

205 CMR: STATE RACING COMMISSION

205 CMR 5.00: GREYHOUND RACING

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5.01: Foreword

The Massachusetts State Racing Commission, hereinafter referred to as the Commission, was created by an act of the Legislature of the Commonwealth of Massachusetts in the year of 1934. M.G.L. c. 128A as inserted by St. 1934, c. 374 and amendments states that the Commission shall have full power to prescribe rules, regulations and conditions under which all dog races and dog racing meeting shall be conducted in the Commonwealth.

For the purpose of uniformity in rules with other states where dog racing is legalized, wherever the word "greyhound" appears in the title, foreword or in any rule it shall have the same meaning as the word "dog" as appearing in M.G.L. c. 128A.

For the same purpose wherever the word "fine" appears in the title or any rule it shall have the same meaning as the word "forfeiture" as appearing in M.G.L. c. 128A.

Rules of greyhound racing as herein prescribed apply to all persons or individuals, associations or corporations which shall hold or conduct any dog races and dog racing meetings within the Commonwealth of Massachusetts, licensed by the Commission where dog races shall be permitted for any stake, purse or reward and the definitions here given are to be considered in connection with the rules of greyhound racing and as a part of them.

All licensees and participants are charged with knowledge of 205 CMR 5.00. No licensee or other persons shall engage in his or her occupation or trade at any Massachusetts dog racetrack without first reading 205 CMR 5.00.

Should any question arise as to the meaning of any rule or regulation, the Commission or its representatives will be available to provide an explanation.

205 CMR 5.00 shall also apply to any participant in or patron of any such licensed meeting.

In reading 205 CMR 5.00, unless the text otherwise requires, it shall be understood without constant reference thereto, that they apply only in the Commonwealth of Massachusetts.

Every license to hold a meeting is granted upon the condition that the Association shall accept, observe and enforce 205 CMR 5.00. Furthermore, it shall be the duty of each and every officer, director and every official and employee of said Association to observe and enforce 205 CMR 5.00.

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Any and all of 205 CMR 5.00 may be amended, altered, repealed, or supplemented by new or additional rules.

The Commission may make exceptions to any rule or rules in individual instances as in its judgement it may deem proper.

The Commission may alter, amend or modify any penalty or decision or infraction of the rules imposed or made by it or its predecessors, except as otherwise provided by law.

The laws of the Commonwealth of Massachusetts and the rules promulgated by the Commission supersede the conditions of a race or the regulations of a racing meeting.

205 CMR 5.00 is promulgated by the Commission are supplemented by the State Administrative Procedure Law found in M.G.L. c. 30A. M.G.L. c. 30A provides the procedures, which must be followed by all state agencies on such matters as the amending process and the adjudicatory procedure. Under M.G.L. c. 30A any interested party has the right to attend all hearings conducted by the Commission for the purpose of the adoption or amendment of any rule or regulation. The Commission shall afford any interested person an opportunity to present data, views or arguments in regard to any proposed rule change. Upon written notice to the Commission, a person may request the adoption, amendment or repeal of any regulation with an opportunity to present data, veils or arguments in support of such request.

If a dispute should arise concerning a ruling by a Judge or other racing official, any party affected by such ruling has a right to an appeal to the Commission upon written notice to the Commission. At such hearing each party shall be given an opportunity to be represented by an attorney, to call and examine witnesses, to introduce exhibits, to cross-examine witnesses who testify and to submit rebuttal evidence.

The Commission shall make available upon request an official record of the hearing and a party may request and receive a transcript of such record upon payment to the Commission of the cost of such transcript. The Commission shall provide, in writing, its decision along with findings of fact and conclusions of law.

Any person who does not agree with a final decision of the Commission shall be entitled to judicial review of such decision by filing a petition for review in Superior Court within 30 days after receipt of notice of the final decision of the Commission. The review shall be conducted by the court without a jury, and in most instances, shall be confined to the record.

The rules on pari-mutuel wagering are located in an entirely separate rulebook entitled 205 CMR 6.00 *Pari-mutuel Rules for Horse Racing, Harness Horse Racing and Greyhound Racing*.

5.02: Greyhound Racing Definitions

Age The age of a greyhound is reckoned as beginning on the day it was whelped.

Arrears include all sums due for entrance money, subscription, stakes, fees, forfeitures and any default incident to 205 CMR 5.00.

Association. Person or persons, or body corporate conducting a recognized meeting in Massachusetts.

Authorized Agent. An individual appointed by a written instrument signed by the owner and filed in accordance with the Rules of Greyhound Racing. No individual shall be an Authorized Agent for more than one owner.

Breeder of a greyhound is the owner of his dam at the time of whelping.

Commission means the Massachusetts State Racing Commission.

Day means 24 hours ending at midnight.

Declaration means the act of withdrawing an entered greyhound from a race at least ½ hour before the time designated for the drawing of post positions for the race in which said greyhound is entered.

Equipment as applied to a greyhound means muzzles, number blankets, and all other paraphernalia common or otherwise, which might be used on or attached to a greyhound while racing.

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Established Weight means the racing weight established by the owner or trainer as the greyhound's best racing weight.

Greyhound. Synonymous with the word dog throughout 205 CMR 5.00.

Kenel. Any place where greyhounds entered to race at Massachusetts Dog Tracks are kept.

Law or Laws shall mean M.G.L. c. 128A together with any and all amendments thereto.

Lawful Authority shall mean any court of competent jurisdiction.

Lessee. A person who holds a contract on a greyhound, copy of which is filed with the Racing Secretary and the Commission.

Licensee shall mean any person granted an occupational license in connection with greyhound racing issued by the Massachusetts State Racing Commission.

Lure shall mean a mechanical apparatus consisting of the following component parts: A stationery rail installed around the track; a motorized mechanism, which travels on the rail; a pole, which is attached to the mechanism and extends out over the track; and a decoy.

Maiden. A greyhound that has never, in any country won a race other than a match or private sweepstakes. Conditions referring to Maidens shall mean Maidens at the time of starting. A Maiden that has been disqualified after finishing first is still to be considered a Maiden.

Massachusetts Bred Greyhound. A greyhound that was whelped in Massachusetts from a bitch owned by a Massachusetts resident, provided that said bitch was serviced by a stud standing in Massachusetts that was owned or leased by a Massachusetts resident. The greyhound must remain in Massachusetts for the first six months of its life and be registered as a Massachusetts bred greyhound with the Department of Food and Agriculture in compliance with the rules and regulations of the Department of Food and Agriculture.

Massachusetts Resident. Any person who has been domiciled in Massachusetts for at period of at least one year.

Massachusetts Greyhound Breeder. A Massachusetts resident who breeds Massachusetts bred greyhounds.

Matinee. A schedule of races conducted in the afternoon.

Meeting. Entire consecutive period for which license to conduct greyhound racing has been granted by the Commission to any one Association.

Month means calendar month.

Night Performance means a schedule of races conducted upon a racetrack during night hours.

Owner means the person in whose name the greyhound is registered at the meeting in accordance with 205 CMR 5.00 and may be sole owner, part owner or lessee. An interest in the winnings only of a greyhound does not constitute part ownership.

Place shall mean first, second or third and in that order is called Win, Place and Show.

Post Position means the position assigned to a greyhound for the start of a race.

Post Time. The time set for the release of the greyhounds in a race from the starting box.

Program. A daily schedule of races conducted at a racing meeting in accordance with 205 CMR 5.00.

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Race. A contest for purse, stakes or entry fees on any course and in the presence of duly appointed racing officials.

- (a) Overnight Race means a race for which entries close 72 hours or less before the time set for the first race of the day on which such race is to be run.
- (b) Purse Race is a race for money or other prizes for which no entrance fee is required.
- (c) Race on the Flat is a race over a course in which no jumps or other obstacles are placed.
- (d) Stakes Race is a race publicly declared open to all complying with its conditions to be fulfilled wholly or in part subsequent to its closing and in which required entrance fees, if any, are to be paid for each greyhound engaged and added is contributed by the Association.

Recognized Meeting. Any racing meeting given by an Association in good standing within the enclosure of any race track licensed and conducted under the sanction of law and rules and regulations of the duly appointed Commission.

Replacement shall mean the act of substituting a qualified greyhound for one that has been withdrawn prior to the day of the race.

Ruled Off shall mean the act of barring from the grounds of an Association and denying all racing privileges.

Scratch shall mean the act of withdrawing an entered greyhound from the race on the day of the race.

Starter. A greyhound is a starter for a race when the doors of the starting box open.

Subscription means the act of nominating to a stake race.

Suspended shall mean that any privilege granted by the officials of a racing meeting or by the Commission to a person licensed by the Commission has been withdrawn.

Tote or Tote Board shall mean the totalisator.

Trainer. A person employed by an owner to condition greyhounds for racing.

Weighing In. The weight of the greyhound taken at first weighing in, in accordance with 205 5.00.

Weighing Out. The weight of the greyhound previous to post time or time of the race in which it is entered.

Whelped. A greyhound is whelped at the time of its birth.

Year means a calendar year.

5.03: Appeal to the Commission

(1) An appeal from the decision of the judges, in case of suspension or other penalties imposed on persons licensed by the Commission, may be taken to the Commission, which may either sustain the ruling of the judges, increase or decrease the penalty or reinstate said offender.

(2) An appeal from the decision of the judges shall be filed in writing at the office of the Commission within ten days of the date of said penalty or imposition of said discipline.

(3) The appeal shall be signed by the person making it or his attorney and must set forth his reason for believing he is entitled to a hearing.

(4) An applicant for a hearing on an appeal will be heard in person and may be represented by counsel.

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- (5) All requests to the Commission in connection with an appeal shall be in writing and all papers filed with the Commission shall be the property of the Commission.
- (6) An appeal to the Commission from a decision of the Judges shall not affect such decision until the Commission has acted upon the appeal unless otherwise ordered by a court of competent jurisdiction.
- (7) When a hearing is to be held by the Commission, or when a matter or case is referred to the Commission for review, the person or persons involved must be notified by the Commission and if the person or persons fail to appear it shall be construed a waiver of right to a hearing before the Commission.

5.04: Kennel Names

- (1) A licensed owner wishing to race under a Kennel Name may do so by registering for the racing season with the Commission and by paying the prescribed fee.
- (2) A trainer, who is also a licensed owner or part owner, may use a Kennel Name as owner or part owner. However, no trainer may be licensed as trainer other than in his legal name.
- (3) In applying to race under a Kennel Name the applicant must disclose the identity or identities behind the Kennel Name.
- (4) If a partnership is involved in the identity behind a Kennel Name, each of the partners must be licensed as owners.
- (5) If a corporation is involved in the identity behind a Kennel Name, the rules covering corporations must be complied with.
- (6) Changes in the identities involved in a Kennel Name must be reported immediately to and approval obtained from the Commission.
- (7) A licensed owner cannot be a party to more than one Kennel Name at the same time, nor can he use his real name for racing purposes, so long as he has a registered one.
- (8) A licensed owner who has registered under a Kennel Name may at any time abandon it, after he has given written notice to the Commission.
- (9) A Kennel Name may be changed at any time by registering a new Kennel Name and by paying the prescribed fee.
- (10) A licensed owner cannot register as his Kennel Name one that is then registered by any other owner.
- (11) A licensed owner cannot register as his Kennel Name one which is the real name of any owner of greyhounds racing or one that is the real or assumed name of any prominent person not owning greyhounds.
- (12) A Kennel Name shall be plainly distinguishable from that of another duly registered Kennel Name.
- (13) The Commission reserves the right to refuse any corporation the privilege of registering a Kennel Name.

5.05: Authorized Agent

- (1) Each authorized agent must obtain a license from the Commission.

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- (2) A written instrument signed by the owner shall accompany the application which shall clearly set forth among the delegated powers whether or not said agent is empowered to collect money from the Association.
- (3) If the written instrument is a power of attorney, it shall be filed permanently with the Racing Secretary. If, however, the powers are properly delegated by the owner on the application form for a license, then said application shall be in duplicate with both copies signed and sworn before a Notary Public and one copy filed permanently with the Racing Secretary.
- (4) An authorized agent may appoint a sub agent only when specifically authorized to do so by the written instrument signed by the owner and to be effective, notice of such appointment must be given immediately in writing to the Commission and the Racing Secretary.
- (5) Any changes in the powers delegated by the owner of the authorized agent must be in writing, sworn to before a Notary Public and filed with the Commission and the Racing Secretary.
- (6) An owner's revocation of an authorized agent's authority must be in writing, sworn to before a Notary Public and filed with the Commission and the Racing Secretary.
- (7) The term of the authorized agent's license shall be the racing season unless the owner revokes the agent's appointment or the Commission revokes the license.

5.06: Chart Writer: Duties

- (1) The Chart Writer shall compile the information necessary for a program which shall be printed for each racing day and shall contain the names of the greyhounds that are to run in each of the races for that day. These names shall appear in the order of their post positions, the said post positions to be designated by numerals placed at the left and in line with the names of the greyhounds in each race, which numerals shall also be prominently displayed on each greyhound.
- (2) Program or form sheet must carry at least two past performances of said greyhound at the track where it is to race; however, if a greyhound has raced within ten days at a track under the jurisdiction of a recognized Commission not less than two past performances of said greyhound at said track may be carried on the program or form sheet.
- (3) All past performances as shown in the program shall be in the order of the races or official schoolings held, the last performance appearing on the first line, *etc.*
- (4) Program or form sheet must also contain name, color, sex, date of whelping, breeding, established racing weight, number of starts in official races and number of times finishing first, second and third, name of owner and trainer, distance of race, track record, and such other information as will enable the public to properly rate the greyhound's ability.
- (5) In case the name of a greyhound is changed, the new name, together with the former name, shall be published in the official entries and program until after the greyhound has started six times.

5.07: Clerk of Scales: Duties

- (1) The Clerk of Scales shall weigh greyhound in and out on a scale sealed by the duly authorized Sealer of Weights and Measures and shall exhibit the accurate weight of each greyhound on the weight board. The Sealer of Weights and Measures shall seal the scale no earlier than 20 days, nor later than ten days before official schooling prior to the starting of the meeting--and at such other times as the judges may require. The established racing weight, weigh in and weighing out shall be promptly posted on the weight board for the information of the public.
- (2) The Clerk of Scales shall record as soon as the weights are exhibited, any overweight or variation from the weight appearing on the weight sheet.

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- (3) The Clerk of Scales shall deliver to the Commission Judge a copy of the weight sheet before each day's race.
- (4) All greyhounds must be weighed in and weighed out with the same muzzle, collar and lead strap.
- (5) The Clerk of Scales shall promptly report to the Judges any infraction of 205 CMR 5.00 as to weight or weighing.

5.08: Corrupt Practices

- (1) (a) If any person found guilty by the Commission or other lawful authority of giving, offering or promising directly or indirectly, any bribe in any form to any person having official duties in relation to any race or racing greyhound, or to any trainer or agent, or to any other person having charge of or access to any racing greyhound; or promising directly or indirectly, any bribe in any form to any person having official duties in relation to any race or racing greyhound, or to any trainer or agent, or to any other person having charge of or access to any racing greyhound; or
(b) If any person having official duties in relation to a race or if any trainer, agent or other person having charge of or access to any racing greyhound accepts, or offers to accept any bribe in any form; or
(c) If any person willfully enters, or cause to be entered or start in any race, a greyhound which he knows or believes to be disqualified; or
(d) If any person be guilty of or shall conspire with any other person for the commission of or shall connive with any person being guilty of any corrupt or fraudulent practices in relation to racing in this or any other state or country; or
(e) If any owner, trainer or authorized agent licensed by the Commission if found to be guilty by the Judges of using live lures in the training of greyhounds whether in Massachusetts or adjacent States for the period while greyhound racing is permitted by law to be conducted in Massachusetts; or
(f) If any person fraudulently offers or receives any amount or money or other consideration for declaring an entry out of a purse or stake; or
(g) If any person be guilty of any other corrupt or fraudulent practices on any track in Massachusetts, or on any track in this or any other country; or
(h) Then such person or persons found guilty by the Commission or other lawful authority of any violation of any provision of 205 CMR 5.00 shall be ruled off for a period of time to be determined by the Commission and/or the license of such guilty party revoked.
- (2) No electrical or mechanical device or other expedient designated or intended to increase or decrease the speed of a greyhound shall be possessed by any one or applied by any one to a meeting whether in a race or otherwise.
- (3) No person shall tamper or attempt to tamper with any greyhound in such a way as to affect his speed in a race, nor shall he counsel or in any way aid or abet such tampering.
- (4) Any greyhound that has been the subject of corrupt practices may be disqualified by the Judges of the meeting for no longer period than the duration of the meeting and they shall report the circumstances to the Commission for such action as it may deem proper.
- (5) The Judges shall have the power to declare any act which they deem to be an unfair advantage to any or all persons engaged in the sport of racing in any way; or any act which would tend to mislead the betting public; or any act which they deem to be detrimental to the best interest of racing a corrupt practice and shall have power to impose fitting punitive action and such action shall be referred to the Commission.
- (6) If any alleged corrupt act occurs which is not provided for in 205 CMR 5.00 it shall be investigated by the Judges who shall act upon the said investigation in such manner as they find just and conformable to the usage of the sport of greyhound racing.

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5.09: Dead Heats

(1) When greyhounds run a dead heat for first place, all monies and prizes to which such greyhounds would have been entitled shall be divided equally between them and this applies in dividing prizes whatever the number of greyhounds running a dead heat. Each greyhound shall be deemed a winner.

Likewise, when greyhounds run a dead heat for second place, they shall divide the second and third monies.

(2) When greyhounds run a dead heat for third place, they shall divide the third and fourth monies.

(3) If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by a lot in the presence of one or more of the Judges.

5.10: Declarations

(1) The declaration of a greyhound out of an engagement is irrevocable.

(2) Declaration in sweepstakes shall be made in the same manner as is provided for making entries therein to the Racing Secretary who shall record the day and hour of receipt and give early publicity thereto.

(3) Declarations in purse races must be made by the owner, trainer or authorized agent to the Racing Secretary or his assistant at least ½ hour before the time designated for the drawing of post positions on the day previous to the day on which the greyhound is to race, or at such time as the Racing Secretary may appoint.

5.11: Entries

(1) Every person who enters a greyhound, or in any way participates in any race or racing under 205 CMR 5.00 thereby obligates himself to accept 205 CMR 5.00 upon all questions relating thereto.

(2) For all races the Racing Secretary is the person authorized to receive entries and declarations.

(3) Every entry in a race must be in the name of the registered owner, lessee or his assumed name and must be made in writing or by telegram immediately confirmed in writing. The full name of every person having an ownership in a greyhound or accepting the trainer's percentage, or having any interest in its winnings, must be registered with the Racing Secretary before it starts at any meeting, as must every change in such ownership or interest, thereafter made during that meeting and a copy thereof be promptly delivered to the Commission by the Racing Secretary of the track where the greyhound is racing. Any failure to comply with 205 CMR 5.11 shall be punished by a fine or suspension or both, and if any objection because of such default is duly made and sustained against a greyhound that has run in a race, its winnings in that race shall be forfeited and the purse redistributed by the Judges. Such redistribution shall in no way affect the pari-mutuel payoff for the race.

Any licensed dog track shall permit the owners or trainers of Massachusetts bred greyhounds to enter schooling races, both official and unofficial, for the purpose of qualifying said greyhounds for pari-mutuel races. A licensed dog track shall place all Massachusetts bred greyhounds who qualify for pari-mutuel races, after said schooling races, on the active racing list in the same manner as any greyhound entered from any kennel which races greyhounds at said dog track.

(4) A greyhound shall not be qualified to run in any race unless it has been and continues duly entered for the same; and unless otherwise specified by the conditions of a race, or disqualified by violation of 205 CMR 5.00, any greyhound eligible at the time of entry shall continue to be qualified, except in an overnight event, in which it must be eligible at the time of the start.

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- (5) The entrance to a race shall be free unless otherwise stipulated in its conditions. If the conditions require an entrance fee, it must accompany the entry.
- (6) Any person having interest in a greyhound less than the interest or property of any other person is not entitled to assume any of the right or duties of an owner as provided by 205 CMR 5.00 including the right of entry, declaration, *etc.*
- (7) Joint subscriptions and entries may be made by any one or more of the owners. However, all partners and each of them shall be jointly and severally liable for all fees and forfeits.
- (8) The racing officials shall have the right to call on any person in whose name a greyhound is entered to produce proof that the greyhound entered is not the property either wholly or in part of any person who is disqualified; or to produce proof of the extent of his interest or property in the greyhound and failing of such proof shall declare the greyhound out of the race.
- (9) No greyhound shall be permitted to start that has not been fully identified.
- (10) Any person who knowingly attempts to establish the identity of a greyhound or his ownership shall be held to account the same as the owner and shall be subject to the same penalty in case of fraud or attempted fraud.
- (11) No disqualified greyhound shall be allowed to enter or to start in any race.
- (12) A greyhound shall not be qualified to be entered or to start in any race if owned in whole or in part or is under the control, directly or indirectly of a disqualified person.
- (13) The entries of any person or the transfer of any entry may be refused with or without notice or reason being given therefor.
- (14) No greyhound shall be permitted to enter or to start unless a licensed trainer conditions him.
- (15) No greyhound on the schooling list or the Veterinarian's list shall be qualified to be entered or to start.
- (16) Entries that have closed shall be compiled without delay by the Racing Secretary and conspicuously posted.
- (17) No alteration shall be made in any entry after closing of entries, but an error may be corrected.
- (18) If a race fails to fill and is declared off, the names of all greyhounds that were entered therein shall be publicly posted in the Racing Secretary's office.
- (19) If an entry from any person or of any greyhound that stands suspended or expelled is received, such entry shall be void and the money, if any, paid for such entry refunded. Any money or prize won under said entry shall be returned.
- (20) A greyhound or kennel whose entry is ordered refused at any recognized meeting because of inconsistent racing shall not be permitted to race on any track where these rules are in force during the continuance of such ruling.
- (21) No greyhound under the age of 12 months shall run in any official race other than races conditioned for greyhounds of the same age.
- (22) The holder of a claim, whether it be a mortgage bill of sale or lien of any kind against a greyhound, shall be required to file the same with the Racing Secretary previous to the time the greyhound is entered. Failure to do so shall forfeit his rights in the winnings of the greyhound previous to the time his claim is properly filed.

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- (23) The Association shall have the right to withdraw or change any unclosed race.
- (24) In case of fire or accident, or for other reasons, after due public notice all races or stakes may be postponed or declared off, all subscriptions and declaration money paid must be refunded.
- (25) Entries for purse races, the conditions of which have previously been published, shall close at the time advertised in such publication, and no entry shall be received after that time, but in case races fail to fill, additional time may be granted.
- (26) Every greyhound entered for a purse must be a starter unless it be declared or scratched.
- (27) In the event the number of entries to any purse race is in excess of the number of greyhounds that may because of track limitations be permitted to start, the starters for the race shall be determined by the Racing Secretary.
- (28) An entry in a sweepstakes is a subscription and cannot be withdrawn.
- (29) A greyhound shall not become a starter for a race unless there has been duly paid any stake or entrance money payable in respect to that race.
- (30) Entrance money is not refunded on the death of a greyhound or his failure to start.
- (31) The nominator is liable for the entrance money or stake and the death of a greyhound or a mistake in its entry when eligible, does not release the subscriber or transferee from liability for stakes.
- (32) In the absence of notice to the contrary, entrance and declarations for sweepstakes which close during or on the eve of a racing meeting, close at the office of the Racing Secretary who shall make provisions therefor. Closing at all other times for sweepstakes shall be at the office of the Association.
- (33) When an hour for closing is designated entries and declarations for sweepstakes cannot be received afterwards; but if an hour is not designated they may be mailed or telegraphed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.
- (34) Nominations for stake races received and postmarked before midnight of the day of closing shall be valid if received 24 hours in advance of closing overnight entries.
- (35) If a miscarriage of any entry or declaration in a stake is alleged, satisfactory proof that it was mailed or telegraphed must be presented within a reasonable time or it shall not be received.
- (36) A greyhound shall not become a starter for a race unless there has been duly paid any stake or entrance money payable in respect to that race.
- (37) The person entering a greyhound thereby becomes liable for the entrance money or stake.
- (38) An entry of a greyhound in a sweepstake is a subscription to the sweepstakes and the subscriber is liable for stake and forfeit, but should he transfer the entry he is liable only in case of default of the transferee. Similarly the seller of a greyhound with engagements is liable for stake or forfeit if the engagement is not kept.
- (39) If the Racing Secretary should allow a greyhound to start in a race without its entrance money or stake having been paid, he shall be liable for it.
- (40) A person making a wrong entry or nomination shall be liable for stakes and forfeits under the nomination.

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(41) The entrance money, starting and subscription fees, in every race shall go to the winner unless otherwise provided in the conditions of the race, but when from any cause a race is not run off, all stakes or entrance money if any is paid shall be refunded.

(42) When a person is prevented by 205 CMR 5.00 from entering or starting a greyhound for any race without paying arrears for which he would not otherwise be liable, he may, by paying the same, enter or start the greyhound and have the arrears placed in the forfeit list as due to himself.

(a) If the seller of a greyhound with engagements is compelled to pay arrears through the purchaser's default, he may place the amount on the forfeit list as due from the purchaser to him. 205 CMR 5.11(42) shall also apply in the transfer of entries when the transferee defaults.

(b) The Racing Secretary, with the approval of the Judges, shall have full authority to waive the obligations incurred by 205 CMR 5.11(42) according to the circumstances of the case.

(43) Any person not having money to his credit with the Association must, before his greyhound can start, pay (in cash, if required) to the Association, all entrance money, stakes and arrears then due it or on the greyhound he intends to start.

(44) If a greyhound is sold to a disqualified person said greyhound's racing engagements shall be void as of the date of sale.

(45) In case of fire or accident, or other reasons, after due public notice all races or stakes may be postponed or declared off, and when so declared off, all subscriptions and declaration money must be refunded.

(46) Any greyhound who is placed on the active list shall remain on said list until the greyhound is injured, removed by the Judges, removed by the Racing Secretary for reason, grades off, or is removed by the trainer after notifying the Racing Secretary.

5.12: Fines and Suspensions

(1) No racing official other than the Judges shall have the right to impose a fine or suspension.

(2) The Judges may not rescind a fine or suspension, except with the approval of the Commission.

(3) All fines and suspensions imposed by the Judges shall be promptly reported to the Racing Secretary in writing.

(4) Fines must be paid within 48 hours. Delinquents may be suspended. All monies imposed as fines, except such fines as may be imposed on associations, shall be paid over directly to the Commission.

(5) When an owner, trainer, greyhound or kennel of greyhounds is suspended by the Judges at one track, such suspensions shall immediately become effective on all other greyhound tracks under the jurisdiction of the Commission until such time as the case in question is decided by the Commission.

(6) The Commission shall have the power to alter, amend or modify the suspensions or fines imposed by the Judges, or to rule off the offenders from all greyhound tracks under its supervision. The Commission shall also have the power to reinstate without fine or suspension.

(7) A greyhound or kennel under suspension by the Racing Commission of any other State or Country or by any recognized association shall not be permitted to race on any Massachusetts greyhound tracks where 205 CMR 5.00 are in force during the continuance of such ruling.

(8) The license of anyone ruled off any Massachusetts track for fraud or fraudulent practices shall thereby be revoked.

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- (9) The license of anyone ruled off of any Massachusetts track for violation of any of 205 CMR 5.00 may be revoked.
- (10) When a licensee is ruled off for any fraudulent practice in relation to a particular greyhound wholly or partly belonging to him, he shall return all money or prizes that such greyhound has fraudulently won.
- (11) Every licensee ruled off at a recognized meeting is ruled off wherever 205 CMR 5.00 have force.
- (12) When an owner is ruled off a track or suspended every greyhound owned in whole or in part by him shall be ineligible to be entered or to start in any race until said greyhound has been made eligible either by the rescinding of his owner's penalty or his transfer through bona fide sale to an ownership acceptable to the Judges.
- (13) When a trainer is ruled off a track or suspended, every greyhound which is under his care, management, training or superintendence shall not be qualified to be entered or to start in any race until said greyhound has been made eligible by the rescinding of said trainer's penalty or by the placement of the greyhounds in the hands of a licensed trainer with the approval of the Judges.
- (14) When a person is ruled off a track or suspended he shall not be qualified, whether acting as agent or otherwise to subscribe for or to enter or run any greyhound in any race either in his own name or in that of any other person until the rescinding of that person's penalty.
- (15) Any Official, Owner, Trainer or any person licensed by the Massachusetts State Racing Commission who shall obtain food, feed, shelter, drugs transportation, services for greyhounds, veterinary services or supplies for himself or others whether they be licensed or not, and fails to pay the fair market value to the person or persons from whom said services or supplies are obtained shall be guilty of conduct detrimental to the best interest of racing and may be suspended at the discretion of the Judges or the Commission, however, neither the Association nor the Massachusetts State Racing Commission shall be obligated to collect debts from dogmen or other personnel licensed by the Commission.

5.13: Judges, Their Authority and Duties

- (1) There shall be three Judges, one of whom shall be designated by the Association as Presiding Judge. In addition to his duties as a Judge the Presiding Judge shall make out a report of any action of the Judges, when a report is required under 205 CMR 5.00 and he shall transmit said reports to the Commission. All such reports submitted shall be signed by a majority of the Judges.
- (2) The laws of Massachusetts and 205 CMR 5.00 supersede the conditions of a race and the regulations of a race meeting and in matters pertaining to racing the orders of the Judges supersede the orders of the officers of the Association.
- (3) The Judges shall have the power to interpret 205 CMR 5.00 and to decide all questions not specifically covered by them.
- (4) Should any case occur which may not be covered by 205 CMR 5.00 here outlined, it shall be determined by the Judges in conformity with justice and in the best interest of racing.
- (5) All questions pertaining to which their authority extends shall be determined by a majority of the Judges.
- (6) The Judges shall have general supervision over owners, trainers, grooms and other persons attendant on greyhounds and also over all the other officials and licensed personnel of the meeting.

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5.13: continued

- (7) The Judges shall have control over and free access to all stands, weighing rooms, enclosures and all other places in use for the purpose of racing.
- (8) All entries and declarations are under the supervision of the Judges and they may, without notice, refuse the entries of any person or the transfer of any entries.
- (9) The Judges shall have the power to determine all questions arising with reference to entries and racing.
- (10) Persons entering greyhounds to run on licensed Massachusetts tracks agree in so doing to accept the decision of the Judges on any questions relating to a race or to racing.
- (11) The Judges shall have the power to punish for violation of 205 CMR 5.00 any person subject to their control and in their discretion to impose fines or suspensions or both for infractions.
- (12) The Judges may suspend for no greater period than 10 days beyond the close of the meeting anyone whom they have authority to supervise, or they may impose a fine not exceeding \$500.00. They may also suspend any person declared guilty of any corrupt or fraudulent practices by greyhound racing authorities of any other State or Judges of any recognized meeting. All such suspension and fines must be reported to the Commission. If the punishment so imposed is not in the opinion of the Judges sufficient, they shall so report to the Commission.
- (13) The Judges may suspend a person or disqualify a greyhound.
- (14) The Judges shall have the power to order the exclusion or ejection from all premises and enclosures of the Association any person who is disqualified for corrupt practices on a racing course in any country.
- (15) The Judges shall have the power to call for proof that a greyhound is neither itself disqualified in any respect, nor nomination by, nor the property, wholly or in part, of a disqualified person, and in default of such proof being given to their satisfaction, they may declare the greyhound disqualified.
- (16) The Judges shall have the power at any time to order an examination by such person or persons as they think fit or any greyhound entered for a race or which has run in a race.
- (17) The Judges shall take notice of any questionable conduct with or without complaint thereof.
- (18) The Judges shall investigate promptly and render a decision on every objection and on every complaint made to them.
- (19) The Judges shall report all objections and complaints to the Commission as soon as received by them and shall make prompt report of their investigation and decision to said Commission.
- (20) Complaints against an official or officials shall be made to the Judges in writing signed by the complainants. All such complaints shall be reported to the Commission together with the action taken on them by the Judges. If the complaint involves the Judges then it shall be made directly to the Commission.
- (21) The Judges shall order the exclusion from all places under their control persons who are warned or ruled off. They may also order the exclusion of any person declared guilty of any corrupt or fraudulent practices by greyhound racing authorities of any other state, or by the Judges of any recognized meeting. The names of all persons ordered excluded shall be promptly reported to the Commission.

5.13: continued

(22) The Judges shall take notice of corrupt racing and other questionable transactions on the track. Complaint thereof may be made by any person, but in the failure of the complainant, if he be an owner, trainer, or authorized agent, to substantiate the charge, he may be liable for a fine, suspension or both.

(23) During each racing day a majority of the Judges of the meeting shall be at the office building on the grounds of the Association where the racing meeting is being held not later than one hour before weighing-in time and the remaining Judge shall be present at the track not later than weighing-in time, to exercise the authority and perform the duties imposed on the Judges by the rules of racing.

(24) If only one Judge is present in the stand the Association shall name one or more persons to serve with him. If none of the Judges is present the Association shall name at least two persons to serve during the absence of the Judges, immediately filing a written report of the absence with the Commission.

(25) When a vacancy occurs among the racing officials, other than the Judges, prior to post time of the first race of the day, or when a vacancy occurs after the racing of the day has started, the Judges shall immediately fill the vacancy. The appointment shall be effective only for the day unless the Association fails to fill the vacancy on the following day and have notified the Judges of its action not less than one hour before post time of the first race of the day. The Judges shall report such appointment immediately to the Commission.

(26) A greyhound, after leaving the paddock for the post, may be excused by the Judges, but only in case where they consider such greyhound crippled, disabled or unfit to run and all money wagered on such greyhound shall be refunded.

(a) After a greyhound has been placed in the starting box, no refund shall be made and all wagers stand. In case of a mechanical failure to the starting box and a greyhound or greyhounds are prevented from starting, a full and complete refund shall be made on said greyhound or greyhounds.

(b) The decision of the Starter as to whether said greyhound or greyhounds was prevented from starting by a mechanical failure shall be final and such decision shall be immediately reported to the Judges.

(27) The Judges shall decide which greyhound wins and assign the respective places to as many greyhounds as they think proper. In determining the places of the greyhounds at the finish of the race, the Judges shall consider only the relative position of the respective muzzles of such greyhounds.

In the event that a greyhound loses its muzzle or finishes with a hanging muzzle, the Judges shall then consider the relative position of the nose of such greyhound and the muzzles of the other greyhounds in the race.

(28) The Judges shall promptly display the numbers of the first three greyhounds in each race in order of their finish. If the Judges differ in their placing the majority shall prevail.

(29) On all tracks a proper photo finish camera shall be installed as an aid to the Judges; however, in all cases the camera is merely an aid and the decision of the Judges shall be final. The type of equipment used is to be approved by the Commission. Each Association shall keep on file for a reasonable time after the close of the meeting each plate or film of each race for reference or reproduction upon request of the Commission.

(30) Whenever it is considered advisable to consult a picture from the photo finish camera, the Judges may post without waiting for a picture, such placements as are in their opinion unquestionable and after consulting the picture make the other placements. However, in no case shall a race be declared official until the Judges have determined the greyhounds finishing first, second and third.

(31) The Judges may place any greyhound on the schooling list at any time.

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5.13: continued

(32) The Judges shall each day make report in writing to the Commission of all infractions of 205 CMR 5.00 and of all rulings of the Judges upon matters coming before them during the meeting.

5.14: Lead-Outs' Duties

(1) Owners, trainers or attendants will not be allowed to lead their greyhounds from the paddock to the starting box, except in schooling races. The greyhounds shall be led from the paddock to the starting box by Lead-Outs provided by each Association for that purpose.

(2) Lead-Outs will be required to present a neat appearance and conduct themselves in an orderly manner and must be attired in a clean uniform provided by the Association.

(3) The Lead-Outs must put his greyhound in its proper box before the race and then retire to his assigned place.

(4) No Lead-Outs will be permitted to have any interest in the greyhounds racing for said Association.

(5) Lead-Outs shall be assigned to Post Position by the Paddock Judge by lot before each race and a record thereof shall be maintained.

(6) Lead-Outs are prohibited from conversing with the public or with one another, either in the paddock, en-route to the starting post, or while returning to the paddock.

(7) Smoking while in uniform and on duty is prohibited.

(8) Lead-Outs are prohibited from wagering on the result of any greyhound racing at the track where they are assigned.

5.15: Urine, Other Tests and Examinations

(1) Urine, blood and other specimens shall be taken and tested from such greyhounds as the Judges of the meeting or the Commission's representatives may designate. Such tests are to be under the supervision of the Commission. The specimens shall be collected by the Veterinarian or such other person or persons as the Commission may designate.

(2) If the Judges shall find that any drug, stimulant, depressant, analgesic, anti-inflammatory agent or local anesthetic has been administered or attempted to be administered internally or externally, to a greyhound before a race, which is of such character as could affect the racing condition of a greyhound in such a race, said Judges shall impose such punishment and take such other action as they deem proper under 205 CMR 5.00 including reference to the Commission, against every owner and/or trainer responsible for the proper care and protection of the greyhounds involved and against every person found by them to have administered or to have attempted to administer or to have caused an attempt to administer or to have conspired with another person to administer such drug, stimulant, depressant, analgesic, anti-inflammatory agent or local anesthetic.

(3) The owner, trainer, groom or any other person having charge, custody or care of the greyhound is obligated to protect the greyhound properly and guard it against such administration or attempted administration, and if the Judges shall find that any such person has failed to show proper protection and guarding of greyhounds, or if the Judges find any owner or trainer is guilty of negligence with respect thereto, they shall impose such punishment and take such other action as they deem proper under any of the rules including reference to the Commission.

5.15: continued

- (4) The owner or owners of a greyhound so found to have received such administration shall be denied or shall promptly return any portion of the purse or sweepstakes together with any trophy in such race and the same shall be distributed as in the case of a disqualification. If a greyhound shall be disqualified in a race because of this rule the eligibility of other greyhounds which ran in such race and which have started in a subsequent race before announcement of such disqualification shall not be in any way affected.
- (5) Hearings concerning the violation of Medication and Drug rules shall be held by and before the Presiding Judge and the Commission Judges. A representative of the Commission may be present as an observer at all such hearings.
- (6) The owner, trainer or authorized representative shall be present in the testing area when a urine or other specimen is taken from his greyhound and shall remain until the sample tag is signed by the owner, trainer or authorized representative, as witness to the taking of the specimen.
- (7) Willful failure to be present at or refusal to allow the taking of any such specimen or refusal to sign the specimen tag to the taking of a specimen, or any act or threat to impede or prevent or otherwise interfere therewith shall be reported to the Judges who shall subject the person or persons guilty thereof to immediate suspension by the Judges of the meeting and the matter shall be referred to the Commission for such further action as in its discretion it may determine.
- (8) The representative of the Commission may take for analysis samples of any medicine or other materials suspected of containing improper medications or drugs which could affect the racing conditions of a greyhound in a race, which may be found in the track area or in the possession of any person connected with racing on such tracks.
- (9) Any portion of the purse, if not already paid which is to be redistributed in accordance with the provisions of 205 CMR 5.15 shall be held until the Commission approves such redistribution. 205 CMR 5.15(9) shall apply only to the amount payable to the owner or owners of the disqualified greyhound and shall not prevent payment due to other greyhounds in the race pending approval by the Commission.
- (10) Every owner, trainer or authorized agent, shall immediately, whenever requested by the Commission, submit any greyhound or greyhounds of which he is the owner, authorized agent or trainer, to any Veterinary Surgeon designated by the Commission for such examination or tests as said veterinarian may deem advisable.
- (11) Any test or examination made by the veterinarian designated by the Commission may be witnessed by the Commission or by any of its representatives and by the owner or his authorized agent or by the trainer of the greyhound or greyhounds so examined or tested.
- (12) No person within the grounds of a greyhound racing association licensed by the Commission shall have in or upon the premises which he occupies or controls or has the right to occupy or control or in his personal property or effects any hypodermic syringe, hypodermic needle or other device which could be used for the injection or other infusion into a greyhound of a drug, stimulant, narcotic, depressant, analgesic, anti-inflammatory agent, or local anesthetic. Every association licensed by the Commission is required to use all reasonable efforts to prevent the violation of 205 CMR 5.15(12). Every such racing association, the Commission and the Judges, or any of them, shall have the right to permit a person or persons authorized by any of them to enter into or upon the buildings, rooms or other places within the grounds of such association and to examine the same and to inspect and examine the personal property and effects on any person, within such place; and every person who has been granted a license by the Commission by accepting his license, does consent to such search and seizure of any such hypodermic syringes, hypodermic needles or other devices, and any drugs, stimulants, narcotics, depressants, analgesic, anti-inflammatory agent or local anesthetics apparently intended to be or which could be used in connection therewith, so found. If the Judges shall find any person has violated 205 CMR 5.15(12), they shall impose such punishment and take such other action as they may deem proper under any of the Rules of Greyhound Racing, including reference to the Commission.

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5.15: continued

(13) Any owner or trainer once having been suspended for violation of 205 CMR 5.15(2), and thereafter another analysis of the secretion from a greyhound as above provided or as provided by any other racing commission of any greyhound owned or trained by said owner or trainer shows that a drug, narcotic, depressant, analgesic, anti-inflammatory agent, stimulant or local anesthetic has been administered or that any electrical, mechanical or other appliance has been used which, in the opinion of the Judges is of such character as could affect the racing condition of the greyhound in such a race, the same be considered a second offense and said owner or trainer may be ruled off all tracks in Massachusetts.

(14) Any person found guilty by the Commission of any participation in or knowledge of the fact that any drug, narcotic, stimulant, depressant, analgesic, anti-inflammatory agent, local anesthetic or any electrical, mechanical or other appliance has been used which, in the opinion of the Judges is of such a character as could affect the racing condition of such a greyhound in a race, may be ruled off all tracks in Massachusetts.

(15) Every Association and its officials and employees thereof shall give every possible aid and assistance to any department, bureau, division, officer, agent or inspector, or any other person connected with the United States Government or with the Commonwealth of Massachusetts who may be investigating or prosecuting any such person they may suspect of being guilty or possessing any drug, narcotic, stimulant, depressant, analgesic, anti-inflammatory agent, or local anesthetic, hypodermic syringes, hypodermic needles, or electrical, mechanical or other devices which, in the opinion of Judges is of such a character as could affect the racing condition of a greyhound in a race.

(16) Nothing herein contained under 205 CMR 5.15 shall alter or diminish the power of the Commission to review or originate action in any case covered by 205 CMR 5.15.

(17) All objections must be made to the Judges in writing, signed by the objector and a copy thereof sent immediately to the Commission.

(18) Permission of the Judges is necessary before an objection can be withdrawn.

(19) Any person or persons lodging an objection must pay all costs and expenses incurred in determining the objection in such proportions as the Judges shall decide, unless relieved from such expense by the Commission.

(20) The Judges may require a cash deposit before considering an objection, which may be forfeited if the objection should prove to be frivolous, or without foundation.

(21) The Judges must decide every objection pertaining to the race. From every decision an appeal in writing may be made to the Commission within 48 hours of the time the objector has been officially informed of said decision.

(22) Objections to a greyhound engaged in a race may be made by the owner or trainer of some other greyhound engaged in the same race, or by an official of the meeting to one of the Judges.

(23) Objection to any decision of the Clerk of Scales shall be made before the greyhounds leave the paddock for the start of the race.

(24) Pending a decision on an objection, any prize that the greyhound against which the objection is lodged may have won or may win in the race, shall be withheld until the objection is determined.

(25) Objections shall be filed with the Judges within 48 hours from the time the race is run in which the greyhound that occasioned the objection participated.

(26) In all cases of fraud or willful deception, the time limitation shall not apply provided the Judges are satisfied that the allegations are *bona fide*.

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- (27) If an objection to a greyhound which has won or which has been placed in a race is declared valid, that greyhound is disqualified and the other greyhounds in the race are entitled to place in the order in which they finished.
- (28) The Commission shall license owners, trainers, and assistant trainers.
- (29) An applicant 16 years or older may be considered for a license as an assistant trainer.
- (30) The trainer shall be responsible for and be the absolute insurer of the condition of greyhounds he enters, regardless of acts of third parties. The trainers are presumed to know the Rules of Greyhound Racing as adopted by the Commission.
- (31) An owner, when his trainer is to be absent from his kennel and the grounds where his greyhounds are racing, shall notify the Judges of the licensed trainer, licensed assistant or licensed authorized agent who will assume complete responsibility of the greyhounds he is running.
- (32) The trainer shall not be relieved of the responsibility provided for in 205 CMR 5.15(30), until the Judges have approved of the licensed trainer, licensed assistant trainer or licensed authorized agent designated by the owner who will assume complete responsibility of the greyhounds the owner is racing and the designated licensed person named by the owner has indicated in writing to the Judges that he will assume full responsibility as trainer under any and all rules of greyhound racing as adopted by the Commission.
- (33) All owners must file with the Commission and the Association a roster of his trainer, assistant trainers, authorized agent and other employees and if any owner changes trainer he must notify the Racing Secretary forthwith and require the new trainer or any new employee to sign the owner's filed roster.
- (34) No owner, trainer, assistant trainer, racetrack employee or other person, or either of them, shall accept directly or indirectly, any bribe, gift or gratuity in any form which intends to or might influence the results of any race.
- (35) A Racing Secretary shall be permitted to race more than one greyhound, owned by the same kennel, in any race. Provided, however, that:
- (a) Not more than two greyhounds from the same kennel, owned or conditioned by the same trainer shall be allowed to be entered or start. 205 CMR 5.15(35) shall not apply to any Stakes Race, to which money is added, nor to any consolation race held in connection with a Stake Race.
 - (b) When two greyhounds from the same kennel, owned by the same owner, or conditioned by the same trainer are entered and start they shall not be coupled in the wagering.
- (36) Every owner or trainer who does not have his greyhound at the weighing-in room promptly at the time appointed shall have his greyhound scratched and, in addition, at the discretion of the Judges, owner or trainer may be liable for a fine.
- (37) Trainers shall report greyhounds under their care or superintendence that are off racing form or in poor physical condition to the Racing Secretary who shall immediately notify the Judges. Greyhounds so reported shall not be eligible to enter or to start until approved by the Track Veterinarian and schooled to the satisfaction of the Judges. Violators of this rule may be subject to a fine, suspension or to ruling off.
- (38) Owners and trainers shall retire greyhounds off form or in poor condition. Failure to do so may result in the suspension of said greyhounds for a period to be decided by the Judges.
- (39) Owners and trainers who make unwarranted complaints may be liable to a fine, suspension or ruling off.
- (40) Greyhounds that have been retired for conditioning or worming must be brought back to racing weight before being entered.

5.15: continued

(41) No medicine, antiseptic, fluid or any matter containing any color causing the marring of identification marks shall be used on any part of a greyhound.

(42) Any owner, trainer or other person interested in any greyhound or greyhounds at a meeting licensed by the Commission, who shall bet with or through any handbook shall be ejected from the grounds of the Association and shall be refused admission to the grounds of all other licensed Associations in Massachusetts. In the case of the owner of any greyhound, the entries of said owner shall be refused for all Massachusetts tracks.

(43) All owners and trainers of greyhounds and their employees are subject to the laws of the Commonwealth of Massachusetts and the rules promulgated by its Commission immediately upon making entry to run on a track in Massachusetts.

(44) Owners, trainers and their employees shall abide by said laws and rules and accept the decision of the Judges on any and all questions to which their authority extends, subject to their right of appeal to the Commission.

5.16: Paddock Judge

(1) No greyhound shall be permitted to start in a schooling or purse race that has not been fully identified and checked against the card index system of identification maintained by each Association. The identification cards shall be filled in and completed by the Paddock Judge before greyhounds are entered for schooling or for a purse race.

(2) The Paddock Judge shall fully identify and check against the card index system of identification maintained by the Association all greyhounds starting in schooling and purse races. He shall report to the Judges any greyhound or greyhounds who do not conform to the card index identification.

(3) The Commission Judge and/or the Associate Commission Judge shall inspect the lock-out kennels with the Paddock Judge and the Kennel Master on each racing day before weighing-in time.

(4) Under the supervision of the Paddock Judge, the Kennel Master shall unlock the kennels immediately before weighing-in time to see that the kennels are in perfect repair and that nothing has been deposited in any of the kennels for the greyhound's consumption. He shall see that the kennels are sprayed, disinfected and kept in proper sanitary condition. He or his assistant must receive the greyhounds from the trainers, one at a time, and see that the greyhounds are placed in their kennel; and remain on guard from that time until the greyhounds are removed for the last race.

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

(6) The Paddock Judge shall not allow anyone to weigh in a greyhound for racing unless he has in his possession a valid owner's or trainer's license issued by the Commission.

(7) After the greyhounds are placed in the lock-out kennels no person other than the Kennel Master, racing officials, person or persons approved by the Commission or designated representatives of the Commission shall be allowed in or near the lock-out kennels.

(8) The Paddock Judge shall carefully compare the identification card with the greyhound while in the paddock before post time.

(9) Before leaving the paddock for the starting box, every greyhound must be equipped with a regulation muzzle and blanket. The muzzles and blankets used shall be approved by the Paddock Judge and shall be carefully examined by him in the paddock before the greyhound leaves for the post.

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5.17: Post Position

The post position of greyhounds in starting shall be assigned by lot or drawing, supervised by one of the Commission Judges or their deputy and the Racing Secretary, at a time and place properly posted in the paddock, at least one day previous to the running of the races, so that any and all owners, trainers or authorized agents interested may be present, if they so desire.

5.18: Program

Program or form sheet must carry at least two past performances of said greyhound at the track where it is to race. However, if a greyhound has raced within ten days at any track under the jurisdiction of a qualified Commission not less than two past performances of said greyhound at said track may be carried on the program or form sheet.

5.19: Qualifying Time

- (1) Each Association licensed by the Commission may establish qualifying times for its 5/16 mile races and for distances greater than 5/16 of a mile.
- (2) All greyhounds must wear the regulation association muzzle and blanket when placed in the starting box; the Judges must approve blinker muzzles.
- (3) Muzzles and blankets must be carefully examined in the Paddock by the Paddock Judge before the greyhounds leave for the post and again be examined before the Judges at the Judges' Stand or before the Starter at the starting box by the Patrol Judge.
- (4) All greyhounds must be exhibited in the show paddock before post time of the race they are entered.
- (5) After the greyhounds leave the paddock on their way to the starting point, and until the Judges direct the gates to be reopened, all persons except the racing officials and the necessary attendants, shall be excluded from the track to be run over.
- (6) No race shall be called official unless the lure is in advance of the greyhounds at all times during the race and if any time during the race any greyhound or greyhounds catch or pass the lure, the Judges shall declare it "No Race" and all monies shall be refunded.
- (7) The Judges shall closely observe the operation of the lure and hold the Lure Operator to strict accountability for any inconsistency of operation.
- (8) If a greyhound is left in the box when the doors of the starting box open at the start there shall be no refund, but if one greyhound or more is prevented from leaving the box at the start because of being locked in the starting box, the money wagered on said greyhound or greyhounds so locked in the starting box shall be deducted from the pool and be refunded. The Starter shall make the sole decision on the question of what greyhound or greyhounds are prevented from starting in a race through failure of the doors of the starting box to open.
- (9) If a race is marred by jams, spills or racing circumstances other than accident to the machinery, while a race is being run, and three or more greyhounds finish, the Judges shall declare the race finished, but if less than three greyhounds finish, the Judges shall declare "No Race" and all monies shall be refunded.
- (10) In purse races not less than five greyhounds, racing in the names of five licensed owners, must be entered and start, or the race may be declared off. In Stakes races at least four different interests must be entered and start or the race may be declared off.
- (11) If a greyhound bolts the course, runs in the opposite direction or does not run the entire prescribed distance for the race, it shall forfeit all rights in the race and no matter where it is finished the Judges shall declare the finish of the race the same as if said greyhound were not a contender. However, for the purpose of 205 CMR 5.00, said greyhound shall be considered a "Starter."

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5.19: continued

(12) If a greyhound bolts the course or runs in the opposite direction during the running of the race and in so doing said greyhound, in the opinion of the Judges interfered with any other greyhound in the race, the Judges shall declare it "No Race" and all monies wagered shall be refunded.

(13) If it appears that a greyhound may interfere with the running of the race because of failure to leave the box, because of accident or for any other reason, any person under the supervision of the Judges stationed around the track may remove said greyhound from the track. However, for the purpose of the Rule said greyhound shall be considered a "Starter."

5.20: Racing Officials

(1) The Racing Officials of a greyhound racing meeting are: Judges; Director of Racing; Racing Secretary; Paddock Judge; Timer; Clerk of Scales; Chart Writer; Starter; Patrol Judge; Kennel Master; Lure Operator; Veterinarian and any other person that may be designated by the Commission.

(2) The Commission shall appoint two of the Judges.

(3) All racing officials herein designated shall be appointed by the Association holding the meeting such appointments being subject to the approval of the Commission which reserves the right to demand a change of personnel for what it deems good and sufficient reason, the successor to officials so replaced to be subject to the approval of the Commission.

(4) Association shall submit to the Commission the names of all racing officials and all designated key personnel not less than 30 days prior to the first day of the meeting.

(5) The Judges appointed by the Commission shall be known as the Commission Judges. They shall supervise the conduct of the racing officials and the acts to which their authority extends. The Commission Judges shall immediately report any infraction or violation of 205 CMR 5.00 or the racing laws to the Commission.

(6) No one interested in the result of a race either because of ownership of any greyhound entered, or of its sire or dam, or because of bets or otherwise, shall act as a racing official or designated key personnel therein.

(7) If any owner, trainer, attendant or any other person licensed by the Commission use profane or indecent language to a racing official or otherwise disturb the peace of any track enclosure he shall be liable for a fine, suspension or both, or may be ruled off, and such action shall be immediately reported to the Commission.

(8) The racing officials have power to call on any person in whose name a greyhound is entered to produce proof that the greyhound entered is not the property, either wholly or in part, of any person who is disqualified, or to produce proof of the extent of his interest or property in the greyhound, and in default of such proof being given to their satisfaction, the Judges shall declare the greyhound out of the race.

(9) No racing official or designated key personnel of an Association shall accept, directly or indirectly, any gratuity, reward or favor in connection with racing at the meeting.

(10) No racing official or designated key personnel may buy mutuel tickets at the meeting at which they are employed. Penalty for such violation shall be immediate dismissal.

(11) Racing officials shall report to the Judges all observed violations of 205 CMR 5.00.

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5.21: Racing Secretary: Duties

- (1) The Racing Secretary shall discharge all duties whether expressed or required by 205 CMR 5.00; he shall report to the Judges, as the case may demand, all violations of 205 CMR 5.00 or of the regulations of the course coming under his notice; he shall keep a complete record of all races; he shall receive all stakes, entrance money, arrears and fines and pay over all monies so collected by him to such officers or persons as may be entitled to receive the same.
- (2) The Racing Secretary shall receive all entries and declarations.
- (3) The Racing Secretary shall inspect owner's and trainer's licenses and all papers and documents dealing with trainers and owners, partnership agreements, appointment of authorized agents, adoption of assumed names and may demand production of same in order to satisfy himself as to their validity and authenticity and that the Rules of Greyhound Racing in regard thereto have been complied with, which papers shall be available to the Commission Judge at all times.
- (4) Conditions of races shall not conflict with the Rules of Greyhound Racing.
- (5) The Racing Secretary shall view the running of each race from such positions as are designated for this purpose by the Association.
- (6) The Racing Secretary shall each day, as soon as the entries have closed and have been compiled and the declarations have been made, post in a conspicuous place a list thereof.

5.22: Registration

- (1) No greyhound shall be entered or permitted to race or to be schooled at any racetrack licensed by the Commission unless properly registered by the National Greyhound Association of Abilene, Kansas. The National Greyhound Association shall be recognized as the official breeding registry of all greyhounds and the Greyhound Publications, Inc. Information System shall be recognized as the official record keeping agency of all greyhound performances and shall maintain the past performance lines on every greyhound raced at an official track licensed by a Racing Jurisdiction. The Massachusetts State Racing Commission may certify any greyhound whose lack of registration with the approved registry is attributable to arbitrary, discriminatory or other unreasonable action or inaction on the part of such agencies.
- (2) The registry and record keeping agency shall be self-funding, insofar as is practicable, and shall be authorized to charge reasonable fees for their services to attain this objective.
- (3) A greyhound shall not be entered for racing or schooling at any official track unless it has been tattooed and registered in the N.G.A. stud book and the last six performance lines, if applicable, and the racing history of the greyhound are made available to the Racing Secretary from the Greyhound Information System.
- (4) The N.G.A. breeding registry shall furnish to the Greyhound Information System when such greyhounds are registered and named the necessary and proper information. A reasonable fee of 80¢ per start that was suggested by the National Association of State Racing Commissions Greyhound Committee, shall be deducted from the weekly purses by the track and paid to the Greyhound Information System.
- (5) The Massachusetts State Racing Commission shall have access at all times to the N.G.A. breeding Registry and transfer files and to the Greyhound Publications, Inc. Information System.
- (6) All certificates of registration must be available at all times for inspection by the Commission Judge.
- (7) All transfer of any title to, leasehold or other interest in greyhounds schooled, entered or racing at any track under the jurisdiction of the Commission shall be registered and recorded with the National Greyhound Association of Abilene, Kansas.

5.22: continued

Greyhounds that are Massachusetts bred must be registered as Massachusetts bred greyhounds with the Massachusetts Department of Food and Agriculture. Massachusetts bred greyhounds must have registration papers filed at the dog track where said greyhound will participate in schooling or pari-mutuel races. The registration papers must be stamped by the National Greyhound Association indicating said greyhounds are registered as Massachusetts bred.

(8) No title, leasehold or other interest in any greyhound will be recognized by the Commission until such title, leasehold or other interest shall be evidenced by written instrument duly filed with and recorded by the National Greyhound Association of Abilene, Kansas, and certified copies thereof filed with the Commission and the Racing Secretary at the track where said greyhound is to be schooled, entered or raced.

(9) When a greyhound is sold with its engagements, or any part of them, the seller cannot strike it out of any such engagements. In all cases of sales by private treaty, the written acknowledgment of both parties that the greyhound was sold with the engagements is necessary to entitle the seller or buyer to benefit by this rule and if certain engagements be specified it is to be understood that those only are sold with the greyhound; but when the greyhound is sold at public auction the advertised conditions of the sale are sufficient evidence and if certain engagements only be specified it is to be understood that these only are sold with the greyhound.

(10) In case of any transfer of a greyhound with its engagements, such greyhound will not be eligible to start in any stakes, unless at the usual time for the running of the stakes, or prior thereto, the transfer of the greyhound and its engagements shall be exhibited when demanded to the Racing Secretary.

(11) If any transfer of a greyhound or engagement is made for the purpose of avoiding disqualification, the person making or receiving such transfer may be liable for a forfeiture, suspension or both.

(12) All greyhounds, including those registered in accordance with 205 CMR 5.00 as Massachusetts bred, shall be properly schooled in the presence of the Judges and must, in the opinion of the Judges, be sufficiently experienced before they can be entered or started in pari-mutuel races at licensed dog tracks.

(13) All schooling races shall be at a distance not less than the distance nearest to 5/16 mile in use at the track.

(14) Greyhounds that transfer from one track to another under the jurisdiction of the Commission need not school if they have raced within ten days.

(15) Greyhounds which transfer from a legally licensed track operating under the jurisdiction of a qualified State Racing Commission need not school if they have raced in an official race within ten days at said greyhound track. The Racing Secretary in grading these greyhounds may use the grade of said greyhounds at the track from which they are transferring.

(16) Each official schooling race must consist of at least six greyhounds. However, if this condition creates a hardship, less than six may be schooled with the permission of the Commission Judge.

(17) No hand schooling will be considered official.

(18) Any greyhound that has not been entered for a period of six racing days and/or has not raced for a period of ten racing days or more shall be schooled at least once at its racing weight before being eligible for entry. A race or races which were part of a racing program canceled will not be counted as racing day in relation to greyhounds presently racing on the Active Racing List of Greyhounds entered in such a racing program.

If a racing program is canceled, any greyhound eligible to race when that program was originally drawn shall remain eligible to race under 205 CMR 5.22(18) provided the canceled program is re-scheduled and subsequently run within 72 (seventy-two) hours of its original date.

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5.22: continued

- (19) All greyhounds in schooling races must be raced at their established racing weight and started from the box wearing blankets.
- (20) Any owner, trainer, or authorized agent licensed by the Commission who has greyhounds under his care and management that are booked to race on tracks licensed by the Commission, and who permits said greyhounds to be schooled on any track in Massachusetts or elsewhere, not approved by the Commission during these bookings shall be subject to the immediate revocation of his license.
- (21) The Judges may order any greyhound on the schooling list at any time. Any greyhound ordered on the schooling list by the Judges must be schooled officially and satisfactorily before being allowed to enter a race.
- (22) A greyhound which, by the decision of the Judges, falls in a race, may at the discretion of the Judges, be required to be schooled in an official schooling race to the satisfaction of the Judges before being allowed to enter or start.
- (23) To scratch a greyhound entered in a race sufficient cause must be given to satisfy the Judges. All scratches and the cause must be reported immediately to the Commission Judge.
- (24) Any scratches that occur that are the result of a violation of 205 CMR 5.00 must carry a penalty and/or suspension of said greyhound for a period of six racing days. Scratches for other causes must be disciplined at the discretion of the Judges.

However, if any owner or trainer fails to have the greyhound entered at the track at the appointed time for weighing in, and as a result said greyhound is scratched the Judges shall impose a forfeiture and/or suspension on the person responsible.
- (25) If three or more greyhounds are withdrawn or scratched in any one race, the Judges may cancel said race.
- (26) The Judges may scratch a greyhound entered in a race for sufficient cause.

5.23: Starter: Duties

- (1) The Starter shall give such orders and take all such measures, not in conflict with 205 CMR 5.00, as are necessary to secure a fair start.
- (2) The greyhounds shall be started from a type of starting box approved by the Commission and there shall be no start until, and no recall after the doors of the starting box have opened.
- (3) The Starter shall report causes of delay, if any should occur, to the Judges.
- (4) A false start, due to any faulty action of the starting box, break in the machinery or other cause, is void, and the greyhounds may be started again as soon as practicable, or the race may be canceled at the discretion of the Judges.
- (5) Time of the race shall be taken from the opening of the doors of the starting box.
- (6) Each Association shall be required to install an automatic timing device approved by the Racing Commission and a stop watch checked and certified by a competent watchmaker which will be available for the use of the Judges. The Judges shall use the time shown on the timing device as the official time of the race if they are satisfied that the timing device is functioning properly. When stop watch time is used as the official time of the race, it shall be so announced to the public.
- (7) Each Association licensed by the Commission shall be serviced by at least one or more graduate veterinary surgeons licensed to practice under the laws of Massachusetts. Such Veterinarians shall be on the grounds of the Association at weighing-in time and during all racing hours.

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5.23: continued

- (8) The Veterinarians shall make an examination of the physical condition of each greyhound at weighing-in time.
- (9) Any greyhound the Veterinarian does not consider in proper physical condition shall be reported through the Paddock Judge to the Judges who shall order said greyhound scratched out of the race for which it is entered.
- (10) It shall be the duty of the Veterinarian to make his final examination and inspection of all greyhounds during the time they are in the paddock before they leave for the track and if he finds any greyhound not in proper physical condition such greyhound shall be reported through the Paddock Judge to the Judges who shall order said greyhound scratched.
- (11) Bitches in season are not permitted on the track.
- (12) Bitches coming in season during the racing meeting must not be accepted for entry within 90 days from the date of coming in season.
- (13) Bitches in milk are not eligible to school or to race.
- (14) Bitches in season must be reported to the Judges and the Veterinarian. Owners and Trainers failing to report this condition promptly shall be fined, suspended or both.
- (15) Bitches that have not raced in ten days shall be brought to the paddock at weighing-in time for inspection by the Veterinarian at least once each week. Bitches not brought in upon report of the Veterinarian shall be declared off for the balance of the meeting.
In cases where a bitch has been prevented from racing because of an injury, the Judges, upon certification of such injury by the Veterinarian may modify or waive the provisions of 205 CMR 5.00.

5.24: Weights and Weighing

- (1) All greyhounds shall be weighed in one hour before the time of the first race of the day.
- (2) Either the owner, trainer, assistant trainer or the licensed authorized agent of the owner shall bring greyhounds to the weighing-in room.
- (3) At weighing-in time the tattoo number must identify all greyhounds.
- (4) At weighing-out time the same identification procedure as prescribed by 205 CMR 5.24(3) are to be followed. Identification shall be made by the Commission Judge and/or the Associate Commission Judge.
- (5) Before any greyhound is allowed to school or race at any track, the owner or trainer must establish the racing weight with the Clerk of Scales of each greyhound he enters.
- (6) At weighing-in time, should there be a variation of more than 1½ pounds either way from its established weight, the Judges shall order said greyhound scratched.
- (7) At weighing-out time, if a greyhound loses weight in excess of two pounds while in the lockout kennels, the Judges shall order said greyhounds scratched. However, in the opinion of the Veterinarian that such loss of weight while in the lock-out kennel does not impair the racing condition of the greyhound the Judges may allow said greyhound to race.
- (8) The weight regulations provided in 205 CMR 5.24(1) through (7), shall be printed in the daily program.
- (9) The established racing weight may be changed from time to time on written request of the owner or trainer and by written consent of the Judges, provided such change is made four racing days before the greyhound is allowed to race at the new weight.

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5.24: continued

- (a) All greyhounds having an established weight change of more than one pound must be schooled at least once or more at the discretion of the Judges at the new established weight before being eligible for starting.
 - (b) Greyhounds that have not raced or schooled officially for a period of three weeks will be allowed to established new racing weight with the written consent of the Judges and may be schooled officially immediately upon receipt of said written consent.
- (10) The Judges shall have the privilege of weighing a greyhound entered in a race at any period from the time he is entered in a race until post time.
- (11) Immediately after being weighed-in the greyhound shall be placed in lock-out kennels under the supervision of the Paddock Judge, and no owner or other person excepting the Paddock Judge, Veterinarian, Kennel Master, Scale Clerk, Lead-Outs, Judges, or Commission's representatives, shall be allowed in or near the lock-out kennels.

5.25: Corporations

- (1) Corporations racing greyhounds in Massachusetts shall furnish the following information:
- (a) The corporation shall furnish to the Commission and the Judges a statement giving the names of all persons connected with the corporation including officers, directors and stockholders.
 - (b) The corporation shall furnish to the Commission and Judges a certificate stating no person or persons connected with the corporation (officer, director or stockholder) have any beneficial interest in any greyhound or greyhounds running in their name or the name of any person or persons racing at the same track where the corporation-owned greyhound or greyhounds are running.
 - (c) The corporation shall designate to the Commission and the Judges the name of one individual, preferably an officer, who shall act as agent for the corporation.
- (2) All persons listed in the corporation shall be liable for entry fees and penalties against greyhounds raced by the corporation.
- (3) In the event that one of the persons listed in the corporation is suspended all greyhounds owned by the corporation shall be suspended.
- (4) Each of the persons holding a beneficial interest in the corporation shall be in good standing in racing.
- (5) Each of the persons holding a beneficial interest in the corporation shall be licensed as owners.
- (6) No license as an owner shall be granted to a corporation or the lessees of any corporation unless such corporation shall have no more than ten stockholders or members each of whom shall be registered and beneficial owner of stock or membership in such corporation; nor shall any corporation having more than ten such stockholders have the power to lease for racing purposes to any natural person or persons or partnership any greyhound owned or controlled by it. Each stockholder must file an application for an owner's license.
- (7) All the stockholders or members of a corporation which leases greyhounds for racing purposes in the Commonwealth of Massachusetts and also all such corporations shall make and file with the Commission as and when requested by it, a report or reports containing such information as the Commission may specify; and upon refusal or failure to file such report or reports the Commission may refuse a license to any lessee or lessees of such corporation or may revoke any such license which it may have granted.

5.26: General Rules

- (1) Every person participating in and every patron of a licensed Racing meeting shall abide by said law and rules and accept the Judges' decision on any and all questions to which their authority extends, subject to the right of appeal to the Commission.

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5.26: continued

- (2) No person shall use improper, profane or indecent language to a racing official.
- (3) No person shall in any manner, or any time, disturb the peace or make himself obnoxious on the grounds of an Association.
- (4) No person shall make a handbook or a foreign book on the grounds of an Association.
- (5) No person shall solicit for or bet from a handbook or foreign book on the grounds of an Association.
- (6) No person or greyhound ruled off, or under suspension, by any State Racing Commission, shall be knowingly admitted to the grounds of any Association.
- (7) No person shall be allowed in the Judges' stand unless previous permission is obtained from the Judges.
- (8) When there is more than one greyhound track operating in the Commonwealth, greyhounds racing for one track shall not be allowed to race at another track during the duration of the meeting without written consent of the Judges.
- (9) Any person who has been convicted by any court anywhere for illegal possession, sale or giving away of narcotics may be ruled off.
- (10) If any owner, trainer or other person solicits bets from the public by correspondence or other methods to be made on any greyhound which is to run on a track in Massachusetts, such person or persons shall be ruled off.
- (11) Violators of any rule will be subject to ejection from the grounds, and/or to forfeiture, suspension or ruling off.

5.27: Licensed Association

- (1) No person under the age of 16 years shall be employed in or about the track of any association.
- (2) It shall be the duty of each and every Association licensed by the Commission and the officers, officials and employees of said Association to observe and enforce 205 CMR 5.00. Every license to hold a race meeting is granted upon the condition that the Association therein named shall accept, observe and enforce 205 CMR 5.00.
- (3) Each Association shall provide and equip a first aid room within its enclosure.
- (4) Each Association conducting a greyhound racing meeting shall keep a separate bank account to be known as the "Kennel Owners' Account" with at all times sufficient funds in such account to cover all monies due greyhound owners in regard to purses, stakes, rewards and deposits. Withdrawals from this account shall be only for such purposes and said account shall at all times be subject to audit by the Commission.
- (5) Members of the Commission and its representatives shall have the right to full and complete entry to any and all points of the grounds of the Associations licensed to conduct greyhound racing in Massachusetts. Every kennel that is licensed by the Racing Commission is subject at reasonable times to inspection by the Racing Commission or their designees.

5.27: continued

- (6) (a) Each Association shall have a "mirror image" installed in connection with the photo-finish camera.
- (b) Each Association shall provide that no person shall be admitted to the Kennel area unless he is wearing an identification badge issued to him by the Commission. Each person whose duties or occupation requires their presence in the Kennel area shall wear his identification badge in view at all times.
- The Commission will hold the Association to strict accountability for full compliance with the provisions of 205 CMR 5.27(6)(b).
- (c) Any licensed person who allows another to use his or her license identification card or badge or any person who used the license identification card or badge of another person for the purpose of transferring any of the benefits pertaining thereto may be suspended, assessed a forfeiture, or both.
- (7) Each Association shall install at the finish line at their track, and shall adequately maintain, two photo-finish cameras, to be approved by the Commission, to automatically photograph the finish of races. The official photographer shall furnish promptly to the Commission a print of every photo-finish.
- (8) No Association shall permit on its grounds any betting or other operation in contravention of any law of the Commonwealth of Massachusetts or of the United States.
- (9) Handbooking shall be prohibited on the grounds and its operators shall be excluded therefrom.
- (10) During the term of disqualification of any participant in racing, it shall be the duty of the Association to see to it that the privileges of his admission badge are revoked, and that he is kept out of the grounds unless otherwise permitted to enter under certain conditions and at certain times as may be provided for elsewhere in 205 CMR 5.00.
- (11) Each Association shall furnish to the Commission the names and addresses of all persons ejected by the Association from its grounds, together with the offense or offenses alleged against them, and any other material information relating thereto.
- (12) Any person ejected from the grounds of an Association shall be denied admission to said grounds until written permission for his re-entering has been obtained from the Association and written notification of such permission shall forthwith be filed with the Commission.
- (13) A person ejected from the grounds of an Association licensed by the Commission shall be refused admission to the grounds of all other licensed Associations in Massachusetts until he has been permitted to re-enter the race where he was originally ejected in accordance with the procedure provided for in 205 CMR 5.27(12).
- (14) Purse money shall not be paid to the winners thereof earlier than 48 hours (Sundays excluded) following their winning.
- (15) No percentage of winnings shall be deducted by an Association for itself or for another person, club, or body, unless at the request of the person to whom such winnings are payable and except that an Association may withhold from the winnings any money due it.
- (16) Each Association shall provide within its grounds an adequate office for the use and to be at the disposal of the Commission and all of its officials.
- (17) Each Association licensed by the Commission shall notify the Commission prior to the opening of the meeting of the name of the person or persons who will make the selections as they appear in the program. Any change in the person or persons designated by the Association shall be promptly reported to the Commission.

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5.27: continued

(18) If the Pari-mutuel Manager is to be absent from the track for a complete racing program the Association shall inform the Commission Accountant at the track at least ½ hour before post time for the first race of the name of the person who will perform the duties of the Pari-mutuel Manager during his absence.

(19) Every employee of the Pari-mutuel Department, who, by nature of his employment comes in contact with patrons, shall be designated by name or number, that easy identification may be made by the public.

(20) No minor shall be allowed to place or collect a wager and every employee of the Pari-mutuel Department shall be so instructed by the Association.

(21) Each Association shall provide signs reading "NO RACE" and "REFUND" placed in a prominent position, readable to the public attending, to be displayed when the Judges have ruled "No Race."

(22) Each Association shall keep and maintain during its meeting a card index system of identification of each greyhound racing for the Association. The cards shall show the name of the owner, authorized agent and trainer, breeding, weight, color, sex and the characteristic markings and scars and other identification features not above named. The cards shall be completed and filled out by the Paddock Judge.

(23) It shall be the duty of each Association to install and maintain in good working order a suitable telephone system between the Judges' Stand and the office of the Pari-mutuel plant, the Odds Board, the Paddock Office and the Lure Operator's tower.

(24) Each Association shall print or cause to be printed in heavy type in a conspicuous place in its printed program all of 205 CMR 5.19(9) and may post printed copies of 205 CMR 5.19(9) about the track in such places as it may deem advisable.

(25) It shall be the duty of each Association to see that all owners, authorized agents, trainers and assistant trainers, are licensed before any greyhound in which they hold interest or which they train is allowed to race and it shall be the duty of each Association to see that the application for license is filed and the prescribed fee is paid to the Commission.

5.28: Licenses and Registrations

(1) The following persons shall be required to take out a license from the Commission and pay the applicable annual fee: Owner, Trainer, Assistant Trainer, Authorized Agent, Leadouts, Racing Officials, and Kennel Name. Every kennel housing a greyhound that is racing in schooling races or pari-mutuel races at licensed dog tracks in Massachusetts shall be licensed by the State Racing Commission.

(2) The fee shall accompany each application for license or registration. All licenses and registrations expire on December 31st of the year of issue.

(3) All applications for licenses and registrations to participate in racing shall be made to the Commission on forms supplied by the Commission.

(4) All applications shall be submitted first to the Judges. In considering each application for a license the Judges may require the applicant, as well as his endorsers, to appear before them and show that said applicant is qualified in every respect to receive the license requested. Ability as well as integrity must be clearly shown by the applicant in order to receive the Judges' recommendation for the granting of the license. All trainers and assistant trainers must pass a test, with a score of 70%, as a condition of licensing. The test shall be compiled by the Massachusetts State Racing Commission and administered by the Board of Judges at the time of application. A person who fails such a test will be allowed to retake a test upon request.

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5.28: continued

- (5) Before recommending any application for a license it shall be the duty of the Judges, individually and collectively, to ascertain if the applicant is qualified as to the ability, integrity and right to the license applied for.
- (6) No application for a license or registration shall be recommended by the Judges and no license or registration will be issued by the Commission unless satisfactory evidence first is presented to the Judges that the person so applying will participate in the meeting over which the Judges have supervision.
- (7) The Commission may refuse to license any applicant who has been refused a license by any other State Racing Commission.
- (8) The Commission may refuse to license any applicant whose previous conduct in Massachusetts or elsewhere in connection with racing is considered by the Commission to have been objectionable, obnoxious or detrimental to the best interest of racing.
- (9) The Commission may revoke any license if the holder of the same has violated any rule or regulation of the Commission governing his conduct in connection with racing, or where such conduct is objectionable, obnoxious or detrimental to the best interest of racing.
- (10) No owner, trainer or agent shall enter or start a greyhound unless all licenses and registrations required by 205 CMR 5.28(1) have been filed. Violators of 205 CMR 5.28(10) may be subject to suspension or forfeiture.

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5.28: continued

(11) No owner, trainer or agent shall enter or start a greyhound until he has ascertained that each license or registration filed as required by 205 CMR 5.28(1) has been approved. Violators of 205 CMR 5.28(11) may be subject to suspension or forfeiture.

(12) When an ownership is in the name of both husband and wife, both shall be licensed.

(13) No application, except an application for an owner's license, will be considered for or granted to a person under 16 years of age. If younger than 18 years of age, an applicant for an owner's license shall submit a notarized affidavit from his/her parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual and other obligations relating to the applicant's participation in racing within the Commonwealth of Massachusetts.

(14) No application for a trainer's license will be considered for or granted to a person under 18 years of age.

(15) All licenses granted shall be subject to the conditions set forth in the application therefor and the Commission shall have full discretion to suspend or revoke the same for any infraction of the conditions of the application of license or 205 CMR 5.00.

(16) Every greyhound entered to race in schooling or pari-mutuel races at a dog track must be in the care of a licensed trainer who shall take responsibility for the care and protection of the greyhound in compliance with the rules and regulations of dog racing. Every person, who handles, cares for, or transports said greyhounds shall be licensed by the Racing Commission as a trainer or assistant trainer. The owners and trainers of Massachusetts bred greyhounds shall comply with 205 CMR 5.28(16).

REGULATORY AUTHORITY

205 CMR 5.00: M.G.L. c. 128A, § 9.

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(PAGES 181 THROUGH 184 ARE RESERVED FOR FUTURE USE.)