriter	\$ 50.00
g.	Clerk of Scales	\$ 50.00
h.	Director of Racing	\$ 50.00
i.	Film Patrol	\$ 50.00
j.	Lure Operator	\$ 50.00
k.	Mutuel Manager	\$ 50.00
l.	Photo Finish/Timer	\$ 50.00
m.	Paddock Judge	\$ 50.00
n.	Racing Secretary	\$ 50.00
o.	Totalizator Employe	\$ 25.00
p.	Track Superintendent	\$ 50.00
q.	Announcer	\$ 50.00
r.	Assistant Racing Secretary	\$ 20.00
s.	Concession Employe	\$ 20.00
t.	Kennel Master	\$ 20.00
u.	Lead-Out	\$ 20.00
v.	Mutuel Employe	\$ 20.00
w.	Security	\$ 20.00
x.	Tip Sheet Employe	\$ 20.00

(2) DOG OWNER LICENSES:

a.	Owner	\$40.00
b.	Authorized Agent	\$25.00
c.	Partnership	\$25.00
d.	Corporation	\$25.00

(3) KENNEL LICENSES:

a.	Kennel Owner	\$750.00
b.	Kennel Operator	\$ 80.00
c.	Kennel Name	\$ 50.00
d.	Trainer	\$ 50.00
e.	Owner/Trainer	\$ 50.00
f.	Assistant Trainer	\$ 20.00
g.	Kennel Helper	\$ 20.00

(4) DUPLICATE LICENSES: \$ 20.00

(5) ALL OTHER OCCUPATIONAL LICENSES: \$ 20.00

(7) Persons applying for more than one license shall pay the prescribed fee and fill out the forms for each license to be obtained.

(8) All applications for occupation licenses shall submit two sets of classifiable fingerprints every three years as provided in s.13.09(2) and shall pay a fee to be determined by the board to process the fingerprints.

(9) All application fees shall be non-refundable.

RACE 13.06 LICENSE TO PARTICIPATE. No person shall participate in a race meeting unless such person has been granted a license.

RACE 13.07 DENIAL OF LICENSE. If the stewards recommend to the board that a license application be denied, they shall issue a ruling. No person whom the stewards have recommended be denied shall receive a license until granted by the board. If the applicant does not exhaust administrative remedies by requesting a hearing within the time specified in s.RACE 3.03, the stewards' ruling shall become a final decision of the board and the applicant shall be ineligible to re-apply for a license for the balance of the calendar year from the date of the stewards' ruling. The denial of a license by the board to any applicant will continue in effect until such time as the board approves a subsequent application for a license.

Subchapter B: Standards Applicable to All Occupation Licensees

RACE 13.08 PERSONS PROHIBITED FROM LICENSURE. No person to whom any of the following applies shall be granted a license by the board:

(1) The person is in default on any payment required under this ch.562, Stats., or under any rule promulgated by the board or under any law of any other state related to pari-mutuel wagering or racing;

(2) The person has been convicted of a felony within twenty years preceding the date of application in a state or federal court for which that person has not been pardoned and restored to full civil rights, or has been charged with the violation of a state or federal law which is a felony if that charge has not been dismissed or settled in any other way;

- (3) The person is or has been connected with or engaged in any business which is prohibited under the laws of this or another state or of the United States;
- (4) The person has been convicted of fraud or misrepresentation in connection with racing or animal breeding;
- (5) The person has been convicted of a violation of any law of this or another state or of the United States related to racing, pari-mutuel betting or any other form of gambling which is a serious violation;
- (6) The person has knowingly violated a rule or order of the board or any provision of this chapter or of ch.27,182, 562 or 945, Stats.;
- (7) The person has been convicted of a violation of any law of this or another state or of the United States related to the humane treatment of animals, including any rule promulgated by the board;
- (8) The person, if applying for, or holding, licensure pursuant to s.562.05(1)(a), has accepted public money to construct or operate a racetrack in Wisconsin;
- (9) The person is the holder of a racing occupation license which is currently under suspension by another racing jurisdiction, or whose license has been denied by another racing jurisdiction and the person has not been licensed by that jurisdiction subsequent to denial.

RACE 13.09 GENERAL REQUIREMENTS.

- (1) An applicant, other than a business entity, for an occupation license shall be at least sixteen years of age.
- (2) An applicant for an occupation license shall furnish with the license application two sets of classifiable fingerprints on the law enforcement agency cards provided by the board or department of justice:
 - (a) When applying for a license; or
 - (b) When requested by the stewards in the course of an investigation or inquiry.
- (3) Each applicant shall fulfill this fingerprint requirement at either the licensing office of each racetrack or at a law enforcement agency.
- (4) For the following entities the individuals specified must meet the fingerprint requirements:

(a) A partnership, each partner of the partnership;

(b) An association, each officer and director of the association;

(c) A corporation, each officer or director of the corporation and each owner, directly or indirectly, of any equity security or other ownership interest in the corporation. In the case of owners of publicly held securities of a publicly traded corporation, this requirement only applies to a person who is a beneficial owner of five percent or more of the publicly held securities.

(5) An applicant for an occupation license in all categories, except that of a greyhound owner, shall be a United States citizen, a permanent resident alien, or be the holder of a temporary or permanent work permit, pursuant to 20 CFR ss.655 and 656.

(6) In addition to the foregoing requirements, applicants shall meet the specific standards for eligibility.

RACE 13.10 UNQUALIFIED TO PERFORM THE DUTIES. The board may refuse a license application or suspend or revoke a license previously granted if the applicant:

(1) Fails to meet the specific criteria set forth in this chapter; or

(2) Has an apparent or actual conflict of interest as set forth in this chapter.

RACE 13.11 FALSIFYING ANSWERS OR OMITTING FACTS.

(1) The board may deny a license application or suspend or revoke a license already granted if the applicant:

(a) Gives false answers to questions during the course of a steward's inquiry; or

(b) Gives false answers in a hearing by the board; or

(c) Withholds or misstates information in his application.

(2) Applicants shall read the application carefully and take care in providing their social security numbers and dates of birth. If the applicant has a question about the application, the applicant may seek assistance from the board's licensing personnel or the stewards. However, the applicant shall be solely responsible for the truth and correctness of all information furnished in the application.

RACE 13.12 PROBATIONARY NATURE OF LICENSES.

(1) All licenses granted by the board shall be subject to suspension or revocation due to: violations of the rules of the board or another racing jurisdiction; suspension or revocation by another jurisdiction; violation of ch.562, Stats.; any reason which would have supported denial of a license, and for good cause.

(2) An applicant who receives a license shall be admonished by board personnel at the time the license is granted that severe sanctions such as license revocation or suspension shall be imposed if the holder of such a license violates the act or the rules of the board.

Subchapter C: Particular Occupational Requirements

RACE 13.13 OWNERSHIP BY BUSINESS ENTITIES.

(1) PARTNERSHIPS.

All partnerships and the name and address of every person having any interest in an animal and the relative proportions of such interests shall be filed with the racing secretary and stewards. All the partners and each of them shall be jointly and severally liable for all stakes and forfeits. All partners of a general or limited partnership shall be licensed as owners. These licensure requirements shall apply to all partnerships owning any interest in an animal. Failure to meet these requirements shall render the animal ineligible for entry.

(2) CORPORATIONS.

All corporations having an interest in an animal shall file with the racing secretary and stewards at the time of filing application for an owner's license, a statement setting forth the names and addresses of all officers, directors and stockholders of said corporation, together with the amount of the respective holdings of each stockholder. The said statement shall be signed by the president of the corporation, attested to by its secretary, and the corporate seal attached. All officers, directors and shareholders owning directly or indirectly five percent or more of any class of stock of a corporation shall be licensed as owners. These licensure requirements shall apply to all corporations owning any interest in an animal. Failure to meet these requirements shall render the animal ineligible for entry.

(3) The applications under this section shall be accompanied by an affidavit which states that the applicant, any partner, officer, director or owner of five percent or more of any class of stock of a corporation, and any person with a present or future, direct or indirect financial or

management interest in the application, to the best of the applicant's knowledge, meets the qualifications of s.RACE 13.07.

(4) Any changes in the partners, officers, directors, owners of five percent or more of any class of stock, or persons with a present or future, direct or indirect financial or management interest in a person licensed pursuant to this section shall promptly be filed with the stewards. All parties requiring licensure because of such change shall obtain a license. Failure to obtain a license shall render the animal ineligible for entry.

(5) KENNEL NAMES.

(a) A licensed owner wishing to race under a kennel name shall register the name for the racing season with the board and pay the prescribed fee.

(b) A trainer who is also a licensed owner or part owner may use a kennel name as owner or part owner. However, no trainer shall be licensed as a trainer other than in his or her legal name.

(c) In applying to race under a kennel name the applicant shall disclose all ownership interests behind the kennel name.

(d) Changes in any ownership interests involved in a kennel name shall be reported immediately to, and approval obtained from, the stewards.

(e) A licensed owner shall not be a party to more than one kennel name at the same time, nor shall the owner use a real name for racing purposes so long as the owner has a registered kennel name.

(f) A licensed owner who has registered under a kennel name may at any time abandon it after having given written notice to the board.

(g) A kennel name may be changed at any time by registering a new kennel name and by paying the prescribed fee.

(h) A licensed owner shall not register a kennel name which is already registered by any other owner.

(i) A licensed owner shall not register as a kennel name one which the board determines to be misleading to the public or unbecoming to the sport. No kennel name shall be registered with the board if it is being used for advertising purposes.

(j) A kennel name shall be plainly distinguishable from that of another duly registered kennel name.

(k) All persons represented by a kennel name shall sign an authorized agent's application which appoints one person to act as the agent for the kennel name.

(l) The board reserves the right to refuse the privilege of registering a kennel name.

RACE 13.14 OWNERS.

(1) An applicant for an owner's license shall own in whole or in part, or lease an animal eligible to race at the race meeting where the applicant seeks to participate. The animal shall be under the care of a trainer licensed by the board.

(2) If younger than eighteen years of age, an applicant for an owner's license shall submit an affidavit from a parent or legal guardian stating that the parent or legal guardian shall assume legal responsibility for the applicant's financial, contractual, or other obligations relating to the applicant's participation in racing if the license is granted. A parent or legal guardian submitting such an affidavit shall also meet the requirements of subsection (3) below.

(3) An applicant for an owner's license shall be capable of meeting the financial obligations incurred in the ownership, stabling, racing, training, and care of a racing animal.

(4) Owners licenses are personal in nature and expire upon the death of the licensee and are then void and without effect as a pre-requisite for the entry of a racing animal. When the decedent was the sole owner the only mechanism by which the deceased owner's racing animal(s) may be entered before the property rights in those racing animal(s) have been fully and completely transferred through legacy, intestate succession or authorized sale, is as follows: upon presentation of letters of administration issued by a court of competent jurisdiction, the person named in the letter shall be licensed as an authorized agent of the estate of the decedent and allowed to enter racing animal(s) formerly owned by the decedent, subject to the provisions of ch.860, Stats.

RACE 13.15 TRAINERS AND ASSISTANT TRAINER.

(1) An applicant for a license as a trainer or an assistant trainer shall be at least eighteen years of age and have been licensed as a trainer or assistant trainer by the board or another racing jurisdiction. Any person applying for a license as a trainer or assistant trainer for the first time

in Wisconsin shall submit to examination by the stewards unless previously licensed in one of these capacities in another racing jurisdiction for at least two years immediately preceding the application.

(2) Additionally, an applicant for a trainer's license shall:

(a) Have at least one racing animal to train which is eligible to race; and

(b) Be capable of meeting the financial obligations incurred in the racing, training, and care of the racing animal in his care; and

(c) Provide proof of having complied with sub.4.

(3) An applicant for an assistant trainer's license shall be employed by a licensed trainer.

(4) An applicant for a trainer's license, who is otherwise not subject to the provisions of the workers' compensation statute (ch.102 Stats.), shall elect to be so bound pursuant to s.102.05, Stats., and no trainer licensed in Wisconsin shall effect a withdrawal from these requirements. At the time of submitting an application for trainers license, the applicant shall attach to the application evidence of insurance as required by s.102.28(2)(a), Stats., and 102.31, Stats., or a written order of exemption pursuant to s.102.282(b), Stats. Where a trainer has no employees, and contemplates none, the trainer shall attach an affidavit to this effect with trainer's application upon a form to be supplied by the board. If a trainer subsequently does become an employer, the trainer shall comply with this section and supply to the board the applicable evidence of compliance.

NOTE: These forms may be obtained either at the racetrack or the board's central office at 150 E. Gilman, Madison, Wisconsin 53703.

RACE 13.16 AUTHORIZED AGENT.

(1) Each authorized agent shall obtain a license from the board.

(2) The application for a license as an authorized agent shall be accompanied by a written instrument signed and notarized by the principal which shall clearly set forth the powers of the agent, including whether the agent is empowered to collect money for the licensee. A copy shall be filed with the stewards.

(3) Any changes in the power, including revocation of authority, delegated by the principal to the authorized agent must be in writing, notarized and filed with the stewards before becoming effective.

Subpart D: Parties to a Contract

RACE 13.17 LICENSE REQUIRED. Persons entering into management, consultant, concession or other contracts to provide goods or services or both to a person licensed pursuant to s.562.05(1)(a), (b) and (c), Stats., must also be licensed by the board. Such contracts are also subject to the provisions of ch.RACE 4. Any contract entered into between a person licensed pursuant to s.562.05(1)(a), (b) and (c), Stats., and a non-licensed person(s) shall be considered void as against public policy.

RACE 13.18 PENALTIES, No person, licensed pursuant to s.562.05(1)(a), (b) or (c), Stats., shall enter into any contract with a non-licensed person, whether the contract is oral or written, or attempt to circumvent the requirements of this section by such actions as, but not limited to, behaving as if a contractual agreement existed although not reduced to writing or otherwise not meeting all legal requirements for formation of a binding contract. The licensee shall be subject to a forfeiture not to exceed \$10,000 or suspension or revocation, or any combination, for violation of this section.

Subchapter E: Conflicts

RACE 13.19 GENERAL CONFLICT PROVISIONS. When an applicant applies for a license in more than one category, the board shall consider whether the holding of such multiple licensing creates the appearance of a conflict of interest such as, but not limited to, a sudden change in ownership to immediate family members or a change in ownership without adequate consideration. If such appearance is created, both licenses may be suspended or denied.

RACE 13.20 DUAL LICENSING. The following kinds of dual licenses shall be prohibited:

- (1) A person licensed as a veterinarian or totalizator employee shall not be licensed in any other capacity;
- (2) A person licensed as a racing official shall not be licensed as anything other than a racing official at the meeting at which that person is serving as a racing official;
- (3) No board employee shall be licensed in any other capacity;

(4) All requests for dual licensing must be approved by the stewards.

RACE 13.21 HUSBANDS AND WIVES. Suspension, denials or revocations against either a husband or a wife shall apply equally to the licensee's spouse unless the board finds that the continued participation in racing by the affected spouse will not circumvent the intent of the rule or ruling by permitting one spouse to serve in essence as a substitute for a person ineligible to participate in a particular activity. In making such a decision, the stewards and board shall consider but not be limited to the following: the length of involvement in racing of the affected parties, the economic interdependence of the parties, and the nature of the licenses. However, the spouse of a person suspended for ten or fewer days shall not be suspended.

RACE 13.22 TRANSFER OF A RACING ANIMAL. The transfer of a racing animal by a person whose license has been suspended, denied, or revoked to circumvent a rule or ruling shall constitute a violation of these rules, and the licenses of both parties to the transfer may be suspended, revoked or a forfeiture imposed. No transfers of racing animals from a suspended licensee to an immediate family member shall be allowed. Immediate family member means mother, father, spouse, son, daughter, stepchildren and spouses of immediate family members.

Subpart F: Prohibited Activities

RACE 13.23 PROHIBITED ACTIVITIES BY LICENSEES. Violation of the following shall be considered grounds for denial or suspension of an occupation license or imposition of a forfeiture or both:

(1) No licensed person shall allow another person use of the license badge for the purpose of transferring any of its benefits. No license is transferable and no duplicate license shall be issued except upon payment of a fee prescribed by the board.

(2) All licensees when present in a restricted area or in the employment of the association shall prominently display the badge issued by the board.

(3) No person shall offer, promise, give, accept or solicit a bribe in any form, directly or indirectly, to or by a person having any connection with the outcome of a race.

(4) No person shall cause or attempt to cause, or participate in any way in any attempt to cause the pre-arrangement of a race result.

- (5) No person shall fail to report knowledge of the offering, promising, giving, accepting, or soliciting a bribe in any form, directly or indirectly, to or by a person having any connection with the outcome of a race.
- (6) No person shall fail to report knowledge of the causing or attempting to cause or participation in any way in any attempt to cause the pre-arrangement of a race result.
- (7) No person shall enter or permit a greyhound to be entered in a race if that person knows the greyhound was trained with any live lure or bait.
- (8) The following shall govern live lure requirements:
- (a) Before January 1, 1992, no person shall enter or permit a dog to be entered in a race if that person knows that the dog was trained in a state that does not prohibit the use of live lures or bait in a race or training for entry in a race.
- (b) On and after January 1, 1992, no person shall enter or permit a dog to be entered in a race if that person knows that the dog was trained in a state that does not specifically prohibit the use of live lures or bait in a race or training for entry in a race.
- (9) No person shall have been convicted of using a live lure or bait in the training of a greyhound.
- (10) No person shall engage in cruelty to or neglect of a greyhound entrusted to a licensee's care.
- (11) No person shall have been convicted of cruelty to or neglect of an animal.
- (12) No person shall possess a battery, buzzer, electrical, mechanical or other device which could be used to alter the speed of a greyhound in a race or workout.
- (13) No person shall engage in; the illegal sale, possession, or receipt or use of a controlled substance or intoxicant; use of profanity; fighting or any conduct of a disorderly nature on association grounds.
- (14) No person shall have been convicted of illegal possession of firearms or be in possession of firearms on the grounds of the racetrack enclosure.
- (15) No person shall engage in any activity or practice which in the opinion of the board is detrimental to the best interests of racing in the state of Wisconsin.

CHAPTER RACE 14

MEDICATION RULES

RACE 14.01 PURPOSE. The purpose of this chapter is to govern procedures relative to permissible administration of medication to racing animals.

RACE 14.02 DEFINITIONS.

(1) "Foreign substance" means any substance except those which exist naturally in the untreated animal of normal physiological concentrations.

(2) "Medication" means any substance recognized as a drug in the official U.S. pharmacopoeia and national formulary or official homeopathic pharmacopoeia of the United States or, any supplement to either of them; or, any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or other conditions in persons or animals; or, any substance other than a device or food intended to affect the structure or any function of the body of persons or animals; or, any substance intended for use as a component of any article specified previously.

RACE 14.03 PROHIBITION AGAINST FOREIGN SUBSTANCE AND MEDICATIONS. No animal participating in a race shall carry in its body any foreign substance or medication, irrespective of when administered or injected. No person shall administer, conspire to administer or attempt to administer a foreign substance or medication in violation of this rule.

RACE 14.04 FORTY-EIGHT HOUR BAN. No foreign substance or medication shall be administered to an animal entered to race by hypodermic injection, oral administration, topical administration which can penetrate the skin, rectal infusion, suppository, inhalation or any other means within 48 hours prior to the scheduled post time of the first race of the day on which the animal is entered.

RACE 14.05 UNLAWFUL ENTRY. Any person who enters any animal in a race and who knows, or by exercise of due diligence in his or her duties should know, that the animal carries in its body during the race any foreign substance or medication, regardless of when administered or injected, shall be subject to a suspension or revocation of licensure, forfeiture or both.

RACE 14.06 WILLFUL FAILURE TO DISQUALIFY. No person shall willfully fail to disqualify an animal from a race when the person has notice that:

- (1) A foreign substance or medication has been administered to the animal in violation of ss.RACE 14.02 or 14.03;
- (2) The animal has not been properly made available for any test or inspection required by the board; or
- (3) The animal is not eligible to race in Wisconsin, or any other racing jurisdiction.

RACE 14.07 PRESCRIPTION ITEMS. No person except a veterinarian shall have in his possession within a race track enclosure any prescription drug as defined in s.450.01(20), Stats., unless prior written authorization is obtained by the board veterinarian or that person has complied with s.RACE 14.09(2).

RACE 14.08 POSSESSION OF DRUGS AND CHEMICALS. No veterinarian or any other person shall have in his possession or administer to any animal within any race track enclosure any chemical substance which:

- (1) Has not been approved for use on animals by the food and drug administration, pursuant to the federal food, drug and cosmetic act, 21 U.S.C. section 301 et. seq., and implementing regulations; or
- (2) Which is on any of the schedules of controlled substances as prepared by the attorney general of the United States pursuant to 21 U.S.C. section 811 and 812, or those contained in ch.161, Stats., without the prior written approval from the state veterinarian. The state veterinarian shall not give such approval unless the person seeking such approval can produce evidence in recognized veterinary journals or by recognized experts that such chemical substance has a beneficial, therapeutic use in racing animals.

RACE 14.09 POSSESSION OF NEEDLES AND INJECTABLE PROHIBITED.

- (1) Except as provided in RACE 14.09, no person, except a veterinarian, shall have in his possession within any race track enclosure any hypodermic syringe or needle or any instrument capable of being used for the injection into any animal or human of any chemical substance.
- (2) Except as provided in RACE 14.09, no person, except a veterinarian, shall have in his possession within any race track enclosure any substance prepared for the purpose of being injected into an animal or human being.

**RACE 14.10 HUMAN USE OF SUBSTANCES AND HYPODERMIC SYRINGES
OR NEEDLES.**

(1) PRESCRIPTION ITEMS - HUMAN USE.

No person may possess within a race track enclosure any chemical substance for use on their own person, unless such chemical substance is a prescription drug as defined in s.450.01(20), Stats., and such person is in possession of documentary evidence that a valid prescription for the prescription drug has been issued to the person.

(2) HYPODERMIC SYRINGE OR NEEDLE.

No person may possess within any race track enclosure any hypodermic syringe or needle for the purpose of administering a chemical substance unless the person has:

- (a) Provided the state stewards prior written notification of the possession of such device;
- (b) Provided the state stewards prior written notification of the size of such device;
- (c) Provided the state stewards prior written notification of the chemical substance to be administered by such device;
- (d) Provided the state stewards a copy of a physician's order documenting the need for such device.

RACE 14.11 TEST SAMPLES.

(1) The winning animal in every race, at least one animal from every race selected at random at any time, and any other animals selected at the discretion of the stewards or board veterinarian, shall have taken from it test samples. In determining which animals to test, the stewards shall consider, without limitation, whether the performance of the animal is such that it suggests the animal was not performing within its usual parameters, such as with beaten favorites or animals displaying significant reversals of form.

(2) Any trainer or owner of an animal who shall refuse to submit such animal for test samples shall have their license suspended for not less than thirty days and such animal shall be disqualified from racing at meetings under the jurisdiction of the board.

(3) Test samples shall be taken under the supervision of the board veterinarian by persons appointed by the board. During the taking of such test samples the owner or trainer or their agent or employe may, at their discretion, be present at all times.

(4) The test samples shall be sealed by the board veterinarian or those under the board veterinarian's supervision and the evidence of such sealing shall be witnessed by the signature of the owner or trainer or their agent or employe, if present. Failure to be present to witness the sealing shall constitute a waiver of the right to witness the sample collection.

(5) An area located adjacent to the paddock shall be set aside and be under the supervision of the board veterinarian for the purpose of collecting body fluid samples for any tests required by the board. The building, location, arrangement, furnishings and facilities, including refrigeration and hot and cold running water, must be approved by the board.

(6) No unauthorized person shall be admitted at any time to the building or the area utilized for the purpose of collecting the required body fluid samples or the area designated for the retention of greyhounds pending the obtaining of body fluid samples.

(7) The board veterinarian, the board of stewards, or the authorized representatives of the board may take samples of any medicine or other materials suspected of containing improper medication, drugs, or other substance which could affect the racing condition of a greyhound which may be found in kennels or elsewhere on racetracks or in the possession of any person connected with racing, and the same shall be delivered to the official chemist for analysis.

(8) The association shall reimburse the board for all pre-race and post-race testing costs incurred.

RACE 14.12 REFEREE SAMPLES.

(1) For each animal tested, one portion of the test sample, referred to as the referee sample, shall be taken at the same time as the test sample, when sufficient quantities of fluid are present, and preserved by the laboratory. The referee sample shall be available for testing at the request of the owner, trainer or other person charged with a violation of these rules. The referee sample may also be tested by the board laboratory with the consent of the owner of the animal from whom the sample was taken. If the board

requests permission from the owner to test the referee sample, and the owner refuses to grant the permission, the board shall deem such refusal by the owner as grounds for revoking the owner's occupation license.

(2) If the owner, trainer or other person charged with a violation of these rules desires to send the referee sample to another laboratory for testing, the board shall bear the cost of preparing the samples for shipment, but the cost of such shipment and of such testing at another laboratory shall be borne by the person requesting the additional tests.

(3) Whenever a referee sample is opened, a portion of that test sample shall be preserved in case further testing is requested.

RACE 14.13 LABORATORY REPORTS AND FINDINGS. If the laboratory determines that a foreign substance, medication, or any metabolite thereof, is a constituent in a test sample, the laboratory shall report such determination to the director.

RACE 14.14 DISTRIBUTION OF PURSES. The fact that purse money has been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no foreign substance or medication has been administered, and such purse money remains subject to the provisions of RACE 14.14 after it is paid.

RACE 14.15 FINALITY OF PURSE DISTRIBUTION.

(1) Upon receipt of a laboratory report for a positive finding from the laboratory, the stewards shall immediately direct that no purse money shall be awarded to the animal in question pending a final determination by the stewards or the board of the accuracy of the laboratory's report. The stewards shall notify the owner, trainer, and any other person having care, custody or control of the animal. If the purse money has been distributed, the stewards shall order it returned pending determination of the accuracy of the laboratory's report. The stewards shall proceed to conduct an inquiry or the board shall conduct an inquiry or hearing.

(2) If the report of a laboratory is not contested or if the stewards or the board determine that the laboratory report is accurate, all purse money won by the animal in the race in question shall be forfeited and redistributed among the remaining animals according to their order of finish. No such forfeiture and redistribution shall affect the distribution of pari-mutuel pools.

(3) If no report has been issued by the laboratory to the stewards or the board within sixty days after the date of a race, the owner of the animal shall become legally entitled to the money in the purse and it shall be conclusively presumed that the conditions precedent to such entitlement have been met. However, laboratory reports issued more than sixty days after the date of a race may be considered as evidence of a violation of board rules.

RACE 14.16 RETENTION OF SAMPLES. If a laboratory report has been issued, whatever remains of that particular test sample shall be retained until all legal proceedings have been concluded, and all test results shall be retained for a period of one year. All samples shall be retained by the laboratory until the board approves their disposal.

RACE 14.17 TRAINER RESPONSIBILITY.

(1) Every trainer has the duty to guard or cause to be guarded each animal trained by the trainer in such a manner as to prevent any person, including the animal's veterinarian, from administering to such animal any foreign substance or medication in violation of these rules.

(2) Every trainer has the duty to be familiar with the medication rules of the board and reasonably familiar with the foreign substances and medications the trainer administers or directs the trainer's employees to administer, and which are administered by such trainer's veterinarian.

RACE 14.18 PRIMA FACIE EVIDENCE.

(1) A determination by the laboratory pursuant to these rules shall constitute prima facie evidence that the trainer has violated, or has failed to fulfill the duties specified in, s.RACE 14.16.

(2) As used in this rule, "prima facie evidence" means that the board has met its burden of proof without more and the trainer has the burden of going forward with evidence.

RACE 14.19 PENALTIES.

(1) When imposing penalties for a violation of RACE 14.03, 14.04, or 14.05 the stewards and the board shall consider but not be limited to the following factors:

(a) The nature of the effect foreign substance; e.g., cough medicine, steroid, narcotic, stimulant, depressant, etc.;

(b) The accessibility of the drug; e.g., can be purchased over the counter, only with a prescription, only with a license for controlled substances, cannot be purchased in this country;

(c) The age and experience of the violator;

(d) Whether the violator has ever been the subject of a medication ruling in this or any other racing jurisdiction;

(e) What action, if any, was taken to avoid such violation;

(f) The average handle at the race meeting where the violation occurred and the purse of the race.

(2) When imposing penalties for a violation of RACE 14.16 the stewards and the board shall consider but not be limited to the following matters:

(a) What action, if any, was taken by the trainer to guard the animal during the twenty-four hours prior to the race;

(b) What action, if any, was taken by the trainer to guard the animal during the period between entry and the race;

(c) The nature of the effect of foreign substance; e.g., cough medicine, steroid, narcotic, stimulant, depressant, etc.;

(d) The accessibility of the drug; e.g., can be purchased over the counter, only with a prescription, only with a license for controlled substances, cannot be purchased in this country, etc.;

(e) The age and experience of the trainer;

(f) Whether the trainer has been the subject of a medication ruling in this or any other racing jurisdictions;

(g) The average handle at the race meeting where the violation occurred and the purse of the race.

(3) The steward shall not be required to specifically articulate any of the foregoing in their ruling nor shall ignorance of the rules be deemed a mitigating factor.

RACE 14.20 VETERINARY REQUIREMENTS.

(1) All veterinarians licensed by the board shall maintain records which accurately reflect all purchases of medication by a licensee, name of each animal treated, date of the treatment, method of administration, prescription of medication and name of the trainer. All veterinarians shall also retain duplicate copies of their bills or statements to trainers or owners. Veterinarian's records shall include the following:

- (a) The name of the greyhound.
- (b) Tattoo number.
- (c) Kennel.
- (d) The nature of the greyhound's ailment.
- (e) The type of treatment prescribed and performed.
- (f) The date and time of treatment.

(2) Said records shall be retained for at least three years and shall be made available for inspection upon request of the board or its representative.

(3) Veterinarians engaged in private practice on tracks under the jurisdiction of the board shall be licensed to practice in the state of Wisconsin.

(4) A veterinarian practicing medicine at a track licensed by the board shall use disposable needles and keep the needles in possession until the needles can be properly disposed of off the grounds of the racetrack.

RACE 14.21 POST MORTEMS.

(1) Every animal which suffers a breakdown on the race track in training, or in competition and is destroyed and every other animal which expires while on the grounds of a race track under the jurisdiction of the board shall undergo post-mortem examination at a time and place acceptable to the state veterinarian to determine the injury or sickness which resulted in euthanasia or natural death. Post-mortems shall not be required when death is due to fire.

(2) The post-mortem examination required under this rule shall be conducted by the board's veterinarian.

(3) Test samples must be obtained from the carcass upon which the post-mortem examination is conducted and shall be sent to a laboratory approved by the board for testing for foreign substances and natural substances at abnormal levels. When practical, blood and urine samples should be procured prior to euthanasia.

(4) A record of every such post-mortem shall be filed with the board veterinarian, or with the board if the race meeting has ended, within 72 hours of the death submitted on a form supplied by the board.

(5) Each owner and trainer accepts the responsibility, as a prerequisite for maintaining the occupational license issued by the board, for ensuring the post-mortem examination as provided in this section is conducted .

RACE 14.22 BOARD VETERINARIAN.

(1) The board shall employ a veterinarian licensed to practice in the state of Wisconsin at each race meeting.

(2) The board veterinarian shall advise the board and stewards on veterinary matters.

(3) The board's veterinarian shall be on the grounds of the association at weighing-in time and during all racing hours.

(4) The veterinarian shall make an examination of the physical condition of each greyhound at weighing-in time.

(5) The board veterinarian shall observe each greyhound as it enters the lock-out kennel, examine it when it enters the paddock prior to the race, and recommend to the board of stewards that any greyhound deemed unsafe to race or physically unfit to produce a satisfactory effort in a race be scratched.

(6) The board veterinarian shall place any greyhound determined to be sick or having a communicable disease, or any greyhound deemed unsafe, unsound or unfit on a veterinarian's list which shall be posted in a conspicuous place available to all owners, trainers and officials. Once a greyhound has been placed on the veterinarian's list it may be allowed to race only after it has been removed from the list by the board veterinarian. The entry of any greyhound on the veterinarian's list may be accepted only after receiving written authorization by the board veterinarian removing the greyhound from the list.

(7) The board veterinarian shall have full access to each kennel on the association's premises. The board veterinarian shall inspect the general physical condition of the greyhounds, sanitary conditions of the kennels, segregation of female greyhounds in season, segregation of sick greyhounds, the types of medicine found in use, cruel and inhumane treatment, and any other matters or conditions which are brought to the attention of the board veterinarian and reported to the stewards.

(8) The board veterinarian may not buy or sell any greyhound under their own supervision; nor may the board veterinarian or assistants wager on a race, nor be licensed to participate in racing in any other capacity.

CHAPTER RACE 15

HUMANE TREATMENT OF RACING ANIMALS

RACE 15.01 PURPOSE. The purpose of this chapter is to ensure that animals participating in races in this state shall be treated humanely both on and off racetracks throughout the life of the animals.

RACE 15.02 HUMANE ISSUES.

(1) Owners and trainers of greyhounds shall humanely treat, both on and off the race track, all greyhounds in their possession or under their control:

(a) This condition shall terminate only when the party ceases to be an owner or trainer of greyhounds;

(b) A proven violation of this rule shall ban the responsible party from holding any racing related license for a minimum five year period.

(c) A person is guilty of inhumane treatment for any, but not limited to, of the following acts: if the person overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink or shelter, cruelly beats, mutilates any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten or mutilated; and whoever having charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink or shelter or protection from the weather, or who drives or otherwise uses an animal unfit for racing, training or other labor.

(2) A sworn affidavit for each greyhound to be entered shall be filed by the trainer or owner with the steward stating the dog has not been trained on a live lure:

(a) The affidavit shall disclose the locations of training, dates of training and names, addresses and telephone numbers of all trainers. This affidavit is to be filed by the trainer or owner prior to racing;

(b) Providing false information shall subject the licensee to a forfeiture, suspension, revocation of license or any combination;

(c) A violation of this rule shall result in a suspension of the guilty party for life;

(d) For purposes of this requirement it is presumed a greyhound cannot be trained at an age of less than 10 months.

(3) The board shall investigate on all complaints regarding humane treatment of greyhounds.

RACE 15.03 EUTHANASIA.

(1) All persons subject to the jurisdiction of the board shall only use a lethal injection of barbiturates to euthanize a greyhound:

(a) Only a licensed veterinarian shall administer such barbiturates.

(b) Such barbiturates shall be administered in a manner sufficient to ensure that the animal feels no pain or discomfort.

(2) Violation of this rule shall subject the violator to the penalties as provided in s.562.13(4), Stats.

RACE 15.04 LIVE LURE PROHIBITION.

(1) No animal that participates in races upon which pari-mutuel wagering is conducted in this state, and no animals which are bred and trained in this state for racing, shall be trained on a live lure or bait.

(2) The following shall govern live lure requirements:

(a) Before January 1, 1992, no person shall enter or permit a dog to be entered in a race if that person knows that the dog was trained in a state that does not prohibit the use of live lures or bait in a race or training for entry in a race.

(b) On and after January 1, 1992, no person shall enter or permit a dog to be entered in a race if that person knows that the dog was trained in a state that does not specifically prohibit the use of live lures or bait in a race or training for entry in a race.

(3) Any occupation licensee who violates this section shall have his other license revoked for life.

RACE 15.05 GENERAL HUMANE RULES.

- (1) Greyhounds shall not be muzzled in their crates while housed in kennels on the grounds of a licensed association, unless permission is obtained by the board's veterinarian, which shall be granted only for valid veterinary medical concerns.
- (2) Prior to the beginning of each race meet the state stewards shall approve the racing condition of the track surface. Before each performance a steward, an association representative and board veterinarian shall evaluate the condition of the track. If the track surface is deemed unsafe in their opinion, the association shall have until post time of the first race to correct the problem or racing shall be cancelled by the stewards. In the event of inclement weather causing an unsafe racing surface, the stewards, upon consultation with the general manager and board veterinarian may suspend the remainder of the racing program.
- (3) No greyhounds shall be removed from the grounds of the racetrack unless prior approval from a board steward or designee has been obtained, unless in case of emergency. In cases of emergency, within 24 hours the trainer shall submit to the stewards an explanation of the emergency and any substantiating documents required by the stewards:
 - (a) Approval will include inspection and identification of the greyhound.
 - (b) Destination of the greyhound shall be submitted to the board stewards or board veterinarian on a form supplied by the board.
 - (c) Upon return to the grounds, the steward, after examination by the board veterinarian shall verify that the animal has recovered, if it left for treatment.
- (4) All greyhounds transported to any racetrack within the state shall be hauled in crates designed and used for the sole purpose of transporting greyhounds. These crates shall be two feet wide, three feet long and 34 inches high.
- (5) All greyhounds shall have been vaccinated for rabies during the calendar year in which they are participating and shall have been vaccinated prior to their participation.
- (6) Only one greyhound shall be housed per crate at any time.

CHAPTER RACE 16

**PROHIBITED ACTIVITIES
OF EMPLOYEES OF LICENSEES**

RACE 16.01 PURPOSE. The purpose of this chapter is to establish rules which identify prohibited activities of employees of licensees.

RACE 16.02 DEFINITIONS.

(1) "Touting" means the act of soliciting anything of value in exchange for information regarding the outcome of a race conducted at a pari-mutuel race meeting under the jurisdiction of the board.

(2) "Bookmaking" means the act of accepting a wager from a patron of a pari-mutuel race meeting with the intent to withhold the wager from the pari-mutuel pool.

(3) "Theft" means the act of knowingly exerting control over state revenue or the revenue of a racing association or, by deception, obtaining control over patron dollars.

RACE 16.03 EMPLOYEES OF CLASS A, B OR C LICENSEES.

(1) WAGERING.

No employee of any person licensed pursuant to ss.562.05(1)(a), (b) or (c), Stats., shall place any wagers, or cause any wager to be placed, directly or indirectly, on any race during the time he or she is working. Any employee shall be deemed to be working from the start of their shift until the end of the shift, and may not wager during breaks, lunch or any other time before they are discharged from their duties that day. No employee may wager while wearing any clothing or other identification that indicates they are an employee of a licensee. No racing official employed by any person licensed pursuant to ss.562.05(1)(a), (b) or (c), Stats., may place any wager, directly or indirectly, at any track under the jurisdiction of the board.

(2) THEFT.

No employee of any person licensed pursuant to ss.562.05(1)(a), (b) or (c), Stats., shall commit theft.

(3) TOUTING AND BOOKMAKING.

No person employed by a person licensed pursuant to ss.562.05(1)(a), (b), or (c), Stats., shall engage in touting or bookmaking.

RACE 16.04 OCCUPATION LICENSEES. Occupation licensees having immediate care and custody of an animal may only wager on a race in which this animal is entered if the wager includes this animal. No occupational licensee having immediate care and custody of more than one animal in a race may wager on that race. No lead-outs may wager on any race at the race meeting in which they are participating.

CHAPTER RACE 17

UNIFORM SYSTEM OF ACCOUNTS

RACE 17.01 PURPOSE. The purpose of this chapter is to establish a uniform system of accounts. These rules shall apply to those associations participating in racing in the state of Wisconsin.

RACE 17.02 DEFINITIONS.

- (1) "Accounts" means the accounts prescribed in this chapter.
- (2) "Affiliated companies" means companies of persons that, directly or indirectly, through one or more intermediary companies, or alone, control, or are controlled by, or are under common control with the reporting association.
- (3) "Control" means the possession of the power to direct or cause the direction of the management and policies of a company or association. Such power may be established through a majority or minority ownership or voting of securities, common directors, racetrack officials, or stockholders, voting trusts, holding trusts, associated companies, contract or agreement or any other direct or indirect means.
- (4) "Book cost" means the amount at which property is recorded without deduction or related provisions for accrued depreciation, amortization, or for other purposes.
- (5) "Cost" means the amount of money actually paid for property or services. When the consideration given is other than cash, the fair value of the consideration surrendered or the fair value of the asset received, whichever is more clearly evident, should be used to determine cost.
- (6) "Current assets" means a term used to designate cash and other assets or resources commonly identified as those which are reasonably expected to be realized in cash or sold or consumed within one year.
- (7) "Current liabilities" means the amount designated to those obligations whose liquidation is reasonably expected to require the use of existing current assets.
- (8) "Financial statements" means inclusive of all notes to the statements and all related schedules.
- (9) "Timing difference" means the time when tax liabilities are incurred and when they are actually paid.

RACE 17.03 APPLICATION OF REGULATION.

(1) All associations shall keep their financial records in the manner prescribed by these rules. In addition, this uniform system of accounts shall also apply to the form and content of all financial statements to be filed as a part of the application for a license to conduct any racing meeting.

(2) These rules are adopted pursuant to the authority granted to the board in ch.562.02(h) of the act.

RACE 17.04 RULES OF GENERAL APPLICATION.

(1) All money amounts required to be shown in financial statements shall be expressed in whole dollars.

(2) The information required with respect to any financial statement shall be furnished as a minimum requirement. Further material information shall be added whenever necessary to make the required financial statements not misleading in the light of the circumstances under which they are made. Conversely, if any amount required to be shown with respect to any caption note or schedule is not material, it need not be shown.

(a) Each association shall maintain its books of account and all other records and supporting documentation in order to be able to readily furnish to the board full disclosure of any item included in any account.

(b) No association shall destroy any such books or records unless prior permission to do so is obtained from the board. The board will grant such permission if the books and records are more than five years old.

(c) In addition to the prescribed accounts, clearing accounts, temporary accounts and subdivisions of any account may be utilized provided the integrity of the prescribed accounts is not impaired as long as the information in the prescribed accounts is readily available from the accounts.

(d) Any questions regarding the accounting for a specific item should be submitted to the board for an interpretation.

(3) The account numbering framework.

NOTE: An example of a system of three- and four- digit numbers as follows:

100.0 - 199.9	Assets and Other Debits
200.0 - 299.9	Liabilities and Other Credits
300.0 - 399.9	Income Accounts
400.0 - 499.9	Expense Accounts

(a) Each association may adopt such scheme of account numbers as it deems appropriate, provided however, that it shall keep readily available to the board the information required by the application form.

(4) Income and expenses are required by type of operation. Any item not specifically provided for can be identified with a type of operation and should be allocated in the income statement.

NOTE: Items of revenue, cost or expense which are not properly identifiable with any operating department shall be accounted for in the "other" column on the income statement. Supplementary listings explaining any such material items shall be submitted along with the application.

RACE 17.05 GENERAL NOTES TO FINANCIAL STATEMENTS. The following notes shall be included in each application filed. This information may be set forth on the face of the application statement in a supporting schedule or in notes appropriately captioned.

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES.

(a) Principles of consolidation including accounting for investments in subsidiaries not consolidated. A brief description of the principles followed in consolidating the separate financials. If there has been a change in the entities included or excluded from the previous fiscal year, state the entities and the effect.

(b) Depreciation and amortization methods. State the policy followed in computing the provision for depreciation of physical property and leasehold improvements, including the method and rates used.

(c) Pension and retirement plan accounting. State a brief description of the essential provisions of the plan and the related accounting and funding policies, including the cost of the plan for the year. Also state whether or not the plan has been submitted to or approved or both by the internal revenue service.

(d) Recognition and deferral of income taxes. Include and deferral of income tax and provide a brief description.

1. The following components of income tax expense shall be disclosed in the income statement or a note attached to income statement:

- a. Taxes currently payable;
- b. Tax effects of timing differences; and
- c. Tax effects of operating losses and the net deferred investment tax credits.

2. Include a brief description of the nature of such timing differences. Include a brief statement as to the policy for accounting for investment credit.

(e) Amortization of intangible assets. Include a brief statement as to the policy and method of amortization.

(f) Inter-company profits and losses. Include a brief description as to the amounts and the policy for the accounting for inter-company items.

(g) Deferred charges and credits. State the nature and the write-off period of any significant deferred charges.

(h) Other. Any other accounting policies that materially affect the determination of financial position, results of operation and changes in financial position.

(2) For assets subject to lien, briefly identify assets mortgaged, pledged or in any other way subject to lien.

(3) For defaults, briefly describe the nature and effect of any defaults of security agreements, indentures and loan agreements.

(4) For restrictions on retained earnings, briefly describe and give the amount of the most restrictive of any such restrictions.

(5) For commitments and contingent liabilities, disclose the amounts and nature of any significant commitments and contingent liabilities.

(6) For capital stock, describe the pertinent facts regarding any stock options, warrants or rights outstanding.

RACE 17.06 BALANCE SHEET ACCOUNTS.

(1) **100 CASH.** This account shall include the amount of cash on hand and demand deposits in banks which are immediately available for general business purposes.

(a) Typical items included:

1. Working funds.
2. Petty cash funds.
3. Undeposited receipts.
4. General checking accounts.
5. Payroll checking accounts.

(2) **101 CASH - RESTRICTED, OUTSTANDING MUTUEL TICKETS.** This account shall include the amount of cash on hand and time and demand deposits in banks which are restricted in use for payment of outstanding mutuel tickets.

(3) **102 SPECIAL FUNDS.** Cash on deposit in banks which is not readily available for normal business disbursements because of specific legal withdrawal restrictions shall be included in this account.

(4) **110 TEMPORARY CASH INVESTMENTS.** This account shall reflect the book cost of interest-bearing cash deposits and marketable securities acquired for the purpose of temporarily investing cash. Separate sub-accounts shall be maintained using account numbers 110-119.

NOTE: An example of these sub-accounts is as follows:

	Account	Typical Items
Interest-bearing cash deposits	#111 of deposits	Savings accounts, time and certificates
Marketable services	#112	U.S. Treasury bills and notes State and municipal bonds, corporate bonds, notes and stock. Promissory demand notes.

(5) **120 RECEIVABLES.**

(a) This account shall include amounts due from individuals or organizations, including other associations, for sales, claims, loans and advances or other debtor obligations, but only to the extent that such amounts are expected to be realized within one year's time.

NOTE: Typical items include uncollected rents, overpayment of current year's income tax liability or other obligation, accrued interest on investments, uncollected billings or accruals under occupancy agreements or other obligation from other associations, substantiated claims against suppliers or public carriers, claims against NSF checks, loans and advances due from the association's racetrack officials and employees but no expense advances (see Account #130), affiliated companies or others, obligations in the form of notes receivable, uncollected proceeds from property sales, dividends receivable.

(b) This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of receivables where the amount associated with such items make up a majority of the total balance in this account.

(6) **120.1 RESERVE FOR DOUBTFUL ACCOUNTS.** This account shall include an amount equal to anticipated collection losses and other adjustments or allowances which, in the normal course of events, will reduce the gross charge to the debtor.

(a) Accounts which are determined to be uncollectible should be written off against the reserve, and the recoveries of accounts previously written off should be credited to the reserve.

(b) The corresponding charge relating to the establishment of this reserve shall be made to the "other expense" account.

(7) **130 PREPAYMENTS.** This account shall include the costs incurred for benefits or services not yet received, but only to the extent that such costs are expected to be realized substantially within the next year.

NOTE: Typical items include rent, insurance, racing license fees, commissions, taxes, inventories of supplies and expense advances to employees in the ordinary course of business.

(a) This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of "prepayments" where the amount associated with such items make up a majority of the total balance in this account.

(8) 140 OTHER CURRENT ASSETS.

(a) This account shall include the amounts of all other current and accrued assets which are expected to be realized within the following year and which are not properly includable in any of the other current asset accounts as defined herein.

(b) This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of "other current assets" where the amount associated with such items make up a majority of the total balance in this account.

(9) 150 INVESTMENTS IN AFFILIATED COMPANIES.

(a) This account shall include the cost of capital stocks of affiliates acquired by the association. In addition, such investments shall be adjusted periodically to reflect the company's proportionate share of subsequent increases or decreases in the underlying book values of such affiliates acquired. (Accounting for investments on the equity method.)

(b) The following sub-accounts shall be maintained to provide for the accounting in this area:

	Account
1. Underlying book value of investment	150.1
2. Cost in excess of underlying book value at date of investment	150.2

(c) The underlying book value account shall reflect the initial cost of the acquisition as recorded on the affiliates books plus any subsequent adjustments by the association to record its share of any increases or decreases to this initial book value.

(d) The cost in excess of underlying book value at date of acquisition account shall reflect that portion of the association's total cost of acquisition which exceeded the book value of the affiliate at the initial date of investment.

(10) 151 LOANS AND ADVANCES RECEIVABLE FROM AFFILIATED COMPANY. This account shall include the book amount of loans and advances made to affiliated companies but only to the extent that such loans and advances are expected to be realized after one year's time.

NOTE: See Account #120 for recording of loans and advances receivable within one year.

(11) 160 PROPERTY, PLANT AND EQUIPMENT. Sub-accounts as described below shall be maintained to reflect the cost of acquisition or construction of the association's owned tangible property.

NOTE: The following example reflects the proper breakdown for this account:

Main Facilities -- Plant and Track

	Account	Typical Items
Land	161	All land
Ground Improvement	162	Parking lots, walkways, landscaping track improvements, etc.
Buildings and improvements	163	Main plant (grandstand & mutuels building) kennel buildings, stewards towers, etc.
Machinery and equipment	164	Trucks, tractors, office equipment, heating and cooling equipment, etc.
Furniture and fixtures	165	Office furniture, etc.
		Kennel Compound
Buildings and improvements	166	Kennel building, ginny pit
Machinery and equipment	167	The cost of machinery and equipment used exclusively in the kennel compound.
Furniture and fixtures	168	The cost of furniture and fixtures if any located in the kennel compound.

(12) 160.1 ACCUMULATED DEPRECIATION. This account shall reflect the accumulated provisions made for depreciation upon the association's owned tangible property and shall be the sum of the amounts contained in the sub-accounts.

NOTE: The following chart reflects the proper breakdown for this account.

Main Facilities -- Plant and Track

	Account
Accumulated depreciation - ground improvements	162.1
Accumulated depreciation - buildings and improvements	163.1
Accumulated depreciation - machinery and equipment	164.1
Accumulated depreciation - furniture and fixtures	165.1

Kennel Compound

Accumulated depreciation - buildings & improvements	166.1
Accumulated depreciation - machinery and equipment	167.1
Accumulated depreciation - furniture and fixtures	168.1

(13) 170 LEASEHOLD IMPROVEMENTS. This account shall include the costs of acquisition or construction of improvements made to facilities leased by the association.

(14) 170.1 ACCUMULATED AMORTIZATION OF LEASEHOLD IMPROVEMENTS. This account shall reflect the accumulated provisions made for amortization of leasehold improvement costs. Such provisions shall be determined on the shorter of the expected useful lives of the improvements or the remaining term of the lease.

(15) 180 OTHER NON-CURRENT ASSETS. This account shall include the amounts of all other non-current and accrued assets which are expected to be realized after the period of one year's time and which are not properly includable in any of the other non-current asset accounts.

NOTE: Items properly accounted for in this account shall include deferred charges, cash held by an association for payment in future years' purses and other miscellaneous assets which are unusual in nature or the proper final disposition of which is uncertain.

(16) 200 ACCOUNTS PAYABLE.

(a) This account shall include amounts payable to individuals or organizations, including other associations and affiliates for receipt of an asset, service, expense incurred or other obligation, but only to the extent that such amounts are expected to be liquidated within one year. Items to be included are:

1. Unpaid rents.
2. Trade payables to suppliers.
3. Unpaid billings under occupancy agreements or other obligation with other associations or affiliates.
4. Deposits or loans and advances payable to affiliated companies or others.

5. Unpaid amounts on property purchases.
6. Dividends declared but unpaid.
7. Withholdings from employees for income and social security taxes.

(b) This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item in order to facilitate the more accurate identification of the aggregate of "payables" where the amount associated with such items make up a majority of the total balance in this account.

(17) 201 NOTES PAYABLE. This account shall include amounts payable for current maturities of debt obligations for borrowed funds, such as notes or mortgages payable to banks and others, bonds or debentures.

(18) 203 ENTRY AND NOMINATION FEES. This account shall reflect the aggregate utilization of monies from entry and nomination fee escrow accounts for payment of purses.

(19) 204 ADMISSIONS TAX. This account shall reflect the amount of state and local taxes paid relating to admissions.

(20) 205 PARKING TAX. This account shall reflect the amount of local taxes paid relating to parking.

(21) 210 ACCRUALS. This account shall reflect the total estimated liability for costs that are not immediately payable although the benefit has been received in the current period.

(a) If federal and state income taxes are significantly overpaid, the classification of such overpayment should be as a current asset.

(b) Separate sub-accounts shall be maintained as described below for this account.

NOTE: See the following example:

	Account	Typical Items
Taxes	211	Real estate, personal property, income and other taxes
Interest	212	Interest liability on borrowed funds
Other	213	Salaries, vacation and holiday pay, social security.

(22) 220 LIABILITY FOR OUTSTANDING MUTUEL TICKETS. This account shall include the amount of outstanding mutuel tickets for which the association has the liability of redemption.

NOTE: See account #101.

(23) 221 PURSE UNDERPAYMENT LIABILITY. This account shall include the amount of the association's liability for the underpayment of purses.

NOTE: Any purse overpayment should be recorded as an account receivable in Account #120.

(24) 230 LOANS AND ADVANCES PAYABLE TO AFFILIATES. This account shall include the face amount of loans and advances made to the association by affiliated companies but only to the extent that such loans and advances are expected to be liquidated after one year's time.

NOTE: See Account #200 for recording of loans and advances payable within one year.

(25) 231 LONG-TERM DEBT. This account shall include the face amount of debt obligations for borrowed funds such as notes or mortgages payable to banks and others, bonds or debentures but only to the extent that such obligations are expected to be liquidated in the period following one year's time.

NOTE: See account #201 for recording of debt obligations payable within one year.

(26) 240 DEFERRED INCOME TAXES. This account shall include an amount equal to the tax differences which result from differences in timing or reporting certain transactions for income tax purposes as compared with financial reporting purposes. For example, the application of accelerated depreciation for tax purposes and straight-line depreciation for financial reporting purposes will result in deferred income taxes equal to the tax effect of the difference in the depreciation provision resulting from the use of these two methods.

(27) 250 OTHER LONG-TERM LIABILITIES. This account shall include the amounts of all other non-current and accrued liabilities which are expected to be liquidated over the period following one year's time and which are not properly includable in any of the other non-current liability accounts as defined herein. This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of "other non-current liabilities" where the amount associated with such items makes up a majority of the total balance in this account.

(28) 260 PREFERRED STOCK. This account shall include the par value or the stated value of stock without par value.

(29) 261 COMMON STOCK. This account shall include the par value or the stated value of stock without par value.

(30) 262 ADDITIONAL PAID-IN CAPITAL. This account shall include the excess of the actual cash value of the consideration received on issues of preferred or common stock or both over the par or stated value of such stock.

(31) 263 RETAINED EARNINGS. This account shall include the balance, either debit or credit, or retained earnings arising from earnings.

(32) 263.1 EQUITY IN UNDISTRIBUTED EQUITY IN UNDISTRIBUTED EARNINGS (LOSS) OF AFFILIATES. This account shall include the amount of the periodic adjustments made by the association to reflect its proportionate share of increases or decreases in the underlying book value of investments in affiliates.

RACE 17.07 INCOME ACCOUNTS.

(1) 301 MUTUEL COMMISSIONS. This account shall reflect the monies legally retainable by the association under the applicable stature, with the exception that such commissions are to be recorded net of those monies retained due to breaks. This account shall not include applicable pari-mutuel taxes. When minus pools occur, the payment made by the association to meet the public pool requirement shall be recorded as deductions from this account.

(2) 303 ADMISSIONS. This account shall reflect the gross receipts from all admission sources, excluding that portion of receipts applicable to local and state taxes.

NOTE: Typical items include grandstand and clubhouse gate receipts, reserved seat and box seat sales and rentals, club membership receipts, special guest receipts and passes.

(3) 304 CONCESSION RECEIPTS. This account shall include all receipts from sales of food and drink as well as other concessions such as cigarettes, novelties, field glasses rental and other similar items which have occurred at the racing meeting being reported upon. Similar income received from other associations while they are conducting racing meetings shall be recorded as "other income." In those instances where the association conducting the racing meeting does not operate its own restaurant, bar or concession services, the income recorded in this account shall be equal to any commission or contract income received from the outside operators of such facilities.

(4) 305 PROGRAM RECEIPTS. This account shall include all receipts from sales of daily race programs and pencils. When this operation is performed by individuals or organizations other than the association conducting the race meet, the income recorded in this account shall be equal to any commission or contract income received from such other individuals or organizations.

(5) 306 NEWSPAPERS AND PUBLICATION RECEIPTS. This account shall include all receipts from sales of newspapers, racing publications (other than daily race programs) and tip sheets. When this operation is performed by individuals or organizations other than the association conducting the racing meet, the income recorded in this account shall be equal to any commission or contract income received from such other individuals or organizations.

(6) 307 PARKING RECEIPTS. This account shall include all receipts generated from the operation of parking facilities by the association conducting the racing meeting being reported upon. Similar income received from other associations while they are conducting racing meetings shall be recorded as "other income." In those instances where the association conducting the racing meeting does not operate its own parking facilities, any income received under terms of the agreement with the outside operator of such facilities shall be recorded in this account.

NOTE: A breakdown of typical items include general parking lot entrance fees, and preferred parking fees.

RACE 17.08 EXPENSE ACCOUNTS.

(1) 401 PURSES. This account shall reflect the aggregate actual purse distributions payable pursuant to ch.562.065(3)(b) Wis. stats. during the period of the race meeting. Separate accounts shall be maintained hereunder to identify the amounts of monies used in the payment of purses which were received from sources other than the revenues of the association conducting the race meeting.

(2) 402 SALARIES AND WAGES -- RACING. This account shall include the compensation (gross salaries and wages) to employees of the association in departmental areas other than concessions, programs, newspapers, publications and parking. Salaries and wages which can be specifically identified as being attributable to repair and maintenance services shall not be recorded in this account. The compensation of track superintendents, plant directors, and other such personnel shall be allocated to this account unless the time spent by such individuals on supervision and direction of specific repair and maintenance projects can be identified.

NOTE: Typical items include but are not limited specifically to the following:

Mutuel Department:

Director
Manager
Supervisors
Calculators
Sellers
Cashiers
Runners
Clerks

General Office:

Controller and assistants
Clerks
Secretaries
Receptionist
Season retention employees

Track and Grounds:

Track superintendent
Physical plant director

Executive Officers:

Association directors
President
Vice President
Secretary
Treasurer

Promotion:

Director of publicity and assistants
Public relations personnel

(3) **403 SALARIES AND WAGES -- CONCESSIONS.** This account shall include the compensation to employees of the association for their services in operating restaurant, bar and concession facilities.

(4) **404 SALARIES AND WAGES -- PROGRAMS.** This account shall include the compensation to employees of the association for their services in selling daily race programs.

(5) **405 SALARIES AND WAGES -- NEWSPAPER AND PUBLICATIONS.** This account shall include compensation to employees of the association for their services selling newspapers, racing publications and tip sheets.

(6) **406 SALARIES AND WAGES -- PARKING.** This account shall include compensation to employees of the association for their services in operating parking lot facilities.

(7) **410 PAYROLL TAXES.** Separate accounts shall be maintained to reflect the association's share of social security and federal and state unemployment compensation expense.

NOTE: The allocation to such accounts shall be the same as that described for "salaries and wages" in s.RACE 17.08(2) through (6). The following example designates the proper breakdown for this account.

Account	
410.1	Payroll Taxes - Racing
410.2	Payroll Taxes - Concessions
410.3	Payroll Taxes - Programs
410.4	Payroll Taxes - Newspapers and Publications
410.5	Payroll Taxes - Parking

(8) 415 EMPLOYEE BENEFITS. Separate accounts shall be maintained to reflect all costs other than salaries and wages and payroll taxes incurred by the association on behalf and to the benefit of its employees.

NOTE: The allocation to such accounts shall be the same as that described for "salaries and wages" in s.RACE 17.08(2) through (6). The following example designates the proper breakdown for this account.

Account	
415.1	Employee Benefits - Racing
415.2	Employee Benefits - Concessions
415.3	Employee Benefits - Programs
415.4	Employee Benefits - Newspapers and Publications
415.5	Employee Benefits - Parking

Typical Items include:

- Workmens Compensation
- Pensions
- Group and life insurance
- Medical, hospital, accident, sickness and death benefits or insurance

(9) 420 ANIMAL OWNERS/TRAINERS WELFARE, PENSION AND GENERAL FUNDS. This account shall include all costs incurred by the association on behalf and for the benefit of animal owners or trainers operating at the racing meeting.

(10) 421 REPAIRS AND MAINTENANCE -- RACING. This account shall include the cost of labor, materials used and expenses incurred in the repair and maintenance of the race track and all the race track and kennel structures, fixtures and general grounds other than those associated with concession and parking lot operations.

NOTE: As a general rule, maintenance operations shall be construed as those operations required year-round, as opposed to those operations limited to the period of the racing meeting.

(11) 422 REPAIRS AND MAINTENANCE -- CONCESSIONS. This account shall include the cost of labor, materials used and expenses incurred which are specifically identifiable as repairs and maintenance to food- and drink-related facilities.

(12) 423 REPAIRS AND MAINTENANCE -- PARKING. This account shall include the cost of labor, materials used and expenses incurred which are specifically identifiable as repairs and maintenance to parking lot facilities.

(13) 425 DEPRECIATION. These accounts shall include the amount of depreciation expense which has been incurred during the year as determined by the nature and estimated useful life and salvage value of the property involved. Such accounts shall only be utilized by those associations who own the land and plant facilities used in the conduct of their racing meetings.

NOTE: The following example reflects the proper breakdown for this account:

Account	Items
425.1 Depreciation-Racing	All race track buildings, structures, equipment, furniture and fixtures except as set forth below.
425.2 Depreciation-Concessions	Restaurant, bar and concession equipment, furniture and fixtures.
425.3 Depreciation-Parking	Parking lot structures and improvements.

(14) 430 AMORTIZATION OF LEASEHOLD IMPROVEMENTS. These accounts shall include the amount of amortization expense incurred during the year on facilities erected or installed by associations on leased facilities used in the conduct of their racing meetings. Useful lives used in the determination of such expenses shall be the shorter of the expected useful life of the facilities or the remaining term of the lease.

NOTE: The following example reflects the proper breakdown for this account.

Account	Amortization of Leasehold Improvements	Items
430.1	Racing	All race track buildings, structures, equipment, furniture and fixtures except as set forth below.
430.2	Concessions	Restaurant, bar and concession equipment, furniture and fixtures.
430.3	Parking	Parking lot structures and improvements.

(15) 435 TRACK RENTAL. This account shall include all costs incurred under terms of a lease agreement or contract for the use of land or facilities necessary to the conduct of the race meeting being reported upon.

NOTE: However, if the lessee is required to pay real estate taxes under terms of the lease, such expenses shall be accounted for as "other taxes" rather than as components of this account. See account #455.

(16) 436 EQUIPMENT RENTAL. This account shall include all equipment rent expenses.

NOTE: Typical items include totalizator equipment, closed-circuit monitoring equipment, starting box, electronic timers, photo-finish cameras, automatic transcribing equipment, money counters, and other rented office equipment.

(17) 440 OUTSIDE SERVICES. Separate accounts shall be maintained by the operating areas described below to reflect the expense incurred by the association for services rendered by others.

NOTE: The following example provides the proper breakdown for this account.

Account	Typical Items:
440.1	Outside Services- Racing Legal and audit Ambulance service Race patrol services Wisconsin Dept. of Law Enforcement- Investigative Service Division Burns security services Armored-car services Computer services Disposal services Radio and TV coverage

- 440.2 Outside Services-
 Concessions Expenses under lease with
 outside operators
- 440.3 Outside Services-
 Programs Expenses under lease with
 outside operators
- 440.4 Outside Services-
 Parking Expenses under lease with
 outside operators

(18) 445 COST OF ITEMS SOLD. Accounts shall be maintained for the operating areas described below to reflect the costs of items sold by the association during the operation of its racing meeting.

NOTE: A breakdown of typical items include:

Account		Typical Items
445.1	Cost of Concessions Sold	Cost of food, drink, cigarettes and novelties
445.2	Cost of Programs Sold	Cost of programs
445.3	Cost of Newspapers and Publications Sold	Cost of newspaper, racing publications & tip sheets

(19) 450 LICENSES. Separate accounts shall be maintained by the operating areas described below to reflect the license fee expense incurred.

NOTE: A breakdown of typical items include:

Account		Items
450.1	Licenses-Racing	License fees required by statute to accompany the application for racing dates and for racing days granted.
450.2	Concessions	License fees (if any) paid by the association for the privilege of operating restaurant and bar facilities.

(20) 455 OTHER TAXES. Separate accounts shall be maintained by the operating areas described below to reflect all tax expenses which were incurred by the association in addition to payroll and income tax expenses.

NOTE: A breakdown of typical items include:

Account		Items
445.1	Other Taxes - Racing	Real estate, personal property and other advalorem taxes.
455.2	Other Taxes - Concessions	Sales taxes on sales of food and drink.

(21) 460 UTILITIES. This account shall include the cost incurred by the consumption or utilization of heat, light, power and water, as well as telephone and telegraph costs.

(22) 461 INSURANCE. This account shall include all insurance expenses incurred by the association in addition to those insurance expenses accounted for as "employee benefits."

(23) 462 ADVERTISING. This account shall include all advertising and publicity costs incurred in addition to those accounted for as "salaries and wages" or "contractual services."

NOTE: Typical items include newspaper, television, radio and magazine costs; photography and artwork; public relations fees; and pass and special promotions.

(24) 463 CONTRIBUTIONS. This account shall include the amount of all contributions or donations made by the association for charitable, social or community welfare

(25) 464 SUBSCRIPTIONS AND DUES. This account shall be used to account for all disbursements made in payment of membership dues.

(26) 465 BREEDERS AWARDS AND TROPHIES. This account shall reflect the total of all awards and trophies distributed by the association to breeders of animals.

(27) 466 TRAVEL AND ENTERTAINMENT. This account shall include all expenses incurred by the association during the fiscal reporting period, expenses for transportation of its racetrack officials and employees, as well as expenses for the entertainment of individuals in connection with the business of making application for conducting and operating the race meeting.

(28) 467 PRINTING AND STATIONERY. This account shall include the cost and expenses incurred for publications and pamphlets used by the association in its operations.

NOTE: Typical items include condition books and notices.

(29) 468 GENERAL SUPPLIES. This account shall reflect the expenses incurred for those supplies normally consumed in the administration and operation of the association's operations.

NOTE: Typical items include account 468.1, racing supplies such as office supplies, cleaning supplies, gas, oil, grease, badges, tickets, and postage; concession supplies such as ice and laundry.

(30) 469 OTHER. This account shall include all other costs of labor, materials supplied or expenses incurred in connection with the operation of the racing meeting which are not properly accounted for elsewhere in the accounts.

NOTE: Typical items include uncollectible checks, cash over and short, bad debts, and amortization of organization expense.

(31) 470 OTHER INCOME. This account shall include those revenues which by their nature are not identifiable as being the direct result or benefit of the business of conducting a racing meeting.

NOTE: Typical items include rental income including the race track, equipment kennel areas and outdoor billboards; interest income including advances made to affiliated companies and investment; gain on sales of both equipment and marketable securities; insurance recoveries; dividends; equity in undistributed earnings of subsidiaries; and refunds.

(32) 476 OTHER EXPENSE. This account shall include those costs and expenses which by their nature are not identifiable as being directly related to the operation of racing meetings.

NOTE: Typical items include interest charges of both the parent company the affiliated companies; loss on sales for both equipment and marketable securities and trustees' fees and expenses.

(33) 480 and 481 FEDERAL AND STATE INCOME TAXES. Accounts shall be maintained for the operating areas listed below to reflect the amount of federal and state income taxes necessary to meet the actual liability for such taxes incurred as a result of operations in these specific areas

for the period covered by the income statement. Such taxes should be computed on a basis from which the income and deductions originated.

NOTE: The following example reflects the proper breakdown of this account.

Account	
4801.	Federal Income Taxes--Racing
480.2	Federal Income Taxes--Concession
480.2	Federal Income Taxes--Programs
480.4	Federal Income Taxes--Newspapers and Publications
480.5	Federal Income Taxes--Parking
481.1	State Income Taxes--Racing
481.2	State Income Taxes--Concessions
481.3	State Income Taxes--Programs
481.4	State Income Taxes--Newspapers and Publications
481.5	State Income Taxes--Parking

(34) 482 PROVISION FOR DEFERRED INCOME TAXES. Accounts shall be maintained for operating areas to reflect an amount equal to that by which income taxes payable on book income for the current year are decreased because of the current deduction for income tax purposes of accelerated depreciation, amortization and other timing differences.

NOTE: The following example reflects the proper breakdown of this account.

Account	
482.1	Provision for Deferred Federal and State Income Taxes--Racing
482.2	Provision for Deferred Federal and State Income Taxes--Concessions
482.3	Provision for Deferred Federal and State Income Taxes--Programs
482.4	Provisions for Deferred Federal and State Income Taxes--Newspapers and Publications
482.5	Provisions for Deferred Federal and State Income Taxes--Parking

(35) 483 INCOME TAXES DEFERRED IN PRIOR YEARS. Accounts shall be maintained for operating areas to reflect an amount equal to that by which income taxes payable for the current year are attributable to a deferral of taxes on income in a prior year.

NOTE: The following example reflects the proper breakdown of this account.

Account	
483.1	Federal and State Income Taxes Deferred in Prior Years--Racing
483.2	Federal and State Income Taxes Deferred in Prior Years--Concessions
483.3	Federal and State Income Taxes Deferred in Prior Years--Programs
483.4	Federal and State Income Taxes Deferred in Prior Years--Newspapers and Publications
483.5	Federal and State Income Taxes Deferred in Prior Years

(36) 485 EXTRAORDINARY GAINS AND LOSSES. This account shall include those material gains and losses associated with events and transactions which by their underlying nature are of a character significantly different from the normal business activities of the association. Such events and transactions are non-recurring factors not to be considered in the evaluation of normal business operations.

NOTE: Typical items include the sale of significant segment of the business; sale of an investment not acquired for resale; significant uninsured losses due to fires, floods or other natural disasters; and significant lawsuit losses.

CHAPTER RACE 20

CONCESSIONAIRE RULES

RACE 20.01 PURPOSE. This chapter applies to all persons who sell or provide food, beverages, programs, tip sheets, parking or any other goods or services to the public at any race track or, goods or services to licensees on the grounds of a race track.

RACE 20.02 DEFINITIONS.

(1) "Food service concessionaire" means any person who provides for sale to the general public or occupational licensees, prepared foodstuff including both food and beverages for human consumption.

(2) "Concessionaire" means any vendor selling a product other than food or beverages.

(3) "Substantial owner" means any person owning five percent or more interest in a food service concessionaire or concessionaire.

RACE 20.03 APPLICATION OF REGULATION. No food service concessionaire or concessionaire shall operate at any race track without a license duly issued by the board.

RACE 20.04 LICENSE APPLICATION.

(1) An application for a license to operate as a food service concessionaire or concessionaire shall be made on forms furnished by the board.

(2) One original and ten executed copies of the application shall be filed with the board for food service concessionaire licenses.

(3) An applicant for a license as a food service concessionaire shall submit with the application all relevant contracts including but not limited to contracts with suppliers, contracts with any and all racing associations, and instruments evidencing any indebtedness between the applicant and any and all racing associations.

(4) If circumstances change or events occur after the application is filed so that the application no longer presents the correct facts the applicant shall submit an amendment to the section of the application form so affected.

(5) The board shall require a fee for licenses to cover background investigations and general operations. The first year license will be set at fifteen hundred dollars for food service concessionaires. All other concessionaires will be required to pay an annual one hundred dollar license fee.

RACE 20.05 TIME OF FILING.

(1) Application for a license as a food service concessionaire shall be filed with the board at least sixty days prior to the opening of the racing meet at the race track at which the food service concession is to be operated.

(2) The board may for good cause waive the time limitation set forth in sub.(1).

RACE 20.06 APPLICATION CONTENTS - SUBSTANTIAL OWNERS.

Each applicant shall disclose all information required by the board.

RACE 20.07 GROUNDS FOR DENIAL. The board may refuse a license to any person pursuant s.RACE 13.07.

RACE 20.08 FOOD SERVICE CONCESSIONAIRE. Any person seeking a license shall, on or before the date of application, disclose on forms prescribed by the board, all officers, directors, owners and creditors of five percent or more of any interest in the applicant. The forms shall be submitted sworn to oath as prescribed in the form and shall be considered as part of the application for a license to operate as a food service concessionaire.

NOTE: A person extending credit for one year or more or extending credit in excess of ten thousand dollars for less than one year but more than thirty days shall be considered a creditor for the purposes of this rule.

RACE 20.09 CHANGE OF OWNERS, DIRECTORS AND OFFICERS.

Within fifteen days after election, appointment or acquisition of substantial ownership, the food service concessionaire shall disclose to the board in writing the identity of each new officer, director or substantial owner of the license.

RACE 20.10 FINANCIAL STATEMENTS.

(1) At the end of each race meeting each food service concessionaire shall prepare and submit to the board a record of its operations at the track. The report shall include verified financial statements including:

(a) Balance sheet; and

(b) A statement of profit and loss showing the food service concessionaire's combined operations for that year; and

(c) The results of such operations for each specified racing meet at which the food service concessionaire conducted business during the year.

(2) Income and expense items shall be shown in such detail as required in accordance with generally accepted accounting principles. Such report shall be filed with the board within 90 days after the end of each individual meet.

RACE 20.11 LICENSE DEEMED PERSONAL. Licenses to operate as a food service concessionaire and concessionaire are non-transferable and will terminate upon a substantial change of ownership unless the board has granted prior approval. The sale or transfer of twenty-five percent or more of the ownership of a food service concessionaire or concessionaire shall be considered a substantial change of ownership. In acting upon a request for approval of a substantial change in ownership, the board shall consider the same factors as it considered in the initial grant of an license to a food service concessionaire or concessionaire.

CHAPTER RACE 23

WISCONSIN WHELPED PROGRAM

RACE 23.01 PURPOSE. This chapter ensures that certain kennels are owned by residents of Wisconsin.

RACE 23.02 WISCONSIN WHELPED PROGRAM.

(1) Each association shall ensure that at least two kennels, whether sole proprietorships, corporations, or any other form of business entity or association, with whom the association contracts are wholly owned by Wisconsin residents. For purposes of this chapter, resident means an individual person who has been legally domiciled in this state for a period of 30 days. For purposes of this requirement, legal domicile is established by living in this state and obtaining a Wisconsin motor vehicle operator's license, registering to vote in Wisconsin or filing a Wisconsin income tax return.

(2) Each race day, each racing association shall hold at least one race restricted to Wisconsin-whelped greyhounds. However, if sufficient competition cannot be had among that grade of greyhounds, another race shall be substituted giving Wisconsin-whelped greyhounds preference in selecting entries.

(3) Qualifications for participating in the Wisconsin whelped program are as follows:

(a) The greyhound shall be whelped in the state of Wisconsin by a Wisconsin breeder and remain in the state for six months. The brood matron shall be owned or leased by a resident of this state.

(b) The breeder shall be a resident of the state for at least one year, and shall own or lease the brood matron at the time of whelping.

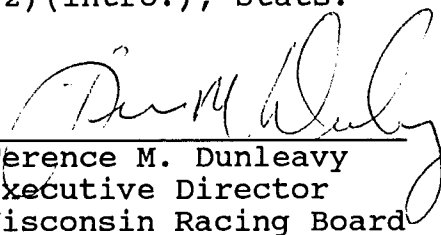
(4) Wisconsin whelped greyhounds shall be designated in the program with a symbol approved by the board.

RACE 23.03 ANNUAL REPORT. The board shall require each association holding a license in Wisconsin to report annually on the participation of Wisconsin residents in the racing of greyhounds in the state. The report must be submitted each year 30 days prior to the deadline for the association's dates application. The report shall include statistics on the number of Wisconsin residents who own

contract kennels at the track and the number of Wisconsin-whelped greyhounds which have raced at the track in the past year. Each association must report on how any kennel openings which occurred in the past year were filled. If a kennel opening has occurred, qualified Wisconsin residents must have been considered. The qualifications a Wisconsin resident must demonstrate in order to be considered include, but are not limited to: residency in Wisconsin; established history in the greyhound industry; a breeding program - including ownership of a farm or brood stock and/or relationships with breeders; percentage of greyhounds owned vs. leased by the applicant; financial responsibility. The board shall review each association's report and may make recommendations or may impose requirements relative to promoting the participation of Wisconsin residents in greyhound racing at its track.

This rule shall take effect on the first of the month following publication in the Wisconsin administrative register as provided in s.227.22(2)(intro.), Stats.

Dated: 1/12/90

Agency: 
Terence M. Dunleavy
Executive Director
Wisconsin Racing Board

Executive Director
Terence M. Dunleavy



Governor
Tommy G. Thompson

WISCONSIN RACING BOARD

150 East Gilman Street, Suite 1000
Post Office Box 7975
Madison, Wisconsin 53707-7975
608/267-3291
608/267-4879 FAX

January 12, 1990

Mr. Gary Paulson
Revisor of Statutes
30 W. Mifflin, Room 702
Madison, WI 53702

RE: Clearinghouse Rule 89-160

Dear Mr. Paulson:

Enclosed please find two copies of the rules we discussed on January 9, 1990. If this format is incorrect, please contact me. The certification will follow shortly.

Thank you for your help in the matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Michael B. McClure'.

Michael B. McClure
General Counsel

MBM/dla

enclosures

Executive Director
Terence M. Dunleavy



Governor
Tommy G. Thompson

WISCONSIN RACING BOARD

150 East Gilman Street, Suite 1000
Post Office Box 7975
Madison, Wisconsin 53707-7975
608/267-3291
608/267-4879 FAX

January 18, 1990

Mr. Gary Paulson
Revisor of Statutes
30 W. Mifflin, Room 702
Madison, WI 53702

re: Clearinghouse Rule 89-160

Dear Mr. Paulson:

Pursuant to my correspondence to you of January 12, 1990, relative to the above-captioned rules, enclosed please find the certification for the same. If we need to take further steps to perfect this rulemaking for publication, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael B. McClure".

Michael B. McClure
General Counsel

MBM/dla

enclosure