

## Chapter Game 13

### LICENSING

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**Note:** Chapter RACE 13 was renumbered chapter WGC 13 and corrections made under s. 13.93 (2m) (b) 1. and 6., Stats., Register, March, 1995, No. 471. Corrections made under s. 13.93 (2m) (b) 6., Stats., Register May 1998, No. 509.

**Note:** Chapter WGC 13 was renumbered chapter Game 13 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register November 2003 No. 575.

#### Subchapter I — Procedures

**Game 13.01 Scope and purpose.** This chapter governs occupational licenses granted by the division. This chapter establishes licensure as a pre-requisite for participation in greyhound racing in the state of Wisconsin. Licensure is granted only by the division subject to compliance with the rules of the division 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. Game 5.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; correction made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471.

**Game 13.02 Submission of application.** (1) Any person desiring an occupation license shall apply on forms provided by the division. If additional information is requested for the purpose of determining an applicant's eligibility or qualifications, the division 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 division or from the division'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 Division of Gaming office at 2005 West Beltline Highway, Suite 201, P.O. Box 8979, Madison, WI 53708-8979.

(4) In considering an application for a license, the board of stewards or division may require the applicant, as well as the applicant's endorsers, to appear before the board of stewards or division and demonstrate that the applicant is qualified in every respect to receive the license requested.

(5) Within 5 days after receipt of a complete application package, the board of stewards shall determine whether the applicant or licensee meets all substantive requirements and issue a

written notice granting the license or a notice for inquiry related to the proposed denial of the license application.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: cr. (4) and (5) Register November 2003 No. 575, eff. 12-1-03.

**Game 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 division has been supplied and the appropriate license fee has been paid.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 13.04 Duration and extent of occupation licenses.** (1) Each occupation license shall expire at midnight on December 31st 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 division that year provided that the holder has not been suspended by the division or any other racing jurisdiction.

(3) All issued licenses shall be temporary for a period of 90 days. A temporary license shall become a license after 90 days unless the division denies it for any reason.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: cr. (3) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.05 License fees.** (1) ASSOCIATION LICENSES:

- (a) Racing official-administration
  - 1. General Manager.....\$100.00
  - 2. Director of Security.....\$75.00
  - 3. Director of Racing.....\$75.00
  - 4. Mutuel Manager.....\$75.00
  - 5. Racing Secretary.....\$75.00
  - 6. Association Steward.....\$75.00
  - 7. All Assistant Positions of Those Listed Above...\$35.00
- (b) Racing Official-Races.....\$35.00
- (c) Adoption Program.....\$25.00
- (d) General.....\$20.00
- (e) Mutuels.....\$25.00
- (f) Security and Safety.....\$25.00
- (g) Lead-Out.....\$10.00
- (h) Other
  - 1. Practicing Veterinarian.....\$25.00

## Game 13.05

## WISCONSIN ADMINISTRATIVE CODE

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2. Totalizator Employee.....	\$25.00
3. Vendor Representative.....	\$25.00
4. Video Employee.....	\$25.00
(i) Kennel	
1. Greyhound Owner.....	\$25.00
2. Kennel/Greyhound Owner.....	\$75.00
3. Trainer .....	\$50.00
4. Greyhound Owner/Trainer.....	\$60.00
5. Assistant Trainer.....	\$25.00
6. Kennel Helper.....	\$15.00
(j) Duplicate Identification Badge.....	\$5.00
(k) Registrations	
1. Racing Kennel.....	\$75.00
2. Greyhound Ownership – Partnerships, Corporations, Kennels, Sole Proprietors.....	\$25.00
3. Registered Agent.....	\$0
4. Vendor.....	\$75.00

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

(3) The division may charge a convenience fee, in addition to any fee or forfeiture being paid, to all persons paying a license fee or other division obligation with any form of an electronic funds transfer.

(4) Persons applying for a license under s. Game 13.05 (1) (b), shall be training or nominated by the association to perform one of the following occupations:

- (a) Announcer.
- (b) Brake Operator.
- (c) Chartwriter.
- (d) Clerk of Scales.
- (e) Lure Operator.
- (f) Paddock Judge.
- (g) Photo Finish/Timer.
- (h) Starter

(5) Persons applying for a license under s. Game 13.05 (1) (b), shall complete a training program provided by the association specific to the occupation to be performed. The individual completing the training program shall demonstrate proficiency to meet the duties of the occupation and license type, as determined by the division stewards, prior to being issued a license for that position.

(6) All applicants applying for an occupational licenses with a paper application shall submit 2 sets of classifiable fingerprint cards or appear at a division office to allow the division to capture the applicant's fingerprint electronically and pay a fee to be determined by the division to process the fingerprints at the time that the applicant submits the paper application.

(7) All applicants applying for occupational licenses utilizing the division's online licensing system shall submit 2 sets of classifiable fingerprint cards or appear at a division office to allow the division to capture the applicant's fingerprint electronically within 20 days of submitting the application electronically and shall pay a fee determined by the division to process the fingerprints at the time that the applicant submits the electronic application.

(8) All application, fingerprint and convenience fees are non-refundable.

(9) Any person appearing at a division office for the purpose of being fingerprinted or issued a photo identification badge shall present a government issued photo identification.

(10) Any person accepting a license issued pursuant to s. Game 13.05 (1) shall consent to a reasonable search of the individual and property located on association grounds by the division or its representatives. Property located on association grounds includes but is not limited to kennels, motor vehicles, trailers, trunks, boxes, bags and containers of any sort. The person shall consent to seizure of any object which may be evidence indicating a rule violation. In the event the person is found to have violated a rule violation based in part on any seized object, the object shall be retained by the division until the time for appeal has expired or the appeal has been settled.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; cr. (1) (y), Register, July, 1990, No. 415, eff. 8-1-90; correction in (8) made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471; emerg. r. and recr. (1), am. (2) (a) to (d), (4), (5), r. (3) (b), renum. (3) (c) to (g) to be (3) (b) to (f) and am., eff. 11-1-94; r. and recr. (1), am. (2) (a) to (d), (4), (5), r. (3) (b), renum. (3) (c) to (g) to be (3) (b) to (f) and am., Register, May, 1995, No. 473, eff. 6-1-95; emerg. am. (3) (a), eff. 12-8-97; am. (3) (a), Register, May, 1998, No. 509, eff. 6-1-98; CR 03-070: r. and recr. Register November 2003 No. 575, eff. 12-1-03.

**Game 13.06 License to participate.** No person shall participate in a race meeting unless such person has been granted a license. A suspension or revocation of an occupation license, by the division or any other racing jurisdiction, shall apply equally to, and shall make the person subject to such suspension or revocation ineligible for, any, category of occupation license.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. Register, July, 1990, No. 415, eff. 8-1-90.

**Game 13.07 Denial of license.** If the stewards recommend to the division 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 division. If the applicant does not exhaust administrative remedies by requesting a hearing within the time specified in s. Game 3.03, the stewards' ruling shall become a final decision of the division 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 division to any applicant will continue in effect until such time as the division approves a subsequent application for a license.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; correction made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471.

## Subchapter II — Standards Applicable To All Occupation Licensees

**Game 13.08 Persons prohibited from licensure.** No person to whom any of the following applies shall be granted a license by the division:

(1) The person is in default on any payment required under this ch. 562, Stats., or under any rule promulgated by the division 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 20 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 division 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 division;

(8) The person, if applying for, or holding, licensure pursuant to s. 562.05 (1) (a), Stats., 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.

(10) A foreign corporation that has not obtained a certificate of authority to transact business in this state as required under s. 180.1501, Stats.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: cr. (10) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.09 General requirements.** (1) An applicant, other than a business entity, for an occupation license shall be at least 16 years of age and shall be at least 18 years of age for any racing official license.

(2) An applicant for an occupation license shall furnish with the license application 2 sets of classifiable fingerprints on the law enforcement agency cards provided by the division 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 5% 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 655 and 656.

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

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90 CR 03-070: am. (1) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.10 Unqualified to perform the duties.** The division 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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 13.11 Falsifying answers or omitting facts.**

(1) The division may impose a forfeiture, 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 division; or
- (c) Withholds or misstates information in his application.
- (d) provides false or misleading information to the division or division's representatives.

(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 division'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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: am. (1) (intro.), cr. (1) (d) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.12 Probationary nature of licenses.** (1)

All licenses granted by the division shall be subject to suspension or revocation due to: violations of the rules of the division 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 division 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 division.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Subchapter III — Particular Occupational Requirements**

**Game 13.13 Animal 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.** (a) All corporations having an interest in an animal shall file with the racing secretary and stewards at the time of filing an 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 statement shall be signed by the president of the corporation, attested to by its secretary, and the corporate seal, if any, attached. All officers, directors and owners, directly or indirectly, of any equity or other ownership interest, or beneficial owners of 5% or more of the publicly held securities of a publicly traded 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.

(b) The applications under this section shall be accompanied by an affidavit which states that the applicant, any partner, officer, director or beneficial owner of 5% 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. Game 13.09.

(c) Any changes in the partners, officers, directors, or owners of 5% 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.

**(3) KENNEL NAMES.** (a) A licensed owner wishing to race under a kennel name shall register the name for the racing season with the division 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 division.

(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 division determines to be misleading to the public or unbecoming to the sport. No kennel name shall be registered with the division 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 division reserves the right to refuse the privilege of registering a kennel name.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. (2) and (3), Register, July, 1990, No. 415, eff. 8-1-90; correction made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471; CR 03-070: renum. (2) to (5) to be (2) (a), (b), (c) and (3) and am. (2) (a) to (c), Register November 2003 No. 575, eff. 12-1-03.

**Game 13.14 Animal ownership by individuals. (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. In cases of a leased animal, both lessor and lessee shall be considered as owners for purposes of licensure. The animal shall be under the care of a trainer licensed by the division.

(2) If younger than 18 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 sub. (3).

(3) An applicant for an owner's license shall be capable of meeting the financial obligations incurred in the ownership, kenneling, 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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. (1), Register, July, 1990, No. 415, eff. 8-1-90; CR 03-070: am. (3) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.15 Kennel owners, trainers and assistant trainers. (1)**

An applicant for a license as a trainer or an assistant trainer shall be at least 18 years of age and have been licensed as a trainer or assistant trainer by the division 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 2 years immediately preceding the application.

(2) An applicant for a trainer's license shall have at least one racing animal to train which is eligible to race.

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

(4) An applicant for a kennel owner's license shall:

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

(b) Provide proof of having complied with sub. (5).

(d) If 2 or more individuals are a party to the ownership of a kennel, a partnership license shall be obtained along with the submission of an authorized agent's application which appoints one person to act as the agent for the kennel.

(5) An applicant for a kennel owner'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 kennel owner licensed in Wisconsin shall effect a withdrawal from these requirements. At the time of submitting an application for a license, the applicant shall attach to the application evidence of insurance as required by ss. 102.28 (2) (a) and 102.31, Stats., or a written order of exemption pursuant to s. 102.28 (2) (b), Stats. Where an applicant has no employees, and contemplates none, the applicant shall attach an affidavit to this effect with the kennel owner application upon a form to be supplied by the division. If a kennel owner subsequently does become an employer, the applicant shall comply with this section and supply to the division the applicable evidence of compliance.

(6) A kennel owner shall designate one trainer of record. The designation shall be made in writing and provided to the association and stewards. A trainer of record shall:

(a) Be responsible for the eligibility, conditioning, care, weight and weighing-in requirements of the greyhounds in their control and possession.



(b) Ensure the health, welfare and safety of all greyhounds in their care and custody.

(c) Be identified in the official race program.

(7) A trainer may relinquish the kennel owner's designation as trainer of record upon consent of the kennel owner or 7 days written notice to the kennel owner, association and division. Upon consent of the kennel owner or written notification by the trainer, the kennel owner shall designate in writing to the association and division a new trainer of record.

(8) Any trainer or kennel owner who brings a greyhound to weigh-in to compete in an official race warrants that the greyhound is qualified for the race, is ready to race, is in a physical condition to exert its best effort and is entered with the intent to win.

(9) The trainer of record shall register with the stewards or their designee all persons designated to assist the trainer on association grounds. The trainer of record shall promptly notify the stewards of the termination of these responsibilities.

(10) A trainer of record shall be present on association grounds and carrying out the trainer's duties no less than 24 hours over a period of 7 consecutive days. Except in emergency situations, a trainer of record who will be absent from association grounds for the purpose of carrying out the trainer's duties for more than 24 hours in a period of 7 consecutive days shall designate to the stewards a licensed assistant trainer or licensed trainer, who shall assume all duties and responsibilities of the trainer under ch. 562, Stats., and the rules of the division.

(11) A trainer may only be employed by one kennel owner in the state of Wisconsin at any given time.

(12) No licensed kennel owner, trainer or assistant trainer shall have any ownership interest in a greyhound of which the licensee is not the kennel owner, trainer or assistant trainer located at the same race meet.

**Note:** These forms may be obtained either at the racetrack or the Division of Gaming office at 2005 West Beltline Highway, Suite 201, P.O. Box 8979, Madison, WI 53708-8979.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. (2) (intro.), and (a), (3) and (4), Register, July, 1990, No. 415, eff. 8-1-90; r. (4) (c), Register, May, 1998, No. 509, 6-1-98; CR 03-070: am. (3), cr. (4) (d), (6) to (12) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.16 Authorized agent.** (1) Each authorized agent shall obtain a license from the division.

(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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

#### **Subchapter IV — Parties to a Contract**

**Game 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 division. Such contracts are also subject to the provisions of ch. Game 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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; correction made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471.

**Game 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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

#### **Subchapter V — Conflicts**

**Game 13.19 General conflict provisions.** (1) When an applicant applies for a license in more than one category, the division 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.

(2) The immediate family member of a racing official shall not be permitted to obtain an occupational license unless prior approval is obtained by the stewards. When considering the issuance of a license to an immediate family member of a racing official, the stewards shall consider if such licensing creates a conflict of interest or the appearance of a conflict of interest, and whether it is in the best interest of racing.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: renum. to (1), cr. (2) Register November 2003 No. 575, eff. 12-1-03.

**Game 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 division employee shall be licensed in any other capacity;

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

(5) A person licensed as a mutuel employee shall not be permitted to be simultaneously licensed in any other occupation as identified in s. Game 13.05 (1) (i).

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: cr. (5) Register November 2003 No. 575, eff. 12-1-03.

**Game 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 division 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 division 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 10 or fewer days shall not be suspended.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 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.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

### Subchapter VI — Prohibited Activities

**Game 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 division.

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

(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) 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, receipt or use of a controlled substance, paraphernalia used in conjunction with 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. No person other than security guards licensed

by the division and any other applicable licensing authority who are on duty, and on-duty police personnel, shall 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 division is detrimental to the best interests of racing in the state of Wisconsin.

(16) No person shall alter or forge a prescription for medication for a greyhound.

(17) No person shall mar or alter any identification mark on a greyhound.

(18) (a) No person shall knowingly allow an unlicensed person to participate in a race meet if the licensee knows or should know that the person is required to be licensed.

(b) A person shall immediately report to the division the unlicensed participation in a race meet of any unlicensed person who the licensee knows or should know is required to be licensed.

(19) No person shall smoke in any designated "No Smoking" area on the grounds of the association.

(20) No person shall kill any animal or use any animal that has been killed for the purpose of training of a greyhound.

(21) No person shall submit or knowingly allow to be submitted to the division, association or the national greyhound association any report or document which contains false or misleading information.

(22) No person shall cash or offer to cash for another individual, a pari-mutuel ticket requiring the submission of a withholding statement or accept any form of compensation for cashing a pari-mutuel ticket for another individual.

(23) No person shall possess or bring into the paddock any food, candy, gum, tobacco products or drink.

(24) No person shall write, issue, make or present any check in payment to the division when that person knows or should reasonably know that the check will be refused by the bank upon which it is written, or that the account upon which the check is written has insufficient funds.

(25) No person shall fail to disclose the true ownership or interest in any greyhound.

(26) No person shall enter for official racing or schooling, or cause to allow to be entered, a greyhound that the licensee knows or should know does not meet all entry requirements.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. (14), Register, July, 1990, No. 415, eff. 8-1-90; CR 03-070: am. (8) and (13), cr. (16) to (26) Register November 2003 No. 575, eff. 12-1-03.

**Game 13.24 Financial responsibility.** (1) A creditor who alleges an unpaid obligation or default in obligation directly relating to greyhound racing shall submit to the division a court judgment describing the same. The stewards shall notify the licensee that a judgment has been filed with the division and the individual shall have 30 days to satisfy said judgment.

(2) In the event the licensee appeals the court judgment within 30 days, the stewards shall not take any action against the licensee until the appeal is denied. If after the 30 days the judgment remains unsatisfied and no further court action has been initiated by the licensee, the stewards may suspend the individual's occupational license or deny the pending license application.

**History:** CR 03-070: cr. Register November 2003 No. 575, eff. 12-1-03.