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WGC 7.10 (2) (h) If a vacancy occurs for a division steward or division veterinarian prior to or during a race performance, the presiding steward shall appoint an individual to serve for the remainder of the race performance.

(i) If a vacancy occurs for a racing official not listed under WGC 7.10 (2) (h), the general manager or designee shall appoint a racing official to serve for the remainder of the race performance. The general manager's appointment shall be subject to the review and consent of the board of stewards.

SECTION 61. WGC 7.10 (4) (g) is amended to read:

WGC 7.10 (4) (g) Lead-outs shall be assigned to post positions by the ~~commission~~ paddock judge or designee by lot before each race program performance and subject to approval and reassignment by the division stewards.

SECTION 62. WGC 7.10 (5) (b), (c) and (d) are amended to read:

WGC 7.10 (5) (b) The ~~commission~~ 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 ~~commission~~ paddock judge shall report to the stewards any greyhound who does not conform to the card index identification.

(c) ~~Under the supervision of the commission paddock judge, the association paddock judge or the kennel master shall unlock the lockout~~ lock-out kennel immediately before weigh-in time to see that the ~~lockout~~ lock-out kennels are in good repair and that nothing has been deposited in any of the crates for the greyhounds' consumption. The ~~commission paddock judge~~ division veterinarian shall see that the ~~lockout~~ lock-out 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 paddock judge or an assistant~~ designee(s) shall receive the greyhounds from the trainer one at a time, and see that each greyhound is placed in its ~~lockout~~ lock-out kennel and remain on guard from that time until the greyhounds are removed for the last race.

(d) The ~~commission~~ division steward and 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.

SECTION 63. WGC 7.10 (5) (f) and (6) (c) and (d) are created to read:

WGC 7.10 (5) (f) The paddock judge shall ensure that each greyhound is properly fitted with an approved muzzle, blanket and lead prior to its leaving for the starting box.

(6) (c) The starter shall inspect all starting boxes and areas adjacent to the starting boxes to be used each race performance prior to the first race to ensure they are clean and free of any foreign materials.

(d) The starter shall be responsible that each greyhound is correctly placed in its assigned post position as identified in the daily racing program.

SECTION 64. WGC 7.10 (7) (a) and (d), (8) (a), (b) (intro.) and 6., and (9) (title) (intro), (a), (b), (c) and (d) are amended to read:

WGC 7.10 (7) (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 any other forms required by the division including but not limited to health certificates, live lure affidavits and animal vaccination records. By filing these documents the owner and trainer warrant that the documents are true, accurate and authentic.

(d) As soon as entries have closed for each race program performance, 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) (a) The chartwriter shall compile the past performance information necessary for the daily race program.

(b) The daily race program shall contain:

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 daily race program until after the greyhound has started 6 times.

(9) TIMER-PHOTO FINISH OPERATOR. The association steward shall be the timer-photo finish operator.

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

(b) The ~~timer-photo finish operator~~/timer operator 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 to the time of the first greyhound crossing the finish line.

(c) Each association shall install an automatic timing device approved by the ~~commission~~ division. The ~~timer-photo finish operator~~ shall use the time shown on the timing device as the official time of the race if the ~~timer-photo finish operator and stewards~~ is are satisfied that the timing device is functioning properly. Otherwise, the ~~timer-photo finish operator~~ shall consult with the stewards and use the time shown on the stop watch or other back-up timing device in use to record the time of the race. When the stop watch time or other back-up timing device is used as to record 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 totalizer board the ~~timer-photo finish operator~~/timer operator shall prepare a photograph which shall be made available and displayed for public viewing. The photo shall be approved by the board of stewards prior to public viewing. A paper copy of the displayed photo shall be retained for a period of 90 days.

SECTION 65. WGC 7.10 (10) is created to read:

~~WGC 7.10 (10) LURE OPERATOR.~~ (a) The lure operator shall operate the lure in a smooth, uniform and consistent manner so as not to impede or otherwise disrupt the running of the race.

(b) The location of the lure on the course and the prevailing weather conditions shall be taken into consideration by the lure operator when calculating the appropriate distance of the lure from the lead greyhound.

(c) The lure operator shall test the operation of the lure prior to the running of the first race of each race performance. Any malfunctions shall be reported to the stewards and corrected prior to the start of the race performance.

SECTION 66. WGC 8.03 (1) (a) is amended to read:

~~WGC 8.03 (1) (a) The association shall file admission reports daily with the ~~commission auditor~~ division stewards.~~ The association shall file ~~weekly, monthly and end of race meeting meet~~ admission reports to the ~~director~~ administrator. All ~~association~~ daily admission reports shall include:

SECTION 67. WGC 8.03 (1) (b) 1. is amended to read:

WGC 8.03 (1) (b) 1. The association shall deliver to the ~~commission~~ division no later than ~~90~~ 91 days after the last performance of each race meeting ~~meet~~ a check representing the value of all outstanding tickets payable to the division. ~~All tickets paid after the final performance shall be secured by the association and delivered to the commission no later than 90 days after the last performance of the race meeting.~~

SECTION 68. WGC 8.06 (2) (a) through (f) are amended to read:

WGC 8.06 (2) FAILURE OF STARTING BOX. In a greyhound race, if the ~~doors~~ door in front of any starting 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: the stewards shall declare a "no race".

(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 4th 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 5 animals in different wagering interests leave the boxes the entire amount wagered in the show, superfecta and trifacta pool shall be refunded.~~

(c) ~~If less than 4 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 2 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.~~

(f) ~~In the case of a failure of all boxes to open, thereby preventing all animals from starting, an immediate decision shall be made by the stewards as to cancellation of the race. In the event the stewards allow the race to be run, they shall allow a period of 5 minutes for the cancellation of tickets and an announcement to this effect shall immediately be made to the public.~~

SECTION 69. WGC 8.07 is amended to read:

WGC 8.07 For all win, place and show wagers ~~except the trifacta, superfecta, tri-~~ ~~superfecta and twin trifacta~~, 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~~ any wager other than win, place or show, 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.

SECTION 70. WGC 8.12 (1) (a) is amended to read:

WGC 8.12 (1) (a) 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 ~~commission~~ division. All wagering shall be conducted only within the racetrack ~~enclosure~~ facility in which authorized ~~racine~~ take place wagering is permitted pursuant to a license issued under s. 562.05 (1), Stats.

SECTION 71. WGC 8.12 (1) (b), (c), and (d) are created to read:

(b) All pari-mutuel tickets shall be purchased with U.S. currency, totalizator generated vouchers, winning pari-mutuel tickets issued by the racetrack or refunded pari-mutuel tickets. No pari-mutuel facility shall extend credit, accept checks, or accept credit cards directly for payment of pari-mutuel tickets.

(c) No pari-mutuel facility shall allow wagers to be accepted over the telephone, computer or other device not approved by the division. All wagers shall be made in person at the racetrack.

(d) No pari-mutuel facilities shall discount pari-mutuel wagers, award rebates or offer any type of cash incentive as a premium for wagering.

SECTION 72. WGC 8.12 (4)(title) and (intro) are created to read:

WGC 8.12 (4) **ACKNOWLEDGEMENT OF MUTUEL TICKETS.** Notwithstanding other division rules, the acceptance of a mutuel ticket by taking an issued ticket away from the window or terminal from which it is purchased shall constitute an acknowledgment by the purchaser of the correctness of the ticket, and each purchaser of a mutuel ticket agrees to be bound by the terms and provisions of this requirement. Neither the association, totalizator company, the division nor the state of Wisconsin shall be liable to any person for any ticket which is not a winning ticket in accordance with the provisions of this rule nor shall they be liable to any person

for any mutuel ticket not delivered for any reason, including but not limited to, mechanical malfunction, electrical failure, machine locking, or other cause.

SECTION 73. WGC 9.04 (4) is created to read:

WGC 9.04 (4) In the event no place ticket is sold on both of the wagering interests which finish first or second, the net place pool shall be distributed to holders of place tickets on the animal finishing third.

SECTION 74. WGC 9.10 (2) is amended to read:

WGC 9.10 (2) If no ticket selecting the first and second animals is sold, the profit shall be apportioned equally among the holders of tickets selecting the animal finishing first and third animals in exact order.

SECTION 75. WGC 9.10 (3) through (6) are repealed.

SECTION 76. WGC 9.10 (7) through (12) are renumbered as WGC 9.10 (3) through (8) and WGC 9.10 (6) as renumbered is amended to read.

WGC 9.10 (6) In all combinations described in sub. ~~(7), (8), and (9)~~ (3), (4), and (5), the profit shall be divided in separate pools, calculated as a place pool and paid off accordingly.

SECTION 77. WGC 9.10 (9) is created to read:

WGC 9.10 (9) If no ticket is sold that would require distribution of the net trifecta pool to a winner as above defined, the association shall make a full refund of the net trifecta pool.

SECTION 78. WGC 9.12 (4) is amended to read:

WGC 9.12(4) In races with superfecta wagering, if there is a failure to select, in exact order, the first 4 animals, payouts shall be made on superfecta tickets in the following order of priority:

(a) Tickets selecting the first, second, and third finishers in that order, 1-2-3-all. If no ticket is sold selecting the first, second, and third finishers in that order, then;

~~(b) Tickets selecting the first, second, and fourth finishers in that order, 1-2-all 4. If no ticket is sold selecting the first, second, and fourth finishers in that order, then;~~

~~(c) Tickets selecting the first, third, and fourth finishers in that order, 1-all 3-4. If no ticket is sold selecting the first, third, and fourth finishers in that order, then;~~

~~(d) Tickets selecting the second, third, and fourth finishers in that order, all 2-3-4. If no ticket is sold selecting the second, third and fourth finishers in that order, then;~~

~~(b)(e) Tickets selecting the first and second finishers in that order, 1-2-all-all. If no ticket is sold selecting the first, and second finishers in that order, then;~~

~~(f) Tickets selecting the first and third finishers in that order, 1-all-3-all. If no ticket is sold selecting the first and third finishers in that order, then;~~

~~(g) Tickets selecting the first and fourth finishers in that order, 1-all-all-4. If no ticket is sold selecting the first, and fourth finishers in that order, then;~~

~~(ge) Tickets selecting the second and third finishers in that order, all 2-3-all. If no ticket is sold selecting the second and third in that order, then;~~

~~(gm) Tickets selecting the second and fourth finishers in that order, all 2-all-4. If no ticket is sold selecting the second and fourth finishers in that order, then;~~

~~(gs) Tickets selecting the third and fourth finishers in that order, all-all-3-4. If no ticket is sold selecting the third and fourth finishers in that order, then;~~

~~(c) (h) Tickets selecting the first finisher, 1-all-all-all. If no ticket is sold selecting the first finisher, then;~~

~~(i) Tickets selecting the second finisher, all 2-all-all. If no ticket is sold selecting the second finisher, then;~~

~~(j) Tickets selecting the third finisher, all-all-3-all. If no ticket is sold selecting the third finisher, then;~~

~~(k) Tickets selecting the fourth finisher, all-all-all-4. If no ticket is sold selecting the fourth finisher, then;~~

~~(l) If fewer than 4 animals finish and the race is declared official by the stewards, the payout shall be made to the holders of tickets selecting the finishing animals in order.~~

SECTION 79. WGC 9.13 (1), (4), (8) and (9) are amended to read:

WGC 9.13 (1) Each person participating in a Pick (N) pool shall select the winning animal in (N) consecutive races designated by the association. The number of contests so designated may be 4, 5, 6, 7, 8, 9 or 10 shall be greater than 2. Once an association has decided the number of contests comprising the Pick (N), it may not change that number in the middle of a meet without prior approval of the commission. The contests so designated comprise the Pick (N) for that performance. The association shall issue the Pick (N) participant a ticket which shall reflect the participant's selections in the designated contests.

(4) In the event of a dead heat for win between 2 or more animals in any Pick (N) race, all such animals in the dead heat for win shall be considered as the winner in the race for the purpose of distributing the jackpot Jackpot, Consolation, and the Super (N) pools.

(8) Each jackpot pool shall have a cap that the jackpot Jackpot and Super (N) pools may not exceed. ~~The cap for a pick four jackpot pool shall be \$4,000 or 2,000 times the minimum wager, whichever is less. The cap for a Pick (5) jackpot pool shall be \$30,000 or 15,000 times the minimum wager, whichever is less. The cap for a Pick (6) jackpot pool shall be \$1,000,000 or 500,000 times the minimum wager, whichever is less. The cap for a Pick (7) jackpot pool shall be \$1,000,000. The cap for a Pick (8) jackpot pool shall be \$2,000,000. The cap for a Pick (9) jackpot pool shall be \$5,000,000. The cap for a Pick (10) jackpot pool shall also be \$5,000,000.~~ Prior to the opening of a meet the association ~~may~~ shall declare a cap for the jackpot Jackpot and Super (N) pools ~~less than the cap imposed above,~~ provided the cap is in increments of \$1,000. Once the association has elected a cap the association shall not alter the cap without providing the commission division with prior written notice. If, at the close of any performance the amount accumulated in the jackpot Jackpot or Super (N) pools equals or exceeds the cap, then at such time, the jackpot Jackpot or Super (N) pools shall be frozen until it is won under the other provisions of this section. Thereafter, the jackpot Jackpot or Super (N) pools ~~is~~ are frozen under these provisions and 100% of all subsequent contributions shall go to the Super (N) pool and be distributed accordingly. Nothing herein shall affect the total distribution of both pools on the closing day of any meet or portion of a split meet.

(9) Prior to the opening of a meet at which a Pick (N) wager will be offered, the association may elect to force an early payout of the jackpot Jackpot or Super (N) pools, as allowed by this rule and in no other manner. The election shall be made by informing the commission division in writing prior to the opening of the meet of the association's intent to force an early payout if the conditions of this rule for an early payout are met. If the election is made, then an early payout of the jackpot Jackpot or Super (N) pools shall be made as follows. Within 24 hours after the jackpot Jackpot or Super (N) pools reaches ~~its~~ their cap, the association shall designate the performance at which the early payout shall be made by informing the commission division in writing of the designated performance. The designated performance shall be no sooner than 6 calendar days after the cap is reached and no later than 13 calendar days after the cap is reached. If at the conclusion of the last contest comprising the Pick (N) of the designated performance, no wager has won the jackpot Jackpot or Super (N) pools, then the funds in the jackpot Jackpot or Super (N) pools shall be transferred to the Super (N) pool for the designated

performance and distributed in the manner in which the Super (N) pool is distributed.

SECTION 80. WGC 9.13 (3) is repealed and recreated to read:

WGC9.13 (3) The Pick (N) pool shall operate as follows:

(a) *Pick (N) with carryover.* 1. The Pick (N) pool shall consist of 2 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Jackpot." The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into a pari-mutuel pool to be known as the "Super (N)." The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super (N) and Jackpot, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (N) contests, based upon the official order of finish. If there are no wagers which selected the first-place finisher in each of the races comprising the Pick (N), then the Super (N) shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests.

(b) *Pick (N) with minor pool and carryover.* 1. The Pick (N) pool shall consist of 3 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Jackpot". The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into 2 pari-mutuel pools to be known as the "Super (N)" and "Consolation" in percentages established by the association equal to 50% or 25% of the gross amounts not paid into the Jackpot. The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super (N) and Jackpot, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (N) contests, based upon the official order of finish. The Consolation shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (N) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (N) contests, the Consolation shall be

distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests; and the Super N share shall be added to the carryover.

(c) *Pick (N) with no minor pool and no carryover.* The net Pick (N) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

(d) *Pick (N) with minor pool and no carryover-greatest correct.* 1. The Pick (N) pool shall consist of 2 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Super (N)". The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into the pari-mutuel pool to be known as the "Consolation". The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super N shall be distributed to those who selected the first place finisher in the greatest number of Pick (N) contests, based upon the official order of finish. The Consolation pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (N) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (N) contests, the Consolation pool shall be combined with the Super (N) for distribution as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests. If the greatest number of first-place finishers selected is one, the Super (N) and Consolation are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

(e) *Pick (N) with minor pool and no carryover-all correct.* 1. The Pick (N) pool shall consist of 2 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Super (N)". The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into the pari-mutuel pool to be known as the "Consolation". The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super (N) pool shall be distributed to those who selected the first-place finisher in each of the Pick (N) contests, based upon the official order of finish. The Consolation pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (N) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (N) contests, the entire net Pick (N) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests.

SECTION 81. WGC 9.15 is repealed.

SECTION 82. WGC 10.03 (1), (2), (3), (4), are repealed.

SECTION 83. WGC 10.03 (5) is renumbered WGC 10.03 and as renumbered is amended to read:

WGC 10.03 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 commission auditor and~~ the stewards. The totalizator system licensee shall keep ~~the commission auditor~~ stewards advised of its efforts to correct the problem and, if said licensee is unable to correct the problem, it shall so advise ~~commission auditor~~ the stewards. 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.

SECTION 84. WGC 10.04 (1) (c) is amended to read:

WGC 10.04 (1) (c) Cashed and canceled tickets shall be maintained for until 60 days after the payment of any outs money due the state for the race meet for which the ticket was purchased, unless the ~~director or the stewards~~ division directs, in writing, that the association continue to retain the tickets specified for the purpose of conducting an investigation or audit;

SECTION 85. WGC 10.05 (3) is repealed.

SECTION 86. WGC 10.06 (7) (I) is created to read:

WGC 10.06 (7) (I) The date the ticket expires:

SECTION 87. WGC 10.06 (8) and (9) are amended to read:

WGC 10.06 (8) SECURITY FOR TOTALIZATOR EQUIPMENT. Each ~~association~~ totalizator system licensee shall ~~provide~~ ensure the presence of a security system for the facilities housing the totalizator computers when such equipment is ~~on-site~~ located on association grounds or off-site. The security system shall be provided by the association when totalizator equipment is housed on the grounds of the association. The security system shall be provided by the totalizator system licensee when totalizator equipment is housed outside of association grounds. Such security system shall include:

(a) ~~Be capable of detecting authorized and unauthorized entry through use of a coded locking system, card identification or other devices approved by the commission; and~~ All entry and exit doors to the computer room shall be locked when unattended. A list of individuals with keys to each door shall be maintained and provided to the division. All doors shall have signs posted on the exterior which read: "Authorized Personnel Only".

(b) ~~Detect unauthorized entry and notify the commission or the director or both prior to the next program; and~~ Security camera connected to a 24 hour monitoring system shall be installed to view all entry and exit doors to the computer room.

(c) ~~Contain procedures for entry to the facilities housing the totalizator computers outside normal operating hours.~~

WGC 10.06 (9) ACCESS TO TOTALIZATOR ROOM. (a) Each association totalizator system licensee 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 totalizator system licensee and shall be made available to the commission auditor provided to the division. Such individuals, and those persons authorized pursuant to s. WGC 10.03 (2) possessing an occupational license with the division shall be made the only individuals permitted to enter the totalizator room on a daily basis.

(b) Work schedules for totalizator system employees with access to the totalizator room shall be posted.

(c) A paper log shall be maintained and all visitors to the totalizator room shall sign the log and indicate the time the visitor arrived and exited the totalizator room.

SECTION 88. WGC 10.07 (7) (a) is amended to read:

WGC 10.07 (7) (a) In conjunctions with the totalizator system, the association shall provide one or more odds ~~board~~ boards. Approximate odds on each wagering interest in the win pool shall be updated on the odds board at intervals of ~~not more than 60 seconds~~ approved by the division.

SECTION 89. WGC 10.07 (13) is amended to read:

WGC 10.07 (13) 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 a 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 and reported to the division.

SECTION 90. WGC 10.07 (15) (title) and (intro) is amended to read:

WGC 10.07 (15) ~~MAGNETIC LOG~~ TOTALIZATOR FILES. All totalizator systems shall use the ~~magnetic log~~ totalizator files as input for the accounting reports produced.

SECTION 91. WGC 10.07 (18) is amended to read:

WGC 10.07 (18) 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 for a minimum of ~~30~~ 60 minutes.

SECTION 92. WGC 10.07 (22) and (23) are created to read:

WGC 10.07 (22) REMOTE ACCESS. (a) All dial up modems and other equipment allowing remote access to the totalizator system shall be turned off or disconnected when not in use. All dial up modems and remote access equipment shall be in a location visible to all totalizator system employees in the totalizator room.

(b) All individuals accessing the totalizator system from a remote location shall document their access including dates and times of access, physical location of the individual when accessing the system, and reason for requiring access. Documentation shall be filed in the totalizator room.

(c) All individuals requiring remote access to the totalizator system shall utilize a user specific username and password when accessing the totalizator system remotely.

(23) PERIPHERAL EQUIPMENT WITH SYSTEM CONNECTIVITY. All peripheral equipment connected to a totalizator system shall be identified in writing and an updated list maintained in

the totalizator room. The identification shall include a description of the location of the equipment.

SECTION 93. WGC 10.08 (2) is amended to read:

WGC 10.08 (2) All totalizator equipment to be used for a race ~~meeting~~ meet shall, before the beginning of said race ~~meeting~~ meet, be tested by the totalizator licensee in the presence and supervision of ~~the commission auditor~~ a division representative. ~~This test shall be completed no later than 3 days before the beginning of the race meeting. Notice of this test shall be made to the director no later than 7 days prior to the opening of the race meeting.~~ This test shall include those procedures set forth in sub. (3).

SECTION 94. WGC 10.08 (4) (a) and (b) are amended to read:

(a) All copies of programs at a pari-mutuel facility shall be on ~~magnetic tape or disk file~~ electronic media 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~~ electronic media shall be re-secured.

SECTION 95. WGC 10.08 (5) is amended to read:

WGC 10.08 (5) All totalizator system licensees shall maintain a duplicate copy of all totalizator programs to be used during the race ~~meeting~~ meet. The duplicate copy shall be in absolute program files and be placed on ~~magnetic tape~~ electronic media for storage. ~~These tapes~~ The electronic media shall be placed under seal by the totalizator system licensee for the commission and retained for future comparison with totalizator programs actually in use during the meet. ~~These duplicate tapes~~ The electronic media shall be kept under the dual control of the totalizator system licensee ~~and the commission auditor~~ and shall be retained on the premises of the association.

SECTION 96. WGC 10.08 (9) is amended to read:

WGC 10.08 (9) ~~Ten days prior to the opening of each race meeting~~ The totalizator system licensee shall provide the director division with a list of representatives authorized to have access to the tote room, paper stock, or equipment for each ~~meeting~~ meet.

SECTION 97. WGC 10.09 (2) (b) is amended to read:

WGC 10.09 (2) (b) One original and ~~10~~ 7 copies of the application shall be filed at the commission's division's central office.

SECTION 98. WGC 11 is repealed and recreated as Game 11 to read:

GAME 11 POWERS AND DUTIES OF THE WISCONSIN DIVISION OF GAMING

Game 11.01 Purpose. The purpose of this chapter is to govern the exercise of the division's powers and duties.

Game 11.02 Administration and operation. Any person desiring approval and opinion or other division action with respect to any matter within the jurisdiction of the division shall initially notify the administrator or designee of the nature of the request.

Game 11.03 Enforcement authority. (1) The division shall have unrestricted access to all areas of the racetrack including but not limited to: all buildings, structures, equipment and property located on the premises whether owned by, leased by, or leased to an association.

(2) The division shall have unrestricted access to all records and files, both paper and electronic, maintained by any licensee and related to activities occurring on association grounds, activities related to greyhound racing, breeding and training, or pari-mutuel wagering.

(3) The division may restrict the movement of greyhounds into and out of any racetrack in the state of Wisconsin upon a showing of cause.

(4) The division and its representatives may eject or exclude any licensee or unlicensed person from any facility or property under its jurisdiction whose conduct while present at the facility interferes with the orderly and proper conduct of greyhound racing or pari-mutuel wagering.

(a) Interfering conduct includes, but is not limited to, using profane language, making noises with the intent to stop a greyhound race, unauthorized presence in a restricted area, entering or attempting to enter a pari-mutuel facility without paying a posted admission fee, possession of a narcotic or drug which violates state or federal law, restricting or blocking the entrance or exit of a building or driveway, attempting to violate a statute, rule or order of the division or board of stewards related to greyhound racing and pari-mutuel wagering, striking or threatening another person or racing animal, discharging a firearm or illegal possession of a firearm, impeding division representatives or racing officials exercising authority or duty, or disrupting a stewards inquiry.

(b) The division and its representatives shall not exclude or eject a person for a period to exceed 48 hours unless the exclusion or ejection is based on a suspension or revocation of the person's occupational license.

(c) The division may call upon local law enforcement to assist in enforcement of this section.

Game 11.04 Board of stewards. (1) The board of stewards shall consist of 2 division stewards, one of which shall be a chief steward or presiding division steward, and one association steward employed by the association where the inquiry will be heard. In cases where the inquiry will be heard at a location other than a racetrack, the association steward shall be employed by the association in closest proximity to where the alleged violation occurred. The chief steward or presiding division steward shall be the presiding officer.

(2) Upon a finding of reasonable cause, a steward shall issue a notice to the alleged violator(s) summoning the violator(s) to an inquiry. All notices of inquiries shall be in writing and include the following:

- (a) Date, time and location of the inquiry.
- (b) Alleged conduct constituting a violation.
- (c) Administrative code section or statutory citation allegedly violated.

(3) The notice of an inquiry shall be served upon the alleged violator by a division representative or designee, or sent via certified United State Postal Service Mail or a manner of service approved by the division. One copy of the notice shall be filed with the association steward holding a seat on the board of stewards that will hear the matter.

(4) An inquiry shall be conducted within 3 working days after a steward has reasonable cause to believe that the alleged violation or conduct has occurred and no sooner than 24 hours after the notice has been served in person by a Division representative or 48 hours after the notice has been sent via certified U.S. mail or other division approved method for service.

(5) Any licensee who fails to appear at a board of stewards inquiry as summoned shall be deemed to have waived any right to appear and present testimony and evidence. A licensee may request a continuance in writing for cause not less than 12 hours prior to an inquiry except in cases of emergency. In cases of emergency, the licensee may request a continuance in writing for cause until the designated date and time for the inquiry. The presiding officer shall grant one continuance based on good cause except that the board of stewards may convene at the date, time and location of the inquiry and impose intermediate sanctions on the individual's license until such time as the inquiry is conducted and a decision rendered. Further requests for continuance

may be granted at the presiding officer's discretion. The granting or denial of the continuance shall be communicated in writing to the requestor by the presiding officer.

(6) The presiding officer has complete authority to decide any process of the inquiry not delineated in this section.

(7) The presiding officer shall conduct the inquiry in the following manner:

(a) The presiding officer shall give an opening statement briefly describing the following:

1. How the inquiry will be conducted.
2. Alleged violation and conduct.
3. Names and titles of all members of the board of stewards.
4. Names and titles of all persons representing the division.
5. Name, address, date of birth and license number of alleged violator.
6. Names and titles of any persons representing the alleged violator.
7. Any evidence presently before the board of stewards.

(b) A representative of the division and each alleged violator shall be given the opportunity to present an opening statement.

(c) The board of stewards may call any witness including the alleged violator and question any person present at an inquiry.

(d) A representative of the division and each alleged violator shall be given the opportunity to call witnesses, cross examine witnesses, present evidence and make a closing statement.

(e) The board of stewards shall review all testimony and evidence presented and make its final decision in closed session. Decisions regarding culpability and penalties shall be made by a majority vote of the members of the board of stewards. Upon conclusion of the closed session, the board of stewards shall reconvene in open session. The presiding steward shall make a statement outlining the board of stewards' determination of guilt, any penalties imposed and right of appeal.

(f) All decisions rendered by the board of stewards are effective immediately and subject to appeal pursuant to ch. Game 3.

(8) The presiding officer shall preside at the inquiry and may issue orders and rulings to ensure the orderly conduct of the proceedings, including ruling on the admissibility of evidence, witnesses' participation and areas of examination.

(9) An alleged violator has the right to be represented by an attorney licensed to practice in the state of Wisconsin.

(10) No member of the board of stewards shall be examined by any party during an inquiry.

(11) A member of the board of stewards shall withdraw from participation in an inquiry and may be removed by the administrator if that member has a personal interest in the matter, a prejudice concerning a party or a representative of a party, or has personally investigated, prosecuted or advocated in connection with the matter before the board of stewards. This provision does not apply to an individual who during the course of their duties witnessed an alleged violation but did not conduct an investigation.

(12) Any party may appear as part of a stewards inquiry via telephone at the approval of the presiding officer.

(13) The board of stewards shall enter a written decision after each hearing. The decision shall state whether the violation occurred and, if so, shall briefly set forth the legal and factual basis for the finding. The decision shall also establish a penalty for any violation found. Any member of the board of stewards who dissents from the decision of the board of stewards shall submit a dissenting opinion in writing to the administrator.

(14) The presiding officer may eject or exclude any disruptive person from an inquiry.

(15) The following actions by a steward are not subject to the requirements of this section:

- (a) Scratching a greyhound from competing.
- (b) Ordering the refund of mutuel tickets.
- (c) Determining orders of finish.
- (d) Canceling race performances or races.
- (e) Taking other actions not including the imposition of a forfeiture or suspension of an occupational license.

(16) Any member of the board of stewards who is unable to participate in part or all of the inquiry for any reason shall be excused. A replacement division steward shall be designated by the presiding officer. A replacement association steward shall be designated by the association.

SECTION 99. WGC 13.02 (4) and (5) are created to read:

WGC 13.02 (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.

SECTION 100. WGC 13.04 (3) is created to read:

WGC 13.04 (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.

SECTION 101. WGC 13.05 is repealed and recreated to read:

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 & Safety	\$25.00
(g) Lead-Out	\$10.00
(h) Other	
1. Practicing Veterinarian	\$25.00
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.

SECTION 102. WGC 13.08 (10) is created to read:

WGC 13.08 (10) A foreign corporation that has not obtained a certificate of authority to transact business in this state as required under s. 180.1501, Wis. Stats.

SECTION 103. WGC 13.09 (1) is amended to read:

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

SECTION 104. WGC 13.11 (1) (intro) is amended to read:

WGC 13.11(1) The ~~commission~~ division may impose a forfeiture, deny a license application, or suspend or revoke a license already granted if the applicant:

SECTION 105. WGC 13.11 (1) (d) is created to read:

WGC 13.11 (1)(d) provides false or misleading information to the division or division's representatives.

SECTION 106. WGC 13.13 (title) is amended to read:

WGC 13.13 OWNERSHIP Animal Ownership by business entities.

SECTION 107. WGC 13.13 (2) through (4) are renumbered to WGC 13.13 (2) (a), (b), and (c) and as renumbered amended to read:

WGC 13.13 (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 said 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.

(3) (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. WGC ~~13.07~~ 13.09.

(4) (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.

SECTION 108. WGC 13.13 (5) is renumbered WGC 13.13 (3).

SECTION 109. WGC 13.14 (title) and (3) are amended to read:

WGC 13.14 Owners Animal ownership by individuals.

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

SECTION 110. WGC 13.15 (3) is amended to read:

WGC 13.15 (3) An applicant for an assistant trainer's license shall be employed by a ~~licensed trainer~~ kennel owner.

SECTION 111. WGC 13.15 (4) (d) is created to read:

WGC 13.15 (4) (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.

SECTION 112. WGC 13.15 (6) through (12) are created to read:

WGC 13.15 (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 Chapter 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.

SECTION 113. WGC 13.19 is renumbered to WGC 13.19(1).

SECTION 114. WGC 13.19 (2) is created to read:

WGC 13.19 (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.

SECTION 115. WGC 13.20 (5) is created to read:

WGC 13.20 (5) A person licensed as a mutuel employe shall not be permitted to be simultaneously licensed in any other occupation as identified in s. WGC 13.05 (1) (i).

SECTION 116. WGC 13.23 (8) is amended to read:

WGC 13.23 (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~~ 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.

SECTION 117. WGC 13.23 (13) is amended to read:

WGC 13.23 (13) No person shall engage in; the illegal sale, possession, or 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.

SECTION 118. WGC 13.23 (16) through (26) are created to read:

WGC 13.23 (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.

SECTION 119. WGC 13.24 is created to read:

WGC 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.

SECTION 120. WGC 14.02 (3) is created to read:

WGC 14.02 (3) "Test sample" means any substance obtained from a racing animal for the purpose of submission to the testing laboratory for determining compliance with ch. WGC 14. These substances include but are not limited to: urine, blood, feces, saliva, and hair.

SECTION 121. WGC 14.03 is amended to read:

WGC 14.03 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 section. Notwithstanding any of the foregoing, if the testing laboratory selected pursuant to s. WGC 14.23 detects the following substances at or below the levels indicated, the laboratory shall not report the results as a positive finding which indicates the presence of a foreign substance:

(1) Procaine and its metabolites in an amount less than or equal to 5.0 micrograms per milliliter.

(2) Sulfa drugs and their metabolites in an amount less than or equal to 100 micrograms per milliliter.

(3) Polyethylene glycol and fenbendazole, if the laboratory determines, in its sole discretion, that the amount detected is insufficient to interfere with the laboratory's ability to detect the presence of other medications or foreign substances.

SECTION 122. WGC 14.07 is amended to read:

WGC 14.07 No person except a veterinarian shall have in ~~his or her~~ the person's possession within a ~~race track enclosure~~ the kennel compound any prescription drug as defined in s. 450.01 (20), Stats., unless prior written authorization is obtained ~~by the commission~~

~~veterinarian or that person has complied with s. WGC 14.09 (2) and the prescription drug is in its original pharmacy container with a prescription label affixed to it.~~

SECTION 123. WGC 14.09 (3) is created to read:

WGC 14.09 (3) Dosage syringes manufactured for the exclusive purpose of providing oral administration of medications shall be permitted to be possessed by persons other than a veterinarian if prior approval is obtained from the division's veterinarian. This provision does not permit hypodermic syringes that have been modified to prevent the attachment of a needle to qualify. All dosage syringes shall be identified on the medication list provided to the division's veterinarian.

SECTION 124. WGC 14.11 (5) is amended to read:

WGC 14.11 (5) An area located adjacent to the paddock shall be set aside and be under the supervision of the division veterinarian for the purpose of collecting body fluid test samples for any tests required by the division. The building, location, arrangement, furnishings and facilities, including refrigeration and hot and cold running water, must shall be approved by the division.

SECTION 125. WGC 14.12 (1) and (3) are amended to read:

WGC 14.12 (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 division laboratory with the consent of the owner of the animal from whom the sample was taken. If the division requests permission from the owner to test the referee sample, and the owner refuses to grant the permission, the division shall deem such refusal by the owner as grounds for revoking the owner's occupation license. A referee sample shall be provided when sufficient volume is available for additional confirmation testing and retention of a portion of the sample as required by sub. (3) at the request of the owner, trainer or other person charged with a violation of these rules. The referee sample may not be tested by the division laboratory.~~

WGC 14.12 (3) Whenever a referee sample is opened provided, a portion of that test sample shall be preserved by the division laboratory in case further testing is requested. If the

division laboratory determines there is insufficient sample to conduct the requested confirmation testing and retain a portion by the division laboratory for additional testing, a referee sample shall not be provided.

SECTION 126. WGC 14.12 (4) and (5) are created to read:

(4) The laboratory conducting the testing of the referee sample shall provide the results of the testing to the division.

(5) For a laboratory to be eligible to conduct testing of a referee sample, one member of the laboratory personnel shall be a registered member of the Association of Official Racing Chemists.

SECTION 127. WGC 14.15 (1) is amended to read:

WGC 14.15 (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 ~~commission~~ division 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 final determination of the accuracy of the laboratory's report. The stewards shall proceed to conduct an inquiry or the ~~commission~~ division shall conduct an inquiry or hearing.

SECTION 128. WGC 14.15 (4) is created to read:

WGC 14.15 (4) Failure by the kennel owner or owner of an animal to return previously distributed purse monies as ordered by the stewards or division shall result in a suspension of the kennel or greyhound owner's license until such monies are returned.

SECTION 129. WGC 14.20 (4) is amended to read:

WGC 14.20(4) A veterinarian practicing medicine at a track licensed by the ~~commission~~ division shall use disposable needles and syringes and keep the needles and syringes in their possession until the needles and syringes can be properly disposed of off the grounds of the racetrack.

SECTION 130. WGC 14.21 (1) and (2) are amended to read:

~~WGC 14.21 (1) The kennel owner or trainer shall immediately inform the division veterinarian of any animal in the kennel owner or trainer's care that expires or is euthanatized. 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 ~~commission~~ division shall undergo, unless otherwise determined by the division veterinarian, a post-mortem examination at a time and place acceptable to the state division 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 ~~commission's veterinarian~~ Wisconsin animal health laboratory, University of Wisconsin - Madison school of veterinary medicine, or another entity designated by the division.

SECTION 131. WGC 14.21 (3) and (4) are created to read:

(3) The trainer of a greyhound required under sub. (1) to have a post-mortem examination conducted shall be required to deliver the greyhound to the division's veterinarian.

(4) The division shall be responsible for any transportation costs associated with the delivery of the deceased greyhound from the division veterinarian's office to the laboratory for post-mortem examination.

SECTION 132. WGC 14.22 (5) is amended to read:

~~WGC 14.22 (5) The ~~commission~~ division veterinarian shall observe each greyhound as it enters the lock-out kennel, ~~examine it~~ inspect the greyhound if deemed necessary when ~~it enters~~ entering the paddock prior to the race, and recommend to the ~~commission~~ of stewards that any greyhound deemed unsafe to race or physically unfit to produce a satisfactory effort in a race be scratched.~~

SECTION 133. WGC 14.22 (8) is repealed.

SECTION 134. WGC 14.23 (1) (h) and (2) are amended to read:

WGC 14.23 (1) (h) No laboratory staff, officer, director, or holder of ~~25% or more of the~~ any ownership interest in the laboratory shall have a financial interest, either directly or indirectly, in racing greyhounds, any entity licensed by the ~~commission~~ division, the racing industry, or any other conflict of interest, including those contained in s. 562.025, Stats.

(2) The ~~commission~~ division shall select a laboratory pursuant to a request for proposal or request for bid issued pursuant to the procedures set forth in the department of administration's procurement manual as required by subch. IV of ch. 16, Stats. ~~No laboratory shall be selected which does not meet all requirements of the request for proposal or request for bid.~~

SECTION 135. WGC 14.24 is created to read:

WGC 14.24 Medication list. (1) All kennels shall maintain a listing of all chemical substances, medications, vitamins, and nutritional supplements present in the kennel for the purpose of ingestion or absorption by racing greyhounds.

(2) Medication lists shall be prominently displayed in the kennel building.

(3) Medication lists shall be subject to review and approval by the division. The division may deny approval of any item on the medication list if the item poses a risk to the health, safety or welfare of a greyhound or human; possession or administration of the item is prohibited by state or federal law; or the item has not been approved for use in dogs by the Food and Drug Administration or United States Department of Agriculture unless a prescription for the secondary use of the item is issued by a licensed veterinarian. Items denied by the division for placement on the medication list shall be prohibited in the kennel compound.

SECTION 136. WGC 15.02 (1) (d) is created to read:

WGC 15.02 (1) (d) No person shall remove or alter, either directly or indirectly, any tattoo, other marking, device, coloration or special characteristic that is used for the purpose of identifying a greyhound.

SECTION 137. WGC 15.02 (2) (a) is amended to read:

WGC 15.02 (2) (a) The affidavit shall disclose the locations and dates 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 entry.

SECTION 138. WGC 15.04 (2) is amended to read:

WGC 15.04 (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~~ 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.

SECTION 139. WGC 15.05 (2) is repealed.

SECTION 140. WGC 15.05 (3) is renumbered WGC 15.05 (2) and as renumbered is amended to read:

WGC 15.05 (2) No greyhounds shall be removed from the grounds of the racetrack unless prior approval from a ~~commission~~ division steward or designee has been obtained, unless ~~in case of emergency the greyhound is being removed for the purpose of receiving veterinary care and the greyhound is returning to the kennel compound or the greyhound is housed in the association's adoption kennel.~~ 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~~ may include inspection and identification of the greyhound.

(b) ~~Destination~~ The destination of the greyhound shall be submitted to the ~~commission~~ division stewards or ~~commission~~ division veterinarian on a form supplied by the ~~commission~~ division. The form shall be completed and submitted by the trainer, kennel owner, or greyhound owner prior to the greyhound's removal from the grounds of the racetrack.

Note: Related forms are available free of charge at Division of Gaming offices located at each racetrack or by calling (608) 270-2555.

~~(c) Upon return to the grounds, the steward, after examination by the division veterinarian shall verify that the animal has recovered, if it left for treatment.~~

SECTION 141. WGC 15.05 (4) is amended to read:

WGC15.05 (4) All greyhounds transported to or from any racetrack within the state shall be hauled ~~in crates designed and used for the sole purpose of transporting greyhounds.~~ These crates shall be 2 feet wide, 3 feet long and 34 inches high. under the following conditions:

(a) All crates shall be designed and used for the sole purpose of transporting greyhounds. These crates shall be 2 feet wide, 3 feet long and 34 inches high.

(b) All crates shall be of sound construction, maintained in good repair and clean.

(c) All vehicles shall be in good repair.

SECTION 142. WGC 15.05 (6) is amended to read:

WGC 15.05 (6) Only one greyhound shall be housed per crate in a kennel at any time.

SECTION 143. WGC 15.05 (8) is amended:

WGC 15.05 (8) All greyhounds kenneled at a racetrack licensed under s.562.05(1)(a) and (b), Wis. Stats., shall be vaccinated ~~annually for~~ against rabies. If a greyhound ~~has not been vaccinated within one year~~ does not possess a current valid rabies vaccination prior to kenneled at the racetrack, vaccination shall occur ~~within one week of arrival~~ prior to arriving at the racetrack. Copies of current rabies certifications evidencing a vaccination ~~within one year and its expiration date~~, which are signed by a licensed veterinarian, shall be recorded with the ~~commission~~ division. When a greyhound's ~~vaccination date~~ rabies vaccination expires, a new vaccination shall occur, and certificate filed, ~~within one week prior to expiration~~.

SECTION 144. WGC 15.05 (9) through (12) are created to read:

WGC 15.05 (9) All greyhounds kenneled at a racetrack licensed under s.562.05(1)(a) and (b), Stats., shall be vaccinated against canine distemper virus, infectious canine hepatitis (canine adenovirus type 2), leptospirosis, parainfluenza, and parvo virus annually. If a greyhound does not possess a current vaccination against these diseases prior to kenneled at the racetrack, vaccination shall occur prior to arriving at the racetrack. Copies of current certifications evidencing vaccination against these diseases, which are signed by a licensed veterinarian, shall be filed with the division. When a greyhound's vaccination expires, a new vaccination shall occur, and certification shall be filed prior to expiration.

(10) No greyhound may compete in a race if any vaccination required by the division has expired.

(11) No licensee shall possess any device capable of forced ingestion or absorption into a greyhound by human means unless the licensee possesses a written order from a veterinarian or the item is listed below:

(a) Oral syringe

(b) Eye dropper

(c) Inhalation device

(12) No greyhound shall be rectally, orally, vaginally, naso-gastrically or gastrically probed or intubated without a written order from a veterinarian or have any item placed in a body cavity of a greyhound for the purpose of causing the animal to lose or gain weight.

SECTION 145. WGC 15.06 through 15.08 are created to read:

WGC 15.06 Scientific research. (1) No licensee, except the greyhound's owner, may directly or indirectly transport or arrange transportation of a greyhound that has raced in the state of Wisconsin to a facility licensed by the United States Department of Agriculture for the purpose of the greyhound participating in animal research or blood donation.

(2) No licensee shall directly or indirectly remove a greyhound from the grounds of the racetrack without the owner's consent, except in removals of greyhounds for the purpose of obtaining veterinary care.

WGC 15.07 Kennel Standards. Kennels and the kennel compound shall be maintained by the association and kennel owners in the following manner to promote the health, safety, and welfare of racing greyhounds and humans:

(1) Kennel facilities shall be structurally sound, maintained in good repair, and protect animals housed in the facilities from injury.

(2) All kennel facilities and other buildings comprising the kennel compound shall have locks on all outside doors to protect against illegal entry. When kennel facilities and buildings used for the purposes of storage or maintenance are unattended by authorized personnel, all doors and gates must be secure and locked. One copy of the key for the lock shall be maintained by the kennel compound security officer for the purpose of accessing the building in the event of an emergency.

(3) All kennel facilities shall have a functional climate control system to regulate the air temperature in the kennel to a minimum of 60 degrees during the winter heating season and 78 degrees during the summer cooling season.

(4) Kennel personnel shall inspect the kennel and turn-out pens before leaving the kennel and immediately upon return to determine if unauthorized persons or unattended greyhounds are present. The presence of unattended greyhounds or unauthorized persons shall be immediately reported to the on-duty kennel compound security officer. The following shall constitute a violation of this section:

(a) The presence of 2 or more greyhounds in a turn-out pen when no person representing the kennel is present within 20 feet of the kennel.

(b) The presence of one or more greyhounds in a turn-out pen when no person representing the kennel is present on the grounds of the racetrack.

(5) Kennel personnel shall inspect the turn-out pens prior to placing greyhounds in the pens to ensure the absence of foreign matter, signs of unauthorized entry, open gates, or damaged fencing.

(6) All kennels and the kennel compound shall be sufficiently luminated both internally and externally.

(7) The following rules shall govern electrical use in a kennel:

(a) Electrical outlets shall have coverplates, and all electrical wiring and lights shall be maintained in a manner which protects against damage by or injury to a greyhound.

(b) Devices in use shall be connected directly or with an electrical cord not more than 50 feet long to an electrical outlet.

(8) All turn-out pens shall meet the following specifications:

(a) The turn-out pens surface shall have a minimum base consisting of 4 inches of sand that has been routinely aerated to provide an adequate drainage system to minimize areas of standing water.

(b) All turn-out pens shall have at least one gate a minimum of 36 inches wide.

(c) All turn-out pens shall be free of weeds and grass.

(d) All feces buckets located in a turn-out pen shall have secure lids.

(e) All feces located in turn-out pens or within 50 feet of a kennel building shall be picked up and discarded in the designated receptacle(s) no less than one time per day.

(9) Kennels and all areas and buildings within the kennel compound shall be free of sharp or protruding objects and maintained in a clean manner which promotes the health, safety and well being of greyhounds housed on association grounds. This shall include ensuring grass and weeds within 20 feet of any structure, motor vehicle, turn-out pen, or sprint path are not in excess of 5 inches in height.

(10) All kennel floors and walls shall be impervious to water and free from feces, blood, and urine.

(11) All food and bedding shall be stored in a manner that prevents contamination and deterioration.

(12) All kennels shall have interior running hot and cold water and an exterior cold water faucet.

(13) All kennels shall have at least one fire extinguisher in working order.

(14) All kennel buildings shall have at least one operational window with a screen and two operational exterior doors, one of which shall lead to a turn-out pen.

WGC 15.08 Rodent and insect control. (1) All racing associations and kennel owners shall provide systematic and effective insect and rodent control, including control of flies, mosquitoes, fleas, ticks, and mice, to all areas on association grounds under the association's or kennel owner's control.

(2) No kennel owner or trainer shall present a greyhound for weigh-in if that greyhound is infested with fleas or ticks. Greyhounds observed by the division veterinarian or steward during weigh-in or weigh-out to be infested with fleas or ticks shall be scratched.

SECTION 146. WGC 16.02 (4) is created to read:

WGC 16.02 (4) "Wagering" means the act of placing a wager or accepting a payout on a wager or both.

SECTION 147. WGC 16.03 (2) is renumbered WGC 16.05, and WGC 16.03 (3) is renumbered WGC 16.06.

SECTION 148. WGC 16.03 (1) is repealed and recreated to read:

WGC 16.03 Wagering. (1) No employee of any person licensed pursuant to s. 562.05 (1) (a), (b), (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.

(2) No person licensed pursuant to s. 562.05 (1) (a), (b), or (c), Stats., as a racing official may place any wager, directly or indirectly, at any track under the jurisdiction of the division.

(3) An occupational licensee having immediate care and custody of more than one animal entered in a particular race shall not wager on that race.

(4) An occupational licensee may wager on a race in which no animal in the licensee's immediate care is entered in that race.

(5) An occupational licensee having immediate care and custody of one animal entered in a particular race may cash a winning pari-mutuel ticket for a race only if the animal in the licensee's care and custody is one of the greyhounds comprising the official order of finish for the pool in which the licensee is cashing the pari-mutuel ticket.

SECTION 149. WGC 16.04 is repealed and recreated to read:

WGC 16.04 Substance abuse. No licensee shall perform duties on association grounds or display an identification badge while under the influence of alcohol or any controlled substance.

SECTION 150. WGC 16.07, 16.08, 16.09 and 16.10 are created to read:

WGC 16.07 Telephone and internet wagering. No licensee shall place or cause to be placed any wager through a telephone or internet service provider on association grounds.

WGC 16.08 False or misleading information. No licensee shall provide false or misleading information to the division or division staff.

WGC 16.09 Failure to cooperate. No licensee shall fail to cooperate with the division or division staff in the course of a division investigation or inquiry.

WGC 16.10 Misconduct. No licensee by action or failure to act shall create or contribute to a situation or circumstance which creates a threat to the public health, safety or welfare, or the integrity of racing and pari-mutuel wagering.

SECTION 151. WGC Chapter 17 is repealed.

SECTION 152. WGC Chapter 18 is repealed.

SECTION 153. WGC 19.04 (1) (i) and (j) are created to read:

WGC 19.04 (1) (i) Any violation by a licensee of ss. WGC 16.03 (1) or 16.04 shall be subject to a minimum forfeiture equal to the amount of money wagered and won when committing the violation.

(j) Any violation by a licensee of ss. WGC 14.03 or 14.04 shall be subject to a minimum penalty which includes a requirement to return all purse monies won by the greyhound owner and kennel owner to the association. Furthermore, the association shall be ordered to redistribute the purse monies received to the greyhound owners and kennel owners who would have been entitled to increased purse money if the greyhounds which raced in violation of ss. WGC 14.03 or 14.04 would have been disqualified.

SECTION 154. WGC 20.04 (5) is amended to read:

WGC 20.04 (5) The division shall require a fee for licenses to cover background investigations and general operations. The fee for the first year of operation shall be \$1,500 for food service concessionaires. Subsequent license fees for food service concessionaires shall be \$10.00 per performance granted to the track at which the licensee operates. All other concessionaires will be required to pay an annual ~~\$150.00~~ 75.00 license fee. Charitable organizations, community organizations, and promotional event organizers may be exempt from

obtaining a concessionaire's license. Any request for exemption must be made by the participating racetrack three days prior to the event. An entity is eligible for such an exemption only if it will not operate as a concessionaire at more than 10 race days during a race meet.

SECTION 155. WGC 20.10 (2) is amended to read:

WGC 20.10 (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 commission division within 90 120 days after the end of each individual meet unless a written extension is received from the division.

SECTION 156. WGC 23 is amended to read:

Chapter WGC 23 WISCONSIN WHELPED OWNED PROGRAM

WGC 23.01 Purpose. This chapter ensures that certain kennels and greyhounds are owned by residents of Wisconsin.

WGC 23.02 Wisconsin whelped-owned program. (1) Each association shall make a good faith effort to ensure that at least 2 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. All kennel operators that the association extends a contract to shall be properly qualified in the raising, racing, and training of greyhounds.

(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. The association shall pay all Wisconsin owned greyhounds that finish in the top four places in a purse race, not including stakes or sweepstakes races, one point in addition to points normally won for finishing in the top four places.~~

(2) Qualifications for Greyhounds participating in the Wisconsin whelped owned 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 6 months. The brood matron shall be owned or leased by a resident of this state.~~

(b) ~~The breeder shall be~~ shall be owned by 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~~ owned greyhounds shall be designated in the program with a symbol approved by the ~~commission~~ division.

WGC 23.03 Annual report. ~~The commission~~ division 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 within 90 days after the last day of the race meet.~~ The report shall include statistics on the number of Wisconsin residents who own contract kennels at the track and the number of Wisconsin ~~whelped~~ owned greyhounds which have raced at the track in the past year. Each association must report on how any kennel opening occurred in the past year ~~were filed~~ was 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; an established history in the greyhound industry; a breeding program – including ownership of a farm or brood stock and/or relationships with breeders; the percentage of greyhounds owned vs. leased by the applicant; and financial responsibility. ~~The commission~~ division shall review each association's report and may make recommendations or may impose requirements relative to promoting participation of Wisconsin residents in greyhound racing at its track.

SECTION 157. WGC 24.16 (14) is amended to read:

WGC 24.16 (14) If live on-track racing is being conducted during the same period simulcast wagering is provided, all purse payment monies generated from the simulcast wagering pools shall be paid in accordance within the identified time frame for payment as identified in s.562.065(3)(b)2., Stats. If simulcast wagering is conducted during periods when no live on-track racing is occurring, a plan for the distribution of purse monies generated from simulcast wagering pools shall be submitted to the ~~commission~~ division for approval prior to the start of the live on-track racing. The division shall establish the percentage of simulcast handle wagered on both horse and greyhound races from out-of-state host tracks to Wisconsin guest tracks that shall be allocated toward the payment of purses for greyhound racing in Wisconsin.

SECTION 158. WGC 24.18 (3) is repealed.

SECTION 159. WGC 4 through 10 , 13 through 16, 19, and 24 are amended by replacing references to: “commission” with “division”, “director” with “administrator” and the acronym “WGC” with “Game”.

INITIAL APPLICABILITY. Unless identified below, all rules first apply on the effective date of this order.

SECTION 29. This rule first applies to all lease affidavits filed with the racing secretary on or after January 1, 2004.

SECTION 101. This rule first applies to all applicants for a 2004 occupational license.

EFFECTIVE DATE. This order shall take effect on the first day of the month following publication in the Wisconsin Administrative register as provided in s. 227.22 (2)(intro.), Stats.

Date: _____

Marc J. Marotta, Secretary

CONTACT PERSON:

Christopher Patton
Department of Administration – Division of Gaming
(608) 270-2532

Fiscal Estimate — 2001 Session

- Original Updated
 Corrected Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WGC 13.05

Subject

Amendments to chs. WGC 1 through 24, Wis. Admin. Code, related to greyhound racing and pari-mutuel wagering.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs — May be possible to absorb within agency's budget.
 Yes No
 Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory
3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

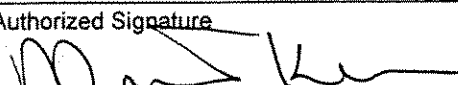
The Department of Administration's proposed amendment to s. WGC 13.05, Wis. Admin. Code, reduces and restructures licensing fees for certain occupations. The revenue calculations used to estimate the fiscal impact of these revisions were based on actual revenue data from racing related occupational licenses issued by the Department's Division of Gaming during FY'02. The estimate assumes a similar number of licenses will be issued by the Division of Gaming within each category and to each person in FY'04.

The proposed licensing fees are consistent with most other state regulatory jurisdictions overseeing greyhound racing. The Department recognizes that in many cases racetrack based employers must compete with other local business looking to recruit employees for similar occupations where no license is required (food & beverage, maintenance, kennel helpers, etc.). It is possible that racetrack based employers may be able to more easily recruit prospective employees due to the proposed license fee schedule. The potential exists for this initiative along with other proposed amendments to increase the total number of licenses issued and therefore offset a portion of the projected decrease in state revenues. The potential for revenue enhancement is uncertain and therefore has not been calculated and utilized in determining the overall fiscal impact.

Based on the Department's calculations, the anticipated reduction in state revenue derived from the proposed amendment is \$25,000 annually.

Long-Range Fiscal Implications

Estimated reduction in state revenues derived from racing occupational licensing fees by approximately \$25,000 annually.

Prepared By: Christopher Patton	Telephone No. 608-270-2532	Agency DOA
Authorized Signature 	Telephone No. 608/266/1359	Date (mm/dd/ccyy) 7/11/03

Summary of rule revisions based on comments from the Legislative Rules Clearinghouse, hearing testimony and written comments received by the Department of Administration:

CLEARINGHOUSE RULE 03-070

Chapter WGC 1-24 and Game 3

1. DEPARTMENTAL RESPONSE TO RULES CLEARINGHOUSE RECOMMENDATIONS

All of the Rules Clearinghouse suggestions were addressed and implemented.

2. DEPARTMENTAL RESPONSE TO ISSUES RAISED AT PUBLIC HEARING

Although four of the ten people who appeared at the public hearing indicated that they wished to testify, only three of persons actually suggested changes to the proposed rules.

David Jansa, Dairyland Greyhound Park

Mr. Jansa stated three recommendations for consideration:

- a) Change the proposed number of performance lines required for greyhounds that are graded as "maidens" from 3 to 2. He stated that the current industry standard is 2 performance lines.
- b) Change the reclassification of 24-month-old maiden greyhounds from the last day of the 24th month to the last race day of the 24th month to clarify the requirement and eliminate confusion.
- c) Modify the "weight loser" designation requirements to require the loss of weight on 3 consecutive occasions. Currently, the amendment does not require that the occasions are consecutive.

The Department has accepted Mr. Jansa's recommendations and modified its proposed amendments accordingly.

Greg Cline, General Counsel, United Tote Company

Mr. Cline stated three points for consideration:

- a) Concerned with the provision restricting one-dollar wagers to instances in which there are no less than 3 wagering interests included in the wager. Currently throughout the industry \$1.00 box wagers are allowed with only two wagering interests and this provision would be contrary to what presently exists. In addition, the computer system does not allow the system operator to specify a minimum number of wagering interests specific to the amount of the wager.
- b) Stated that subsection (f) of the Pick (N) wagering pools is not compliant with *International Tote Standards Protocol*. This provision could be programming into the local computer

system but would prohibit Wisconsin racetracks from exporting their live races to other racetracks.

- c) Recommended that language placing responsibility for the physical security of the totalizator room with the totalizator company should be changed to the racetrack operator. Mr. Cline stated that his company's totalizator systems are housed in facilities controlled by the racetrack operators who are clients. All contracts executed by United Tote Company call for the racetrack operator to be responsible for physical security and the totalizator operator is responsible for systems security.

The Department has accepted Mr. Cline's comments and modified its proposed amendments to reflect the comments suggested.

Mae Mohr, Geneva Lakes Greyhound Track

Ms. Mohr had several questions concerning the lease affidavit requirements and effective date of changes made to a greyhound's official racing weight. These amendments are contained in sections 29 and 46. Ms. Mohr's questions were answered by Division of Gaming staff present at the hearing. In addition, Ms. Mohr had one suggestion:

- a) Add a effective time for changes to an official racing weight of a greyhound to clarify how quickly a weight change must be made and whether or not the change will supercede what is listed in a daily racing program which may have already been submitted to the printer.

The Department has accepted Ms. Mohr's suggestion and modified its proposed amendments to reflect the suggestion.

3. DEPARTMENTAL RESPONSE TO WRITTEN COMMENTS

The Board received two written comments from William O. Apgar, Jr., General Manager, Dairyland Greyhound Park and Cyndi Napolitan-Faircloth, Red Wings Kennel.

Mr. Apgar wrote to the Department requesting 4 changes to the proposed amendments.

- a) Require the association to correct errors contained in the daily race program immediately but limit liability for errors to circumstances in which the association fails to make a good faith effort to ensure accuracy.
- b) Repeal language requiring association liability for ensuring utilization of the power switches disengaging electricity to the lure rail. Require the association to ensure employees are trained to turn all power switches off when within 30 inches.
- c) Provide that the association "may" instead of "shall" be responsible for all reasonable costs incurred by the Division of Gaming and payable to outside contractors related to totalizator system tests and audits.
- d) Limit requirement that at least 2 kennels be owned by Wisconsin residents by only requiring the association to make a good faith effort in ensuring 2 Wisconsin kennels. In addition, require that Wisconsin residents applying for kennel bookings be properly qualified in the raising, racing and training of greyhound in order to be considered for a kennel booking at a Wisconsin racetrack.

The Department has accepted Mr. Apgar's recommendations and modified its proposed amendments to reflect the suggestions with the following exception:

(b) The Department believes that the responsibility for ensuring employee safety rests with the association. The lure operates on two copper rods carrying high voltage electricity. Employee contact with the copper rods when the power switch is in the "on" position will result in employee injury and possible electrocution. Therefore, due to the serious consequences of non-compliance, the Department recommends maintaining the language as proposed.

Ms. Napolitan-Faircloth wrote to the Department requesting the establishment of a 7-day grace period for kennel operators to obtain new vaccinations for greyhounds with rabies or distemper vaccinations that expire. The Department believes that the establishment of a grace period for greyhound vaccinations violates s. 95.21 (2) (a), Stats., which states in part, "...The owner of a dog shall have the dog revaccinated against rabies by a veterinarian before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 3 years after the previous vaccination." In addition, the establishment of a grace period may place racetrack employees and the general greyhound population at a greater risk for exposure to the rabies disease. Racetrack employees bitten by a greyhound whose rabies vaccination has expired within the 7-day grace period may have to receive additional medical attention above and beyond what is normally required in situations where the greyhound's vaccination had been updated consistent with s. 95.21 (2) (a), Stats.

~~(b) On and after January 1, 1992, no~~ 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.

SECTION 139. WGC 15.05 (2) is repealed.

SECTION 140. WGC 15.05 (3) is renumbered WGC 15.05 (2) and as renumbered is amended to read:

WGC 15.05 (2) No greyhounds shall be removed from the grounds of the racetrack unless prior approval from a ~~commission~~ division steward or designee has been obtained, unless ~~in case of emergency the greyhound is being removed for the purpose of receiving veterinary care and the greyhound is returning to the kennel compound or the greyhound is housed in the association's adoption kennel. 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~~ may include inspection and identification of the greyhound.

(b) ~~Destination~~ The destination of the greyhound shall be submitted to the ~~commission~~ division stewards or ~~commission~~ division veterinarian on a form supplied by the ~~commission~~ division. The form shall be completed and submitted by the trainer, kennel owner, or greyhound owner prior to the greyhound's removal from the grounds of the racetrack.

Note: Related forms are available free of charge at Division of Gaming offices located at each racetrack or by calling (608) 270-2555.

~~(c) Upon return to the grounds, the steward, after examination by the division veterinarian shall verify that the animal has recovered, if it left for treatment.~~

SECTION 141. WGC 15.05 (4) is amended to read:

WGC15.05 (4) All greyhounds transported to or from any racetrack within the state shall be hauled ~~in crates designed and used for the sole purpose of transporting greyhounds. These crates shall be 2 feet wide, 3 feet long and 34 inches high.~~ under the following conditions:

(a) All crates shall be designed and used for the sole purpose of transporting greyhounds. These crates shall be 2 feet wide, 3 feet long and 34 inches high.

(b) All crates shall be of sound construction, maintained in good repair and clean.

(c) All vehicles shall be in good repair.

562.08 Admissions tax. (1) Every licensee under s. 562.05 (1) (a) or (e) shall collect 50 cents per person entering a racetrack as a spectator on each race day on which an admission fee is charged, including any person entering the racetrack as a spectator on a free pass or complimentary ticket.

(2) Quarterly, of the amount collected during the quarter under sub. (1), a licensee under s. 562.05 (1) (a) shall pay 50% to the county where the amount was collected and 50% to the city, village or town where the amount was collected.

(3) Each county, city, village and town receiving moneys under sub. (2) shall use at least part of the moneys to defray the costs of law enforcement, traffic control and other municipal expenditures incidental to the conduct of racing in that county, city, village or town and shall submit annually a report to the department showing how it has expended those moneys.

History: 1987 a. 354; 1991 a. 39, 269; 1995 a. 27 s. 9123 (6pp); 1997 a. 27.

562.09 Medication of or tampering with race animals.

(1) **DEPARTMENT RULES.** (a) The department shall promulgate and enforce rules governing the administration of medication and foreign substances to animals at racetracks where there is racing and medical testing of those animals. The rules shall provide that no medication or foreign substance, as defined by the department, may be administered to an animal within 48 hours prior to its entry in a race and that no animal participating in a race may carry any medication or foreign substance in its body, except as provided in this paragraph. The rules may permit specified levels of the following medications or foreign substances to be present in the body of an animal participating in a race if it is determined by the department that the medication or foreign substance entered the body of the animal through the food chain: procaine and its metabolites; sulfa drugs and their metabolites; polyethylene glycol; and any other medication or foreign substance that may enter the body of an animal through the food chain and that the department determines will not affect the integrity of the race or will not be relevant to the wagering public if the medication or foreign substance is present in an animal participating in a race. The rules shall specify the permissible levels of those medications or foreign substances consistent with levels resulting from food ingestion and in a manner that enables the levels to be detected in a urine sample of the animal.

(b) The department shall establish, by rule, the qualifications for any laboratory which the department uses for testing under this section.

(2) **TESTING AND DETENTION.** (a) The owner or the agent or employee of the owner of any animal on a racetrack shall permit any member, steward, employee or other agent of the department to make any test which the department determines to be proper to determine if a medication or foreign substance has been administered to that animal in violation of sub. (1).

(b) 1. The department shall require, by rule, that every horse entered in a race be tested before the race to determine if a medication or foreign substance has been administered to the horse in violation of sub. (1). The rule shall require that every horse entered in a race shall be detained from the time the prerace test is administered until the horse leaves the detention area to proceed to the start of the race. The rules shall limit the persons who may be present when samples are taken for the tests and who may be present in the detention area and shall identify who those persons may be.

2. The department shall require, by rule, that immediately after every race at least one animal, as identified by the department rule, be tested to determine if a medication or foreign substance has been administered to the animal in violation of sub. (1). A steward or veterinarian employed by, under contract with or approved by the department may designate additional animals to be tested to determine whether a violation of sub. (1) has occurred.

(bm) The rules which the department applies at racetracks at fairs under pars. (a) and (b) and sub. (1) may differ from the rules

which the department applies under pars. (a) and (b) and sub. (1) at other racetracks.

(c) Any finding by the department that a medication or foreign substance has been administered to an animal in violation of sub. (1) is prima facie evidence of a violation of sub. (1).

(d) The results of any test under this subsection shall be kept on file by the department for at least one year following the test.

(e) The department shall establish, by rule, and charge fees for testing under this subsection. Fees received under this paragraph shall be credited to the appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g).

(3) **PROHIBITED ACTS.** No person may do any of the following:

(a) Enter an animal in a race if the person knows or should know that a medication or foreign substance has been administered to that animal in violation of sub. (1).

(b) Administer a medication or foreign substance to an animal in violation of sub. (1).

(c) Willfully fail to disqualify an animal from competing in a race if the person has notice of any of the following:

1. That a medication or foreign substance has been administered to the animal in violation of sub. (1).

2. That the animal was not properly made available for any test or inspection required by the department.

3. That the animal has been suspended from a race under this chapter or under any rule promulgated under this chapter or under the laws of any other state.

(d) Use, attempt to use or conspire to use a battery, buzzer, electrical, mechanical or other appliance for the purpose of stimulating or depressing an animal or affecting its performance in a race or workout.

(e) Sponge the nostrils or windpipe of an animal.

(em) Unless the person is a veterinarian, have in his or her possession on a racetrack or track located at a fair where there is racing any equipment for the hypodermic injection of an animal or any substance for hypodermic injection of an animal. The department may, by rule, permit the possession of an injectable substance or hypodermic equipment for the person's personal use.

(f) Have in his or her possession on a racetrack any appliance which can be used to stimulate or affect the speed of an animal except a whip authorized by the department by rule or a spur authorized by the department by rule.

(g) Use any method to affect the condition of an animal on a racetrack or to affect the performance of an animal in a race or workout in violation of this chapter or any rule promulgated under this chapter.

History: 1987 a. 354; 1989 a. 31, 56; 1991 a. 269; 1995 a. 27 ss. 6975, 9123 (6pp); 1997 a. 27.

562.10 Prohibition on race dogs trained by live lures or bait. No person may:

(1) Knowingly use any live lure or bait in a dog race or in training a dog for entry in any race.

(2) Enter or permit a dog to be entered in a race if that person knows or can reasonably be expected to know that the dog was trained with any live lure or bait.

(3) Enter or permit a dog to be entered in a race if that person knows or can reasonably be expected to know that the dog was trained in a state that does not prohibit the knowing use of live lures or bait in a dog race or in training a dog for entry in any race.

History: 1987 a. 354.

562.105 Humane killing of dogs. No person may kill or cause to be killed any dog which races in this state or was bred, whelped or trained in this state for racing, except by a humane chemical method, specified by the department by rule, which normally causes dogs to be rendered insensible to pain, is rapid and effective and is administered by a veterinarian.

History: 1987 a. 354; 1991 a. 269; 1995 a. 27 s. 9123 (6pp); 1997 a. 27.

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Chapter WGC 15

HUMANE TREATMENT OF RACING ANIMALS

WGC 15.01 Purpose
WGC 15.02 Humane issues
WGC 15.03 Euthanasia

WGC 15.04 Live lure prohibition
WGC 15.05 General humane rules

Note: Chapter RACE 15 was renumbered chapter WGC 15 and corrections made under s. 13.93 (2m) (b) 1. and 6., Stats., Register, March, 1995, No. 471.

WGC 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.

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

WGC 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 5 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 commission shall investigate on all complaints regarding humane treatment of greyhounds.

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

WGC 15.03 Euthanasia. (1) All persons subject to the jurisdiction of the commission 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.

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

WGC 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 whelped or 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 or her occupation license revoked for life.

History: Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. (1) and (3), Register, July, 1990, No. 415, eff. 8-1-90; correction in (3) made under s. 13.93 (2m) (b) 5., Stats., Register, July, 1990, No. 415.

WGC 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 commission'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 commission 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 canceled by the stewards. In the event of inclement weather causing an unsafe racing surface, the stewards, upon consultation with the general manager and commission 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 commission 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 commission stewards or commission veterinarian on a form supplied by the commission.

(c) Upon return to the grounds, the steward, after examination by the commission 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 2 feet wide, 3 feet long and 34 inches high.

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(5) All greyhounds shall have been vaccinated for rabies as provided in s. 95.21 (2), Stats.

(6) Only one greyhound shall be housed per crate at any time.

(7) The trainer of each kennel shall be responsible for the proper maintenance, upkeep and sanitary condition of the kennel, crates and turn-out pens.

(8) All greyhounds kennelled at a racetrack licensed under s. 562.05 (1) (a) and (b), Stats., shall be vaccinated annually for rabies. If a greyhound has not been vaccinated within one year prior

to kenneling at the racetrack, vaccination shall occur within one week of arrival. Copies of current rabies certifications evidencing vaccination within one year which are signed by a licensed veterinarian shall be recorded with the commission steward. When a greyhound's vaccination date is more than one year from the current date, a new vaccination shall occur, and certificate filed, within one week.

History: Cr Register, March, 1990, No. 411, eff. 4-1-90; am. (5), cr. (7) and (8), Register, July, 1990, No. 415, eff. 8-1-90.