

**RULES AND REGULATIONS**

**Governing**

**GREYHOUND RACING**

**In**

**ARKANSAS**

**PART I OF III**

**January 2018 Edition**

**Arkansas Racing Commission**

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## **FOREWORD**

This edition of the Rules and Regulations Governing Greyhound Racing in Arkansas supersedes all previous rules and regulations.

The Rules herein prescribed, and any amendments or additions thereto, apply to all persons, partnerships, Associations, firms or corporations, their officers, directors, stockholders, agents, representatives or employees, who hold, conduct, patronize, aid, assist or participate in any Meeting within the State of Arkansas where racing shall be permitted for any stake, purse or reward. The definitions and interpretations or racing terms herein set forth, as well as the Foreword are to be considered in connection with the Rules and as a part of them.

In reading the Rules, unless the text otherwise requires, it shall be understood, without constant reference thereto they apply only in the State of Arkansas.

Every franchise to hold a Meeting is granted upon the condition that the Franchise Holder shall accept, observe, and enforce said Rules. Furthermore, it shall be the duty of each and every officer, director and every official and employee of said Franchise Holder to observe and enforce the Rules.

Any and all of the Rules may be amended, altered, repealed or supplemented by new and additional Rules.

The Racing Commission may make exceptions to any Rule or Rules in individual instances as in their judgment they may deem proper.

The Racing Commission may rescind or modify any penalty or decision or infraction of the Rules imposed or made by the Racing Officials.

The Racing Commission shall have continuing jurisdiction and control over all penalties and decisions imposed or made by them, or their predecessors, except as otherwise provided by the Law. Furthermore, the Commission shall have the power and authority to review, affirm, modify or rescind any penalty or decision with regard to any infraction of these Rules, which may be imposed or made by the Racing Officials of any Meeting.

The Laws of the State of Arkansas, and the Rules promulgated by the Racing Commission, supersede the conditions of a race, or the regulations of a race Meeting.

NOTE: Numbering of these Rules will not be consecutive since the Commission Rules that apply to other types of racing are omitted.

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## DEFINITIONS

1000. The following definitions and interpretations shall apply throughout these Rules unless the text otherwise requires:

1002. **Added Money** — The amount exclusive of trophy added into a stakes by the Franchise Holder, or by sponsors, state-bred programs or other funds added to those monies gathered by nomination, entry, sustaining and other fees coming from the greyhound owners or kennel operators.

1003. **Age** — The age of a greyhound is reckoned as beginning on the day it is whelped.

1004. **Appeal** — A request for the Commission or its designee to investigate, consider, and review any decisions or rulings of Judges.

1005. **Applicant** — Shall mean an Arkansas corporation applying to conduct racing subject to these Rules, or any Franchise Holder applying for dates to conduct a racing Meeting.

1006. **Arrears** — Includes all monies due for entrance, forfeits, fees, fines, and any default incident to these Rules.

1007. **Association** — See Franchise Holder.

1008. **Bertillion** — A card which lists identifying features of a greyhound.

1009. **Blanket** — The covering on which a greyhound's post position number is displayed.

1010. **Board of Judges** — (also Judges), shall include the Presiding Judge, Commission Judge, and the Racing Secretary.

1011. **Bolt** — When a greyhound leaves the race course during the running of an official race.

1012. **Breakage** — The amount of odd cents remaining in each pari-mutuel pool after re-distributions are made in a sum equal to the next lowest multiple of ten cents (10¢). The minimum payout on all winning wagers shall be equal to the amount wagered plus ten percent (10%); (i.e., the minimum payout on a \$1.00 wager shall be \$1.10; the minimum payout on a \$2.00 wager shall be \$2.20, etc.).

1013. **Breeder** — The owner of a greyhound's dam at the time of whelping.

1014. **Breeding Place** — The location of whelping.

1015. **Carryover** — Non-distributed pool monies which are retained and added to a corresponding pool in accordance with pari-mutuel rules.

1016. **Commission** — Shall mean the Arkansas State Racing Commission or its duly authorized representative(s), as established by the Laws of the State of Arkansas, or the person or body to whom such authority may be delegated by amendments to the Law from time to time.

1017. **Complaint** — A written allegation of a violation of these rules.

1018. **Day** — (a) **Dark Day** — A day during a live or a simulcast race meeting when no pari-mutuel wagering is conducted.

(b) **Race Day** — A day during a race meeting when pari-mutuel wagering is conducted on live racing.

(c) **Simulcast Race Day** — A day during a race meeting when pari-mutuel wagering is conducted on simulcast racing.

1019. **Declaration** — Shall mean the act of withdrawing an entered greyhound from a race.

1020. **Disciplinary Action** — Means revocation of license, suspension, fine or reprimand, or any combination thereof.

1021. **Draw** — The process of selecting runners and the process of assigning post positions in a manner to ensure compliance with the conditions of the rules of racing.

1022. **Drug**— Shall mean:

(a) Articles recognized in the official United States Pharmacopoeia, the official Homeopathic Pharmacopoeia of the United States, or the official National Formulary, or any supplement to any of them; and

(b) Articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; and

(c) Articles (other than foods) intended to affect the structure of any function of the body of man or other animals; and

(d) Articles intended for use as a component of any articles specified in clause a, b, or c; but does not include devices or their components, parts or accessories.

Nothing in the foregoing definition shall be deemed to include water, heat or customary liniments or salves, provided the same be applied externally only.

1023. **Ejection** — The removal of a person from the premises under the jurisdiction of the Commission.

1024. **Entry** — A greyhound eligible for and entered in a race.

1025. **Equipment** — Means muzzles, number blankets, and all other paraphernalia common or otherwise which might be used on or attached to a greyhound while racing.

1026. **Exclusion** — The act of preventing a person from entering or remaining on the premises of any Franchise Holder and/or simulcast facility under the jurisdiction of the Arkansas Racing Commission.

1027. **Expired Ticket** — An outstanding ticket which was not presented for redemption within the required time period for which it was issued.

1028. **False Start** — Any race which fails to start as stipulated by the rules.

1029. **Finish** — The order in which the greyhounds complete the race.

- (a) Win, to finish first.
- (b) Place, to finish second.
- (c) Show, to finish third.

1030. **Foreign Substance** — Any drug, medication or other substance uncommon to a greyhound's body which can or may affect the greyhound's performance or which does or may affect sampling or testing procedures.

1031. **Forfeit** — Money due from a licensee because of error, fault, neglect of duty, breach of contract, or a penalty imposed by the Judges or the Commission.

1032. **Franchise Holder** — Shall mean any domestic corporation receiving a license or franchise from the Arkansas Racing Commission to conduct racing. Association is used interchangeably with Franchise Holder throughout this book.

1033. **Fraudulent Practice** — Means any attempt to enrich oneself or associates, or gain any advantage through unfair, unlawful or dishonest behavior in connection with the racing of greyhounds.

1034. **Guest Association** — An Association which offers licensed pari-mutuel wagering on contests conducted by another Association (the host) in either the same jurisdiction or another jurisdiction.

1035. **Greyhound** — A dog that is registered with the National Greyhound Association.

1036. **Handle** — The total amount of all pari-mutuel wagering sales excluding refunds and cancellations.

1037. **Host Association** — The Association conducting a licensed pari-mutuel meeting from which authorized contests or entire performances are simulcast.

1038. ***ITW or Inter Track Wire*** — The importation of races from Host Associations (sending location) to the Franchise Holder(receiving location), upon which pari-mutuel wagering takes place.

1039. ***Kennel Compound*** — The facilities provided for the housing of racing kennels under the jurisdiction of the Commission.

1040. ***Kennel Helper*** — A person employed by a kennel owner to assist in the conditioning of greyhounds for racing.

1041. ***Kennel Name*** — (Assumed name) — Any name other than the legal name or names of the operator.

1042. ***Kennel Owner*** — The person entered into a contract or agreement with the Franchise Holder to provide greyhounds to race in a meeting conducted by the Franchise Holder.

1043. ***Lead-Out*** — An individual employed and provided by the Franchise Holder to lead greyhounds from the paddock to the starting box.

1044. ***Licensee*** — Any person or entity holding a license from the Commission to engage in racing or a regulated activity.

1045. ***Lock-Out Kennel*** — The secure and restricted facility within the paddock used to temporarily house entered greyhounds prior to their participation in the current performance.

1046. ***Lure*** — A mechanical attraction designed to entice a greyhound around the course.

1047. ***Maiden*** — A greyhound which at the time of starting has never won an official race in any country.

1048. ***Maiden Race*** — A contest restricted to non-winners.

1049. ***Match Race*** — A race between two or more greyhounds under conditions agreed to by their owners, the Commission, and the Franchise Holder.

1050. ***Matinee Performance*** — A schedule of races beginning in the afternoon.

1051. ***Meeting*** — A group of 24-hour days, Sundays excepted, on which racing is conducted for any stakes, purse or reward, at one racetrack for which a license to race has been granted by the Commission. It begins at 10:00 a.m. on the first day and ends at 12:00 midnight of the last day.

1052. **Minus Pool** — Occurs when the payout is in excess of net pool.

1053. **Net Income** — Means the taxable income reflected on the Franchise Holder's federal income tax return for the immediately preceding year, less federal income tax liability reflected thereon.

1054. **Net Pool** — Is the amount of gross ticket sales less refundable wagers and statutory commissions.

1055. **Night Performance** — A schedule of races conducted in the evening.

1056. **Nomination** — The initial naming of a greyhound for entry in a stakes race.

1057. **Nominator** — The person in whose name a greyhound is nominated.

1058. **No Race** — A race cancelled for any reason by the Judges.

1059. **Objection** — A written complaint made by a kennel owner and/or trainer to the Judges claiming a grievance pertaining to a race.

1060. **Off Time** — The moment at which the greyhounds break and start to run.

1061. **Official Order of Finish** — The order of finish of the greyhounds in a contest as declared official by the Judges.

1062. **Official Race** — A race in the presence of duly appointed Racing Officials for which purse monies are paid and/or pari-mutuel wagering is conducted.

1063. **Official Schooling Race** — Trial races supervised by the Commission which are conducted for qualification purposes, but on which pari-mutuel wagering is prohibited.

1064. **Official Starter** — The individual charged with the responsibility of the actual dispatching of the entries in each race.

1065. **Official Winning Time** — The period of time in a race beginning when the starting box opens, and ending when the first greyhound crosses the finish line.

1066. **Outstanding Ticket** — A winning or refundable pari-mutuel ticket which was not cashed during the performance for which it was issued; also known as *Outs*.

1067. **Owner** — The person in whose name the greyhound is registered with the National Greyhound Association. No greyhound shall be permitted to race except in the owner's name.

1068. **Paddock** — The area restricted to Commission, Franchise Holder management, and racing department employees. The paddock area includes the lock out kennel, reviewing stand, and offices.

1069. **Parent** — Means any person, partnership, Association, firm, or corporation exercising control of an applicant or Franchise Holder or its Board of Directors whether or not the parent owns fifty percent (50%) or more of its stock.

1070. **Pari-Mutuel System** — The manual, electro-mechanical, or computerized system and all software (including totalisator, account betting system, and off-site betting equipment) that is used to record bets and transmit wagering data.

1071. **Pari-Mutuel Wagering** — A form of wagering on the outcome of an event in which all wagers (bets) are pooled and held by a Franchise Holder for distribution of the total amount, less the deductions authorized by law, to the holders of winning tickets. A person making a wager in a pari-mutuel system is betting against other people making similar wagers.

1072. **Patron** — An individual present on Franchise Holder premises during a race meeting to wager and/or observe the racing.

1073. **Payout** — The amount of money payable to winning wagers.

1074. **Performance** — The schedule of races run consecutively as one program. Any race program that begins as a night performance shall be allowed to be completed as the original program even if it runs into the next day (new twenty-four hour period). Sundays are excluded, except when approved by state law.

1075. **Person** — Any individual, partnership, corporation, or other Association or entity.

1076. **Personal History Resume** — Shall mean a complete resume of facts bearing on the ability of a person to engage in the business of racing, including date and place of birth, education, business experience, membership in church, clubs and organizations, military and public service, whether appointed or elected, and a detailed description of all arrests and disposition of charges.

1077. **Place** — Is to finish second in a race.

1078. **Post Position** — Is the position assigned to the greyhound for the start of the race.

1079. **Post Time** — The time set for the start of the race.

1080. **Premises** — All land and improvements used in the conduct of a race meeting including additional off-site wagering facilities.

1081. **Principal Stockholder** — Means each person, firm, or corporation owning of record or beneficially more than ten percent (10%) of any class of capital stock of a corporation.

1082. **Profit** — The net pool after deduction of the amount bet on the winners.

1083. **Program** — The published listing of all races and entrants for a specific performance.

1084. **Prohibited Substances** — Substances of any type that are not approved by the Commission and/or federal and state agencies.

1085. **Purse** — The total cash amount for which a race is contested.

1086. **Race** — Means a contest for purse, stakes, or entry fees on any course, and in the presence of duly appointed Racing Officials.

1087. **Racetrack** — See **Premises**.

1088. **Restricted Area** — An enclosed portion of the Franchise Holder grounds to which access is limited to licensees whose occupation or participation requires access.

1089. **Result** — That part of the official order of finish used to determine the pari-mutuel payout of pools for each individual contest.

1090. **Rule Off** — Means the act of being barred from the- grounds of a Franchise Holder or denying racing privileges.

1091. **Rules** — Means the Rules and Regulations of Greyhound Racing herein prescribed and any amendments or additions thereto.

1092. **Scratch** — Means the act of withdrawing an entry on the day of the race.

1093. **Section** — Means a section of the Arkansas Statutes Annotated.

1094. **Show** — To finish third in a race.

1095. **Simulcast** — The live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.



1096. **Stakes Race** — A race specifically designated as an added money race.

1097. **Starter** — A greyhound that is in the starting box when the doors of the starting box open in front of it at the time the Official Starter dispatches the greyhounds.

1098. **Subscription** — Means the act of nominating or entering a stakes race.

1099. **Suspension** — Means that any privileges granted by the officials of a racing meeting or by the Commission to a person licensed by the Commission has been withdrawn.

1100. **Takeout** — The total amount of money withheld from each pari-mutuel pool, as authorized by statute or rule.

1101. **Tote Board** — Means the totalisator display board where the mutuels are displayed for live, on-track racing.

1102. **Trainer** — Means a person employed by a kennel owner to condition greyhounds for racing.

1103. **Weight** — As applied to greyhounds shall be as follows:

(a) **Pre-Post Weight** shall be known as the weight taken at the designated time before the first race of the day.

(b) **Established Racing Weight** shall be known as the racing weight, established by the trainer or kennel representative, as the greyhound's best racing weight.

(c) **Track Weight** shall be known as the weight of the greyhound at post time or time of race.

1104. **Weight Loser** — A greyhound that consistently loses weight while in the lock-out kennel.

1105. **Whelp** — The birth of a greyhound.

1106. **Win** — To finish first in a race.

1107. **Winner** — The greyhound whose muzzle or nose reaches the finish line first or is placed first through disqualification by the Judges.

## **FRANCHISES AND LICENSES FOR RACING DATES**

1200. Every franchise and every license to hold a meeting is granted upon the condition that the Franchise Holder shall accept, observe and enforce the Rules and Regulations of the Commission, and it shall be the duty of each and every officer, director and employee of said Franchise Holder to observe and enforce the rules.

1201. All applications and notices shall be verified under oath and shall be manually signed in ink.

### **APPLICATIONS FOR FRANCHISES**

1202. Every application to become a Franchise Holder shall contain the following:

#### **I. OWNERSHIP AND MANAGEMENT**

A. State the name of the applicant and indicate whether it is an individual, firm, Association, partnership or corporation.

B. State the following information as to the applicant: (If the applicant has a parent corporation, the same information must be submitted both for the parent and applicant corporation.)

1. State the year in which the applicant was organized, its form of organization and the name of the state under the laws of which it was organized. Attach a copy of the Articles and By-laws to the application.

2. State the classes of capital stock authorized, the amount authorized, and the amount outstanding as of the date not less than fifteen ( 5) days prior to the date of filing of the application. State the amount of dividends paid to stockholders during the five (5) years immediately preceding the application.

3. State the name and address of each person who owns, of record or beneficially, one or more shares of any class of capital stock.

This can be indicated in columnar forms as follows:

- a. Name and address
- b. Class of stock owned
- c. Type of ownership whether of record or beneficial.
- d. Amount owned
- e. Percent of the class of stock

4. Describe briefly the terms of any voting trust in which any of the capital stock is held and the name, address, class of stock and number of shares of stock for all stock held in said voting trust.

5. Describe briefly the terms of any proxy by which any of the capital stock is held, the holder of the proxy and the name, address, class of stock and number of shares of stock for all stock held by said proxy.

6. State whether 5% or more of the applicant's assets, or 5% or more of any principal stockholders' stock, is encumbered by any long-term debt. Explain fully, by stating names and addresses of parties holding security interests or promissory notes from the applicant and the stockholders, where the stock is pledged as security, and outline the terms of the agreements creating the security interests.

7. Outline briefly the dividend rights, voting rights, liquidation rights, preemptive rights, conversion rights, and redemption provisions. If the rights of holders of such stock may be modified otherwise than by a vote of majority or more of the shares outstanding, voting as a class, so state and explain briefly.

8. If the applicant was organized as a corporation within the past five (5) years, furnish the following information: the names of the promoters; the nature and amount of anything of value received or to be received by each promoter directly or indirectly from the applicant; and the nature and amount of any assets, services or other consideration therefor received by the applicant.

9. List the names of all directors and officers of the applicant and all persons chosen to become directors or officers and attach a personal history resume for each person named. Indicate all positions and offices with the applicant held by each person named, and the principal occupation during the past five years of each person named.

10. List all parents of the applicant showing the basis of control and as to each parent, the percentage of voting securities owned, or other basis of control by any of its parents.

C. 1. Attach to the application, balance sheets and profit and loss statements for each of the three fiscal years immediately preceding the application, or for the period of organization if less than three years. If the applicant has not completed a full fiscal year since its organization or if it acquires or is to acquire the majority of its assets from a predecessor within the current fiscal year, the financial information shall be given for the current fiscal year. Balance sheets, profit and loss statements, and all other financial statements required herein shall be prepared, audited and certified by independent, certified public accountants in accordance with generally accepted accounting procedures and practices applied on a consistent basis. Any report containing exceptions of a material nature, will not be considered to be certified.

2. State all loans by applicant in excess of 1% of net income and describe fully the name of the borrower, amount of the loan, collateral, and terms.

D. Briefly describe any pending legal proceedings to which the applicant or any of its subsidiaries or parent corporation is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, and the principal parties thereto.

E. State if the applicant, or its directors, officers, policy-making manager or principal stockholders have owned an interest in any firm, partnership, Association, or corporation previously licensed by the Arkansas Racing Commission, or are now engaged in the business of racing outside of the State of Arkansas. Explain.

F. Describe briefly and where practical state the approximate amount of any material interest, direct or indirect, of any officer, director or principal stockholder of the applicant, or any associate of any of the foregoing persons in any material transactions during the last three years, or in any material proposed transactions, to which the applicant was, or is to be a party.

G. State generally the principal purposes for which the net income received by the applicant is intended to be used, (whether it be for payment of dividend, retained earnings for enumerated purposes, or other purposes) and show the approximate percentage of the amount intended for each such purpose.

H. State all contracts by the applicant entered into within the year preceding the date of application, and all executory contracts not otherwise described pursuant to these rules in which the consideration exceeds 1% of net income and describe fully, including the names of the parties to the contract, amount of consideration, and terms.

I. List all direct remuneration paid by the applicant and its subsidiaries, if any, during the applicant's last fiscal year to:

1. each director and officer of the applicant whose aggregate direct remuneration exceeded \$25,000, naming each such person;
2. all directors of the applicant as a group without naming them;
3. all officers of the applicant as a group without naming them;
4. all other persons whose aggregate remuneration exceeds \$25,000, naming each such person. As used in this paragraph, direct remuneration shall include salary, retirement benefits, automobiles furnished, expenses reimbursed, and all other sums paid for the benefit of the officer, director, or other recipient.

J. State whether the applicant, its officers, directors and principal stockholders have complied with and are in compliance with Rule 1210. If not in compliance, explain in full.

## **II. LOCATION AND PHYSICAL PLANT**

- A. State county and municipality of track.
- B. Give actual legal description of a site, names and addresses of the title holders to the real property and names and addresses of all persons holding mortgages or other security interests in the property.
- C. State the number of miles from the nearest population center, and describe briefly the transportation facilities serving that population's center.
- D. Indicate the exact dimensions of any track proposed.
- E. Describe the grandstand size and type construction. Submit at least one copy of architect's plans or renderings showing detail of any proposed construction.
- F. Describe briefly the efforts made to insure the security, safety and comfort of patrons and license holders.
- G. State the availability of fire protection and adequacy of law enforcement and police protection.
- H. Indicate the parking lot capacity and describe the construction and type of parking facilities.
- I. Indicate the number and type of construction of kennels and other areas, indicating capacities and fire prevention facilities for all areas.
- J. Indicate the provisions for facilities for kennel owners, trainers, and other racing personnel.
- K. Describe the arrangements for food and drink concessions, indicating the names and addresses of concessionaires and the terms of the concession contracts. Attach copy of contract.
- L. Describe any concessions, clubs, or other special facilities for patrons.

## **III. RACING OPERATION**

- A. Indicate by actual dates the live racing days requested by the applicant.
- B. Indicate the kind of live racing to be conducted.
  - 1. Indicate the kind of Simulcast and ITW racing to be conducted.

C. Describe the pari-mutuel operation in general and indicate the terms of the pari-mutuel ticket sales.

#### **IV. ECONOMIC AND OTHER ASPECTS OF TRACK LOCATION**

A. Describe briefly climatic conditions prevalent during the proposed racing season.

B. Indicate the population of the local area, and the growth trend. Indicate the potential market, including tourists, transients, and patrons from neighboring areas.

C. Indicate the principal sources of local income, showing the percentage from farming and ranching, industrial, professional and services, and military and other governmental sources.

D. Indicate the effect of competition with other racetracks in and out of the State and with other sports or recreational facilities in the area. State in detail what effect the competition from other racetracks will have on the availability of racing stock and track personnel.

E. Indicate what affect opposition from area residents will have on the economic outlook for the proposed track.

#### **APPLICATION FOR LIVE RACING DATES**

1205. Application for racing dates must be filed by a Franchise Holder at least one hundred twenty (120) days prior to the date upon which it is desired to begin the racing meet. Whenever mutually agreeable to the Commission and the Franchise Holder, the Commission may allot racing dates other than those requested in the application. Immediately following the allotting of any racing dates, and the issuance of a license to hold a racing meet, the Commission shall notify the Franchise Holder of the dates allotted which notice shall be in writing and sent by registered or certified United States Mail to the Franchise Holder, and each such notice and license shall be mailed by the Commission at least ninety (90) days before the date fixed for the beginning of the racing meet.

1206. Every application for a license for dates to conduct greyhound racing shall contain the following:

A. State the name of the applicant.

B. The applicant shall supply the following information: (If the application has a parent corporation, the same information must be submitted both for the parent and the applicant corporation.)

1. On the initial application of a Franchise Holder for racing dates, a certified copy of the articles of incorporation of the applicant must be attached to the application and any applications for racing dates filed subsequent to the initial application and any subsequent amendments to the aforementioned articles of incorporation shall be attached thereto, so that there will be on file at the Commission at all times a current copy of the applicant's articles of incorporation and amendments thereto.

2. State the classes of capital stock authorized, the amount authorized and the amount outstanding as of the date not less than fifteen (15) days prior to the date of filing of the application. State the amount of dividends paid to stockholders during the five (5) years immediately preceding the application.

3. State the name and address of each person who owns, of record or beneficially, more than ten percent (10%) of the shares of any class of capital stock. This can be indicated in columnar form as follows:

- (a) Class of stock
- (b) Type of ownership, whether of record or beneficial.
- (c) Amount owned

4. Describe briefly the terms of any voting trust in which any of the capital stock is held and the name, address, and class of stock for all stock held in said voting trust.

5. Describe briefly the terms of any proxy by which any of the capital stock is held, the holder of the proxy and the name, address, and class of stock held in said voting trust.

6. State whether 5 percent (5%) or more of the applicant's assets is encumbered by any long-term debt. If so, state the names and addresses of parties holding security interests or promissory notes from the applicant where the stock is pledged as security. Copies of such agreements shall be made available for inspection by the Commission on request.

7. Outline briefly the dividend rights, voting rights, liquidation rights, preemptive rights, conversion rights, and redemption provisions. If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

8. List the names of all directors and officers of the applicant and all persons chosen to become directors or officers and attach a personal history resume for each person named. Indicate all positions and offices with the applicant held by each person named, and the principal occupation during the past five years of each person named.

9. List all parents of the applicant showing the basis of control and as to each parent, the percentage of voting securities owned, or other basis of control by any of its parents.

C. 1. The applicant shall furnish to the Commission a copy of its balance sheet and profit and loss statement for the immediate past fiscal year within ninety (90) days after the close of the applicant's fiscal year. Balance sheets, profit and loss statements, and all other financial statements required herein shall be prepared, audited and certified by an independent, certified public accountant in accordance with generally accepted accounting procedures and practices applied on a consistent basis. Any report containing exceptions of a material nature will not be considered to be certified.

2. State all loans by applicant in excess of one per cent (1%) of net income and describe fully the name of the borrower, amount of the loan collateral, and terms.

D. Each year when submitting the annual request for race days, briefly describe any pending legal proceedings to which the applicant or any of its subsidiaries or parent corporations is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted and the principal parties thereto.

E. State if the applicant, or its directors, officers, policy-making manager or principal stockholders have owned an interest in any firm, partnership, Association or corporation previously licensed by the Arkansas Racing Commission, or are now engaged in the business of racing outside of the State of Arkansas. Explain.

F. Describe briefly and where practical state the approximate amount of any material interest, direct or indirect, of any officer, director or principal stockholder of the applicant, or any associate of any of the foregoing persons in any material transactions during the last three years, or in any material proposed transactions, to which the applicant was, or is to be a party.

G. State generally the principal purposes for which the net income received by the applicant is intended to be used, (whether it be for payment of dividend, retained earnings for enumerated purposes, or other purposes) and show the approximate percentage of the amount intended for each such purpose.

H. State all contracts by the applicant entered into within the year preceding the date of application, and all executory contracts not otherwise described pursuant to these rules, in which the consideration exceeds \$50,000.00 and indicate the general type of contract involved and the names and addresses of the parties to the contract. A copy of any such contract shall be made available for inspection by the Commission on request.

I. List all direct remuneration paid by the applicant and its subsidiaries, if any, during the applicant's last fiscal year to:

1. each director and officer of the applicant whose aggregate direct remuneration exceeded \$25,000.00 naming each such person;



2. all directors of the applicant as a group without naming them;
3. all officers of the applicant as a group without naming them;
4. all other persons whose aggregate remuneration exceeds \$25,000.00, naming each such person. As used in this paragraph, direct remuneration shall include salary, retirement benefits, automobiles furnished, expenses reimbursed, and all other sums paid for the benefit of the officer or other recipient.

J. State whether the applicant, its officers, directors and principal stockholders have complied with and are in compliance with Rule 1210. If not in compliance, explain in full.

## **II. RACING OPERATION**

- A. Indicate by actual dates the live racing dates requested by the applicant.
- B. Indicate the kind of live racing to be conducted.
  1. Indicate the kind of Simulcast and ITW races to be conducted.
- C. Describe the pari-mutuel operation in general and indicate in particular the terms of the pari-mutuel ticket sales.
- D. Describe the arrangements for food and drink concessions, indicating the names and addresses of concessionaires and the terms of the concession contracts. A copy of any such Contract shall be made available for inspection by the Commission on request.
- E. Describe any clubs or other special facilities for patrons.

## **III. INFORMATION SUBMITTED AFTER APRIL 1, 1970**

Any information submitted after April 1, 1970, may reference information previously submitted under an application.

1207. In the event that the interest in a racing operation held by an individual proprietorship, partnership or Association, or in the event the control (whether majority or less of the capital stock) of any corporation holding a franchise for racing from the Commission, is to be conveyed, no sale shall take effect until approval is obtained from the Arkansas Racing Commission. The application of the purchaser for the permission and consent of the Commission shall contain, where applicable, the same information as is required to be furnished under Rule 1202.

1208. The reports required by § 23-111-407 of the Arkansas Code shall be submitted under oath.

### **DUTIES AND OBLIGATIONS**

1210.A. No applicant, officer, director, or principal stockholder of the applicant, nor any officer or director of any corporation which is a principal stockholder of the applicant, nor any spouse or lineal heir of any such person, nor any corporation in which the applicant or an officer, director or principal stockholder of the applicant holds stock, shall, directly or indirectly, in the name of or in behalf of the applicant, promise or offer to give or cause or procure to be promised, offered, or given, any money, goods, present or reward, or any promise, contract, undertaking, obligation or security for the payment or delivery of any goods, money, present or reward or any other thing of value whatsoever, to:

1. Any member of the Commission
2. Employees of the Commission
3. Any spouse, lineal heir, or employee of any member of the Commission or any corporation in which any member of the Commission is a principal stockholder, with the intent to influence the action or decision of any such person on any question, matter, cause or proceeding concerning the applicant, which may be pending or which may hereafter in the future be brought before any such person in his official capacity.

B. No officer, director, or principal stockholder of the applicant, nor any officer or director of any corporation which is a principal stockholder of the applicant, nor any spouse or lineal heir of any such person, nor any corporation in which an officer, director or principal stockholder is a principal stockholder shall:

1. Contract the applicant (except for bona fide contracts for salaries for directors and officers actually serving as such or for professional services actually rendered).
2. Provide goods or services, which are ultimately sold to applicant's patrons.

C. Upon application to the Commission, prior to entering into any such contract or doing any such business, or making any such payment or contribution, the provisions of Paragraphs A or B of this Rule may be waived by the Commission, in its discretion, if the proposed contract, or the proposed business, or any proposed payment or contribution, is, under the circumstances, advantageous to the applicant in the conduct of its business of greyhound racing.

D. No license shall be granted to any applicant if the applicant or an officer, director, or principal stockholder of the applicant has been convicted of a felony by any court of record of any state or country.

1211. No applicant shall enter into any contract in which the term exceeds three (3) years or the consideration exceeds five percent (5%) of the net income of the applicant for the year immediately preceding the date of the contract without first submitting advance written notice thereof to the Commission.

1212. Minutes of the meetings of stockholders and directors of the applicant shall be made available to the Commissioners, but copies thereof need not be filed as a matter of record in the office of the Commission.

1213. The original and six (6) copies of all applications, notices, and other matters required by these rules, shall be filed with the Commission, 101 East Capitol Avenue, Suite 114, Little Rock, Arkansas. One (1) additional copy shall be submitted to each Commissioner at his address of record on file in the office of the Commission. All applications, notices, and other matters shall be verified, under oath, and all copies shall be manually signed in ink.

1214. It shall be unlawful for any person, corporation, firm, partnership, or any other entity, to sell or offer for sale, for any consideration, any tax-free pass issued for admission to the racing facility. Any person, corporation, firm, partnership, or other entity, who sells or offers for sale tax-free passes shall, upon conviction, be guilty of a Class B misdemeanor.

1215. Members of the Arkansas State Racing Commission, and its designated representative(s), shall have the right of full and complete entry to all parts of the grounds and mutuels plant of the Franchise Holder licensed to conduct racing in Arkansas.

1216. Each Franchise Holder shall provide and install within its grounds:

- A. Offices for the use of the Commission and all its officials;
- B. Stands for Racing Officials shall be maintained in positions commanding an uninterrupted view of the entire racing strip, which shall be subject to approval of the Commission;
- C. A suitable telephone system between the Racing Officials;
- D. A first aid room in the grandstand.

1217. No person shall in any matter, or at any time, disturb the peace or make himself/herself obnoxious on the grounds of a Franchise Holder.

1218. No Franchise Holder shall permit the making of handbooks on its grounds under penalty of having its license revoked. Any owner, trainer, or other person who bets with or through any such handbook shall be ejected from the grounds and refused

admission to the grounds of all other licensed Franchise Holders in Arkansas, and in the case of an owner or trainer, the entries of said owner and/or trainer shall be refused for all Arkansas Tracks.

1219. No Franchise Holder having a race meeting under a license issued by the Commission shall permit any illegal gambling device of any kind on said grounds.

1220. A. Any licensee who unlawfully solicits bets from the public by correspondence or other methods shall be suspended.

B. Resale of any ticket from one individual to another is prohibited and shall be grounds for ejection.

### **SUSPENSIONS AND RULINGS**

1223. No person or greyhound ruled off, or under suspension by any licensing body in any country, or any greyhound Franchise Holder, shall be admitted to the grounds of any Franchise Holder, once the Franchise Holder has been notified.

1225. When a person is ruled off any track or suspended by any licensing body of any country, or any greyhound Franchise Holder, every greyhound owned in whole or in part by him/her shall be ineligible to be entered or to start in any race until said greyhound has been reinstated either by the rescission of the owner's suspension or by its transfer through bona fide sale to an ownership acceptable to the Board of Judges.

1227. When a person is ruled off any track or suspended by any licensing body of any country, or any greyhound Franchise Holder, any greyhound which is under his/her care, management, training, or superintendence shall not be qualified to be entered or to start in any race until said greyhound has been reinstated by the rescission of said person's suspension or by the placement of the greyhound in the hands of a licensed trainer and the approval of the transfer is granted by the Board of Judges.

1229. When a person is ruled off any track or suspended by any licensing body of any country, or any greyhound Franchise Holder, he/she 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/her own name or in that of any other person until the rescission of that person's suspension.

1231. A greyhound or kennel ruled off or under suspension by any licensing body of any country, or any greyhound Franchise Holder, shall not be permitted to race on any Arkansas track where these rules are in force, during the continuance of such ruling.

1232. During the term of disqualification of any participant in racing, it shall be the duty of the Franchise Holder to see to it that the privilege of the admission badge is revoked, and that person 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 these Rules.

1233. Violators of any Rule will be subject to ejection from the grounds and/or to fine, suspension, or ruling off.

1234. Any time a greyhound is disqualified from a race for any reason, the purse money won by that greyhound shall be redistributed, unless the Commission finds that there are special circumstances justifying the owner or trainer sharing in the purse.

1235. The Board of Judges may fine, suspend, or rule off any person who, in their opinion, has acted to the detriment of racing or violated the Rules.

1237. Each Franchise Holder shall police its grounds at all times in such a manner as to preclude the admission of any person in and around the kennels, excepting those having bona fide business or duly licensed by the Commission.

1238. Each Franchise Holder shall furnish to the Commission the names and addresses of all persons ejected by the Franchise Holder from its grounds, together with the offense or offenses alleged against them and any other material information relating thereto.

1239. The officials of all Race Meetings, in making decisions, shall be guided by the practices and procedures that are recognized and established in the conduct of all properly authorized Race Meetings.

1240. Racing Franchise Holders shall exclude from the paddock, in the interest of public safety, all those persons who have no immediate business with the entries, except the members of the Commission, its staff and special representatives, and those having special permission from the Franchise Holder.

### **MUTUEL SUMMARY SHEETS**

1245. The Director of Mutuels shall furnish the auditor who represents the Commission with a copy of all “summary sheets” of the mutuels as soon as practicable after each race. The mutuels work sheets will be kept on file if needed.

1247. All daily programs sold at a racetrack must have one page containing the following:

**NOTICE**

This racetrack is licensed for the year \_\_\_\_ by the Arkansas State Racing Commission and operates under its regulations.

**ARKANSAS STATE RACING COMMISSION**

\_\_\_\_\_, Chairman  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_, Manager

Officers and Directors of the Association:

\_\_\_\_\_  
\_\_\_\_\_

Racing Officials for the Meeting:

\_\_\_\_\_  
\_\_\_\_\_

1248. All daily programs sold at the racetrack, whether for live races or ITW races, must contain a prominent notice that there is an information window and/or complaint window or windows where complaints may be made or filed in writing — and the exact locations of these windows must be set forth in said notice.

1249. A. Franchise Holder shall maintain in good service a satisfactory Totalisator.

1251. The Commission may require a Franchise Holder to install and maintain in good service a photographic device, and where installed it shall be required that all finishes be recorded by the said photographic device; provided, however, in the event of any mechanical difficulty or insufficient light for a picture to be taken, the Presiding Judge and the Commission Judge shall decide the order of finish, whose decision is final.

1252. When finishes are so recorded each entry in each race shall wear a blanket number of adequate size on the side which at the finish will be toward the camera, corresponding to entrant’s number on the official program.

**PURSE DISTRIBUTION**

1254. All portions of purse money shall be paid to the winners thereof within seven (7) days following their winning, except where required otherwise elsewhere in these Rules.

1256. No percentage of purse winnings shall be deducted by a Franchise Holder 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 a Franchise Holder may withhold from winnings any money due it.

1257. Winning tickets must be redeemed within one hundred eighty (180) days following the last race day of each race meet. The Franchise Holder shall publish in the racing program a notice to patrons advising them of this rule and listing the specific dates when each of the two race meets end.

1258. No person shall be allowed to wager in violation of any Law of the State of Arkansas.

### **CORRUPT, FRAUDULENT AND PROHIBITED PRACTICES**

1300. No employee of the Arkansas State Racing Commission, including but not limited to Stewards, Judges, Supervisors, Auditors, Investigators, Inspectors, Racing Commission Office Manager, Veterinarians, Secretaries, Bookkeepers, Gatemen, and their assistants shall, nor shall any person acting in the capacity of a Racing Official or an assistant Racing Official, wager money or anything of value on races at the track at which they are employed or acting during the time they are employed.

A. As a condition for employment by the Arkansas State Racing Commission or employment by the Franchise Holder, each employee must sign an acknowledgment that he/she has been given a copy of the prohibited practices.

1301. No one interested in the results of a race, either because of ownership of any entry or of his sire or dam, or because of bets or otherwise, shall act as a Racing Official in respect to that race.

1303. No director, officer, or employee of the Franchise Holder and no person acting in the capacity of a Racing Official or an assistant Racing Official or the spouse of any such person shall at or in connection with the meeting conducted by the Franchise Holder:

A. Enter or cause to be entered or to be run at the meeting, either directly or indirectly, any greyhound in which they have any financial interest.

B. Accept, directly or indirectly, any gratuity, reward, or favor in connection with any race.

C. Sell or buy any greyhound for themselves or another, either directly or indirectly.

D. Write or solicit greyhound insurance at the meeting.

E. Solicit for or bet from a bookmaker on the grounds of the Franchise Holder.

1305. Any person subject to these rules shall report to the Board of Judges all observed violations of the Rules.

1306. No person shall enter, or cause to be entered, or start an entry which they know or believe to be ineligible or disqualified.

1307. If a person wrongfully gives or offers money, shares in a bet, or other benefit to any person having official duties in relation to a race, or if a person having official duties in relation to a race wrongfully accepts or offers to accept money, shares in a bet, or other benefit; or if any person fraudulently offers or receives any amount of money for declaring any entry out of a purse or stake, then any such person shall be ruled off all Arkansas tracks by the Commission.

1313. No transfer of any greyhound shall be made for the purpose of avoiding ineligibility or disqualification.

1316. No person shall tamper or attempt to tamper with any greyhound in such a way as to affect its speed in a race, nor shall they counsel or in any way aid or abet any such tampering.

1319. No electrical or mechanical device or other expedient designed to increase or decrease the speed of a greyhound, or that would tend to do so, shall be possessed by anyone or applied by anyone to a greyhound at any time on the grounds of a Franchise Holder during a meeting whether in a race or otherwise.

1320. No person shall administer, or permit to be administered in any manner whatsoever, internally or externally, to any entry entered or which may be entered in a race, any stimulant, depressant, hypnotic or narcotic drug, of any kind or description not specifically permitted by these rules.

1324. Except for lawful administration of medication, no person shall have in his possession within the confines of a racetrack or within its buildings, sheds or grounds, either inside or outside the track area of a Franchise Holder, any drugs or stimulants, hypodermic syringes or hypodermic needles or similar instruments which may be used for injections.

1326. Except for lawful administration of medication, no person shall administer, or permit to be administered, any drug in any manner whatsoever, internally or externally, to any greyhound entered or to be entered in a race, prior to the race.

1328. Any trainer who injects, gives, uses, or administers any drug or medicines of any kind whatsoever, or who authorizes, allows or permits any other person to give, inject, or administer any drug of any kind whatsoever to a greyhound prior to the running



of a greyhound in a race, must give notice to the Board of Judges and the Commission Veterinarian of the use, injection, or administering of said drugs or medicines prior to the running of said race. Any trainer failing to give such notice may be subject to a fine, suspension, and/or license revocation.

1330. Any person who shall be adjudged guilty of any participation in or knowledge of the administration of any drug to any entry in a race or otherwise unlawfully tampering with greyhounds for the purpose of increasing or retarding the speed of such greyhound shall for the first and second offenses be punished to such extent as the Board of Judges rule, and for the third offense may be thereafter ruled off and denied a license for life. The maximum fine the Board of Judges can give is one thousand dollars (\$1,000) with a suspension for the duration of the meet plus thirty (30) days.

Substances checked by the laboratory from samples collected from the greyhounds fall into five different classifications as reported by the Association of Racing Commissioner's International. Subsequent positives within the time of the Commission Veterinarian's first report, if for the same substance, may be viewed the same as the first violation; depending on the results of the investigation. Subsequent positives, not within the time of the Commission Veterinarian's first report, will result in an increase of the fine and/or suspension. The five drug classifications and the minimum fine the Board of Judges shall impose for a first violation are:

A. **Class 1.** Stimulant and depressant drugs which have the highest potential to affect performance and which have no generally accepted medical use in the racing industry. Many of these agents are DEA schedule II substances.

MINIMUM Fine: \$1,000  
MAXIMUM Suspension: Duration of meet, plus 30 days  
Redistribution of Purse

B. **Class 2.** Drugs which have a high potential to affect performance, but less of a potential than **Class 1**. These drugs are (1) not generally accepted as therapeutic agents in the racing industry, or (2) they are therapeutic agents that have a high potential for abuse.

MINIMUM Fine: \$500  
MINIMUM Suspension of 30 days  
Redistribution of Purse

C. **Class 3.** Drugs which may or may not have generally accepted medical use in the racing industry, but the pharmacology of which suggest less potential to affect performance than drugs in **Class 2**.

MINIMUM Fine: \$200  
Suspension of 0 — 10 days

Redistribution of Purse

D. **Class 4.** Includes therapeutic medications which should have less potential to alter performance than those in **Class 3**.

MINIMUM FINE: \$50  
Possible Redistribution of Purse

E. **Class 5.** Includes those therapeutic medications for which concentration limits have been established by the racing jurisdictions as well as certain miscellaneous agents and other medications as determined by the regulatory body.

MINIMUM Fine: \$25  
Possible Redistribution of Purse

A copy of the Association of Racing Commissioner's International Drug Classification is contained in Volume II of the rules and is available in the State Veterinarian's Office and the Commission Office.

If said purse is paid before the disqualification, then the proper owner entitled to said purse may recover from those who had received such purse. In the event that a greyhound establishes a track record in a race and it later develops that the chemical analysis of any sample taken from such greyhound indicates the presence of a narcotic, stimulant, depressant, or local anesthetic, then such track record shall be null and void.

1331 .Any trainer, attendant, owner, or other person having on their past record three or more convictions of unlawfully administering any drug for the purpose of increasing or retarding the speed of such greyhound in Arkansas, or any state, may be denied a license in Arkansas.

1333. TRAINERS SHALL BE RESPONSIBLE FOR AND BE THE ABSOLUTE INSURER OF THE CONDITION OF AN ENTRY THEY ENTER REGARDLESS OF THE ACTS OF THIRD PARTIES. SHOULD THE CHEMICAL OR OTHER ANALYSIS OF SALIVA, URINE, OR BLOOD SPECIMENS PROVE POSITIVE, SHOWING THE PRESENCE OF ANY NARCOTIC, STIMULANT, DEPRESSANT, CHEMICAL OR DRUG OF ANY KIND OR DESCRIPTION, THE TRAINER MAY, IN THE DISCRETION OF THE BOARD OF JUDGES, SUBJECT TO APPEAL TO THE COMMISSION, BE FINED, SUSPENDED AND/OR RULED OFF THE TRACK. IN ADDITION, ANY OTHER PERSON SHOWN TO HAVE HAD THE CARE OR ATTENDANCE OF THE ENTRY SHALL NOT PARTICIPATE IN THE PURSE DISTRIBUTION.

1334. Any person who has been convicted by any court, having criminal jurisdiction, of the possession or use of narcotics may be denied a license, or be ruled off.

1335. At the beginning of each racing season, the Commission may employ a Chemist for the purpose of making a chemical analysis of saliva or other excretions or body fluids to be taken by the Commission Veterinarian from any entry running on any track operating under a franchise from the Commission.

1337. If, before or after a race, a sample of saliva; or other excretions or body fluids, is to be taken by the Commission Veterinarian from a greyhound which will compete or has competed in a race, nothing shall be administered or given in any manner whatsoever to the said greyhound until the Commission Veterinarian obtains the sample.

1338. Every owner, or his/her authorized agent, or trainer of any entry shall immediately upon request by the Commission submit any entry of which he/she is the owner, or authorized agent, or trainer to any Veterinarian designated by the Commission for such examination or tests as may be deemed advisable. The Commission Veterinarian may detain an entry as long as is deemed necessary in order to obtain a specimen.

1339. During the taking of the samples by the Commission Veterinarian, the trainer or kennel representative in each instance may be present and witness the procedure. If, for any reason, the trainer or kennel representative chooses not to be present, they must first advise the Commission Veterinarian of the names of those persons who may act as their witness when the sample is taken. A kennel may name a maximum of 5 persons as witnesses.

1340. The sample so taken shall be immediately sealed in a container, and evidence of such sealing must be noted thereon by the signature of the Commission Veterinarian or Commission Veterinary Assistant.

1341. Upon such sealing of the container containing the specimen, the container shall be encased and deposited in a large size carrying case all of which shall be stored and kept while at the racetrack, provided further that any such carrying case shall be properly locked with an individual lock, the keys to which shall only be in possession of the Commission Veterinarian or a designated assistant.

A. The *Standard Operating Procedures of Sample Collection, Identification, and Labeling* is available at the Commission Veterinarian's Office and the Commission Office.

1342. The Franchise Holder shall make provision for suitable space with a door equipped with proper locks and keys where such specimens can be stored by the Commission Veterinarian. The Commission Veterinarian shall be in control and custody of all specimens until such time as they are picked up at the Track for delivery to the Chemist.

1343. The Commission Office and Commission Chemist shall each keep, in addition to the record placed on the containers containing the specimen, separate individual records showing date, race, entry, name of owner, trainer and witness.

1344. Every Franchise Holder and all 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 State of Arkansas, or any local authority, who may be investigating or prosecuting any such person they may suspect of being guilty of possessing any drug, hypodermic needles, batteries, or other similar appliances.

1348. If any licensee uses profane or indecent language to officials and/or Commission employees, or otherwise disturbs the peace on any track enclosure, they shall be liable for a fine, suspension, and/or shall be ruled off.

1350. The Board of Judges may fine, suspend, and/or rule off any person who in their opinion has acted to the detriment of racing or violated any of the Rules of the Commission.

1351. Should any licensee of the Commission incur expenses while racing at any licensed track and wrongfully refuses to pay the same when due and payable, or within a reasonable time after demand, such licensee shall be deemed guilty of conduct detrimental to the best interest of racing, and for such reason may be suspended until proper restitution is made.

1352. Employees or patrons who are careless of the safety of themselves and others, negligent, insubordinate, dishonest, immoral, quarrelsome or otherwise vicious, or who do not conduct themselves in such manner and handle their personal matters while on the premises of any licensed track in such a way that the Franchise Holder or Commission will not be subject to criticism or loss of good will, will be prohibited or removed from the premises of any track and denied wagering privileges.

1358. Complaints against an official or officials shall be made to the Board of Judges in writing, signed by the complainant(s). Complaints charging any infraction of any law of the State of Arkansas or rule of the Commission may be made by any person. All such complaints shall be reported to the Commission, together with the action taken on them by the Board of Judges.

1359. The Board of Judges shall take notice of corrupt and fraudulent practices and any other infraction of the Rules and Regulations of the Commission. The Board of Judges shall exclude from all places under their control persons who are ruled off. The Board of Judges may also exclude any person declared guilty of any corrupt or fraudulent practices by greyhound racing authorities of any other state or country. The Board of Judges may suspend for no greater period than the duration of the meeting plus 30 days, anyone whom they have authority to supervise, and/or they may impose a fine not

exceeding \$1,000. The Board of Judges may also suspend any person declared guilty of any corrupt or fraudulent practice by greyhound racing authorities of any other state or country. All such suspensions and fines must be paid to the Commission. If the punishment so imposed is not in the opinion of the Board of Judges sufficient, they shall so report to the Commission. The Board of Judges shall, each day, make a report in writing to the Commission of all infractions of the Rules and of all Rulings coming before them during the meeting.

1360. When any licensee or greyhound is suspended by the Board of Judges, such suspension shall immediately become effective on all other tracks under the jurisdiction of the Commission until such time as the case in question is decided upon by the Commission. The license of anyone ruled off of any Arkansas track for fraud or fraudulent practices, or for violation of any of the rules of racing of the Commission, shall thereby be revoked. When a person is ruled off for any fraudulent practice in relation to a particular greyhound wholly or partly belonging to him/her, he/she shall return all money or prizes which such greyhound has fraudulently won. Fines must be paid within three (3) live racing days upon receipt of the Board of Judges ruling. Delinquents may be suspended. All moneys imposed as fines, except such fines as may be imposed on Franchise Holders, shall be collected by on-site representatives of the Commission. An unpaid fine may not be rescinded by the Board of Judges except with the approval of the Commission.

1361. No Racing Official other than the Board of Judges shall have the right to impose a fine or suspension.

### **APPEALS TO COMMISSION**

1362. Any person, firm, Association, or corporation penalized or disciplined under the Law, or under these Rules, or who is otherwise aggrieved by any action, proceeding, or decision of a Racing Official or Franchise Holder licensed by the Commission may appeal to the Commission for a review of such action, proceeding, or decision by requesting a hearing before the Commission, which may take whatever action it deems appropriate.

1363. Appeals to the Commission must be filed in writing at the office of the Commission within three days after the date of said action, proceeding, or imposition of said discipline or penalty.

1364. Appeals to the Commission shall be signed by the person making it and must set forth his/her reasons for believing he/she is entitled to a hearing.

1365. All papers filed with the Commission shall be the property of the Commission.

1366. An appeal from any action, proceeding or decision of a Racing Official or Franchise Holder shall not serve to stay or otherwise affect such action, proceeding until

the appeal has been acted upon by the Commission unless otherwise ordered by the Commission or by a Court of competent jurisdiction.

A. An appeal from any action, proceeding or decision of a Racing Official or Franchise Holder, hearings on misconduct of owners or trainers, applications for franchises, licenses or date to conduct racing meets, and similar matters shall be heard by the Commission at an informal hearing on not less than twenty-four (24) hours notice, minutes of said hearings shall be kept by the Commission, which minutes need not be verbatim.

B. All other hearings conducted by the Commission shall be formal hearings and governed by the following practices and procedures.

1. **Pleadings.** Pleadings before the Commission shall be by application or complaint, answer, motion and reply. All pleadings shall be typewritten and, unless otherwise required by law, filed in duplicate with one additional copy mailed to each member of the Commission at his address of record.

2. **Transcript.** The proceedings shall be reported and transcribed by a qualified court reporter. However, a transcript of the proceedings shall be made at the expense of the Commission only if directed by the Chairman or any two Commission members. Minutes of the proceedings shall be maintained by the Commission, which minutes need not be verbatim.

3. **Notice.** Except as otherwise provided by law, not less than twenty-four (24) hours notice of the proceedings shall be served upon the applicant, all other parties, and such persons that have requested notice of the proceedings in writing, which request shall be directed to the Chairman of the Commission.

C. Formal and informal hearings shall be governed by the following practices and procedures:

1. **Attorneys.** Any person or party affected by the proceedings shall be entitled to represent themselves or be represented by an attorney at law to be retained at their expense; provided, however, the Chairman may prohibit an attorney from practicing before the Commission on a showing that such attorney has personally engaged in conduct in violation of the laws of the State of Arkansas pertaining to greyhound racing or rules of the Commission.

2. **Service of Complaint and Notice.** Service of all notices and complaints shall be accomplished by sending such person, or his/her agent for service, the complaint or notice by certified or registered United States mail addressed to the recipient with return receipt requested, or by service by an officer authorized to serve process. A proof of service shall be filed with the Commission.

3. **Depositions.** Upon application to the Chairman, the Chairman may cause depositions of witnesses to be taken in such manner as they may direct.

4. **Public Hearings.** All hearings before the Commission shall be open to the public.

5. **Subpoena.** Any party to a hearing before this Commission, including an applicant, may on written or oral motion to the Chairman and the Commission, its attorney or any Commissioner, request the issuance of a subpoena, both *ad testificandum* and *duces tecum*, for any witness to appear before the Commission. Upon receiving the request, the Chairman shall issue the requested subpoena directed to the Sheriff of the County of the witness's residence or any other officer authorized by law to serve process, requiring him to summon the person named therein to attend at a particular time and place to testify as a witness. It may, when the Chairman so directs, require the witness to bring with him any book, writing paper, document, tape, record, or other thing under their control. The subpoena shall be served and the return made, both as in the manner now or hereinafter provided bylaw for the Circuit Court of this state. Any witness subpoenaed shall attend and give evidence until the matter before the Commission is decided or such witness is discharged by the Chairman. The failure to appear and be sworn shall be punished as provided by law.

In any case not provided for by this rule with regard to the issuance of subpoenas, the law of Arkansas with regard to subpoenas issued by the Circuit Courts of this state shall apply.

6. **Conduct of Hearing.** The Chairman shall have the power to preserve and enforce order during any proceeding before the Commission, to administer oaths, to rule upon all questions arising during the course of the hearing, to hold conferences before and during the hearing for the settlement or simplification of issues, to make or recommend decisions, to compel the attendance and testimony of witnesses, to require the production of books, papers, documents and other evidence and generally to regulate and guide the course of the pending proceeding. In the absence of the Chairman, a majority of the remaining members of the Commission may select one of their number to act as Chairman and the acting Chairman shall thereupon be authorized to discharge the duties of Chairman. Except as otherwise provided by law for the conduct of hearings by the Arkansas Racing Commission, the hearings shall be conducted as prescribed for adjudication and rule-making under the Arkansas Administrative Procedures Act.

7. **Appearance.** Unless incapacitated, a person placing a claim or defending a privilege before the Commission shall appear in person and may not be excused from answering questions directed by the Commission or its attorney and supplying information thereto.

8. **Consolidation of Issues.** Hearing involving several applicants or complaints having a common issue may be joined and heard together at the discretion of the Commission.

9. **Action by Commission.** All orders, findings of fact, rulings, and other formal action taken by the Commission during the course of a hearing, or at the conclusion thereof, shall be in writing and a copy furnished to all parties and persons that have requested notice pursuant to (b) (3) above. Any member of the Commission may submit a minority or supplemental report or dissent. Orders of the Commission and all pleadings and applications shall be maintained on permanent file by the Commission for public inspection.

10. **Costs.** The Commission may tax appropriate costs to any person or party.

D. Any person or party shall, upon written application to the Commission be entitled to a formal hearing upon posting a bond for costs thereof. The provisions of this Rule are severable.

## **COMMISSION VETERINARIAN POWERS AND DUTIES**

1375. The Commission shall appoint and employ a Commission Veterinarian to serve at each track during the race meeting. The Commission Veterinarian shall be a veterinarian licensed to practice under the laws of Arkansas and be in good standing. The Veterinarian, and/or the Veterinarian's assistant, shall be on the grounds at pre post weighing-in time and during all racing hours.

1376. The Commission Veterinarian, or the assistants, shall obtain saliva, other excretions, or body fluids from such greyhounds as are designated by the Presiding Judge, or the Commission Judge; and make such examinations and tests as from time to time may be required by the said Racing Officials and Racing Commission.

1377. It shall be the duty of the Commission Veterinarian to make the final examination and inspection of all greyhounds during the time they are in the show paddock before they leave for the track. If any entrant is not in condition to compete in that race, the Presiding Judge shall be immediately notified by the Veterinarian if possible.

1378. Bitches in season are not permitted to be entered for racing.

1379. The Commission Veterinarian shall have the authority to conduct kennel inspections at any time, of any and all kennel buildings in the kennel compound.

1380.A. The Arkansas Racing Commission Veterinarian and veterinary assistants are prohibited, except in emergency situations, from practicing veterinary medicine on



on any greyhound owned, leased, or otherwise controlled by a licensed owner or trainer on the grounds of the Franchise Holder. This prohibition applies to all greyhounds, whether they are housed on the track or elsewhere.

1381. Any greyhound coming upon the grounds of Southland Greyhound Park shall be inoculated once a year for Distemper, Adenovirus (Hepatitis), Leptospirosis, Para-Influenza, Parvo, Bordetella bronchiseptica and Rabies. Upon request by the Commission, the Board of Judges, or any official of Southland Greyhound Park, trainer or owner of any greyhound shall produce proof that his or her greyhounds have been inoculated in compliance with this rule.

A. The Commission Veterinarian may at his or her sole discretion, declare a quarantine in effect for any or all greyhounds on the grounds of the franchise holder. The Veterinarian shall have the sole power to set the terms of the quarantine, and no greyhound shall be released from the quarantine without the express permission of the Veterinarian. Any person violating the terms of a quarantine may be fined, suspended or ruled off the grounds of the franchise holder.

B. The Arkansas Racing Commission Veterinarian may, in an emergency situation, perform humane euthanasia on a greyhound, IF the registered owner of said greyhound has a signed authorization form on file with the Commission.

## **RULES FOR GREYHOUND RACING PERSONNEL**

3000. The officials of a greyhound race meeting are the Director of Racing, Racing Secretary, Presiding Judge, Paddock Judge, Patrol Judge, Clerk of Scales, Official Starter, and Lure Operator. All officials herein designated shall be appointed by the Franchise Holder holding the meeting, all the appointments, including the Judges, 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.

A. Franchise Holders are hereby directed to submit to the Commission the names of such officials not less than thirty (30) days prior to the first day of the meeting.

B. A Commission Judge for each race meeting shall be named by the Commission. The Commission Judge shall supervise the conduct of the Racing Officials and the acts to which their authority extends. Any infraction or violation of the rules of greyhound racing adopted by the Commission or of the racing law shall immediately be reported by the Commission Judge to the Commission. The Judge shall be present for all races and attend official schooling races.

C. No more than two (2) Judges shall be appointed by the Racing Commission to serve as State Judge during the entire meet and he/she must be present for all races and attend schooling races.

## VACANCIES AMONG OFFICIALS

3001. When a vacancy occurs among the officials and the Franchise Holder has not notified the Director of Racing prior to the time fixed for the first race that it has been filled, the Director of Racing shall immediately fill such vacancy and their appointment or appointments shall be subject only to the confirmation of the Commission. Should the vacancy occur after the racing for the day has started, the Director of Racing shall at once fill the vacancy, the appointment standing for the day only, unless the Franchise Holder should fail to fill the vacancy on the following day, and notify the Director of Racing of their action one hour before the time fixed for the first race.

## BOARD OF JUDGES

3005. The Board of Judges shall have general supervision over owners, trainers, grooms, and other persons attendant on greyhounds, and also over all the other Racing Officials of the Meeting.

3006. During each race day the Presiding Judge and the Commission Judge of the meeting shall be at the office building on the grounds of the Franchise Holder where the race meeting is being held not later than one-half hour before weighing-in time to exercise the authority and perform the duties imposed on them by the rules of racing.

3007. The Presiding Judge, with the approval of the Commission Judge, shall decide which greyhound wins and assign the respective order of finish in the race.

3008. When the Presiding Judge or Commission Judge considers it advisable to request a picture from the finish camera to assist in determining the position of the greyhounds finishing in the race, he/she shall not, until he/she has consulted the picture, post on the tote board any number or numbers of winning, place, or show greyhounds. Provided that if he/she has declared a greyhound the winner and requests a photograph to determine the greyhound finishing second in the race, the number of the winning greyhound may be shown on the board. In like manner, if the Presiding Judge or Commission Judge has declared the first and second greyhounds in a race and requests a photograph to determine the third greyhound in the race, he/she may show the numbers of the first and second greyhounds on the board. In no case shall the race be declared official until the Presiding Judge and Commission Judge have determined the greyhounds finishing first, second, and third.

3009. The Presiding Judge and Commission Judge 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 to substantiate the charge, if complainant is a licensee, he/she may be liable for a fine, suspension, or both.

3010. The Board of Judges shall interpret the rules and decide all questions not specifically covered by the rules.

3011. Should any incident occur which may not be covered by the rules of racing, it shall be determined by the Board of Judges in conformity with justice and in the best interest of racing.

3012. All decisions and/or rulings within the Board of Judges' authority shall be determined by a majority of the Judges, subject to the review of the Commission.

3013. The Commission Judge and/or Presiding Judge present at weigh-in may scratch a greyhound, and in addition, at the discretion of the Board of Judges, the kennel owner and/or trainer may be fined or suspended if:

- A. A greyhound is in violation of the rules applicable to greyhound weight or weighing;
- B. A greyhound is not present at the weigh-in room promptly at the appointed time; or
- C. A greyhound is in violation of any rule of racing.

3014. A greyhound may be excused by the Presiding Judge in case of an accident or casualty before being placed in the starting box, but only in cases where such greyhound is deemed to be unfit to run. In such cases, a refund of all wagers on such greyhounds shall be made.

3015. Nothing in these rules shall prevent the Board of Judges from correcting an error before the display of the sign "Official" or from recalling the sign "Official" displayed through error.

3016. The Laws of Arkansas and the Rules of Racing supersede the conditions of a race, or the regulations of a race meeting, and in matters pertaining to racing. The orders of the Board of Judges supersede the orders of all other Racing Officials and the officials of the Franchise Holder conducting the meeting.

## **DIRECTOR OF RACING**

3020. All questions pertaining directly to racing, arising during the period of the meeting, shall be determined by the Director of Racing, but should he/she fail to reach a decision in twenty-four (24) hours, the case shall be reported to the Board of Judges. If the Judges fail to reach a decision, the case shall be presented to the Racing Commission for such action as it deems proper to take.

3021. Persons entering greyhounds to run on licensed Arkansas tracks agree in so doing to accept the decision of the Director of Racing on any questions relating to a race or to racing.

3022. The Director of Racing shall have control over and free access to all stands, weighing rooms, enclosures, and other places in use for the purpose of racing.

3024. The Director of Racing has power at any time to order an examination by such person or persons as he/she thinks fit, or any greyhound entered for a race, or which has run in a race.

### **RACING SECRETARY**

3030. The Racing Secretary shall discharge all duties whether expressed or required by the Racing Rules and report to the Director of Racing, as the case may demand, all violations of these rules, or of the regulations of the track, coming under his/her notice; he/she shall keep a complete record of all races; and, he/she shall receive all stakes, entrance money, arrears and forfeitures, and pay over all monies so collected to such officers or persons as may be entitled to receive the same.

3031. The Racing Secretary shall inspect owner's and trainer's licenses and all papers and documents dealing with trainers, owners, partnership agreements, appointment of authorized agents, adoption of assumed names (kennel names); and may demand production of same in order to satisfy himself/herself as to their validity and authenticity and that the rules of the Commission in regard thereto are in compliance. Such papers shall be available to the Commission Judge at all times.

3032. Conditions of races shall not conflict with these racing rules.

3033. The Racing Secretary shall each day, as soon as the entries have closed and been compiled and the declarations have been made, post in a conspicuous place a list thereof. Any newspaper desiring the same shall also be furnished a copy.

3034. All entries and declarations are under the supervision of the Racing Secretary and he/she may, without notice, refuse the entries of any person or the transfer of any entries.

3035. The Racing Secretary has power to call for proof that a greyhound is neither itself disqualified in any respect, nor nominated by, nor the property, wholly or in part, of a disqualified person, and in default of such proof being given to his/her satisfaction, he/she may declare the greyhound disqualified.

3036. Racing Franchise Holders shall make prompt written acknowledgment of stakes nominations and subscriptions to the Racing Secretary.

## **PADDOCK JUDGE**

3040. The Paddock Judge 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 greyhounds' consumption; to see that the kennels are sprayed, disinfected, and kept in a proper sanitary condition; to receive the greyhounds, one at a time, and see that the greyhounds are placed in their proper kennels; and, continue to ensure the security of the lock-out area from weigh-in time until the time when greyhounds are removed for the last race of a performance, all under the supervision of the Commission Veterinarian and the Racing Secretary.

3041. No greyhound shall be permitted to start in a schooling or purse race that has not been fully identified and checked against the Bertillion card index system of identification maintained by each Franchise Holder. This card shall include ear tattoo numbers. The identification cards shall be filled in and completed by the Paddock Judge before greyhounds are entered for schooling. No medicine, antiseptic, fluid or any mailer containing any color causing the marring of identification marks shall be used on any part of a greyhound.

## **CLERK OF SCALES**

3046. The Clerk of Scales shall weigh greyhounds in and out and shall exhibit the accurate weights of each greyhound on the weight board and such scale shall be regulated by some duly authorized state official. The established racing weight, pre post weight, and the track weight must be promptly posted or announced for the information of the public.

A. The Clerk of Scales shall record and publish as soon as the weights are exhibited any overweight or underweight from the established racing weight appearing on the weight sheet.

B. The Clerk of Scales shall promptly report to the Presiding Judge any infraction of the rules as to weight or weighing.

## **OFFICIAL STARTER**

3050. The Official Starter shall give such orders and take all measures, not in conflict with the Rules of Racing, as are necessary to secure a fair start.

3051. The greyhounds shall be started from the type of starting device approved by the Commission.

3052. Causes of delays, if any should occur, shall be reported by the Official Starter to the Presiding Judge.

3053. After a greyhound has been placed in the starting box no refund shall be made and all wagers stand. In the event of a mechanical failure to the starting box which prevents one or more, but not all, greyhounds from starting, a full and complete refund shall be made on the greyhound(s) prevented from starting. In the event of a mechanical failure to the starting box which prevents all greyhounds from starting, a full and complete refund shall be made on said greyhounds unless said greyhounds start in the next race run that day. The decision as to whether a greyhound or greyhounds were prevented from starting by a mechanical failure shall be made by the Presiding Judge after consultation with the Official Starter.

### **PATROL JUDGE**

3060. The Patrol Judge must be fully trained in the duties and procedures of the position. The Patrol Judge shall:

- A. Supervise the lead-outs from paddock to post.
- B. Inspect the muzzles and blankets of the greyhounds in view of the Judges.
- C. Assist the Official Starter in his/her duties upon the arrival of the lead-outs and greyhounds at the starting box.

### **LURE OPERATOR**

3065. The Lure Operator shall:

- A. Operate the lure in a smooth, uniform and consistent manner so as not to impede or otherwise disrupt the running of the race.
- B. Ensure the distance between the lure and lead greyhound is consistent with the distance prescribed by the Judges.
- C. Be held accountable by the Judges for the lure's operation.

3066. The location on the course and the prevailing weather conditions shall be taken into consideration by the Lure Operator when calculating the appropriate distance of the lure from the lead greyhound.

3067. The lure operator shall determine that the lure is in good operating condition and shall immediately report any circumstance that may prevent the normal, consistent operation of the lure to the Judges.

## **KENNEL MASTER**

3068. The Kennel Master or his/her designee must receive the greyhounds from the trainer, one at a time, and ensure that each greyhound is placed in its lock-out crate and continue to ensure the security of the lock-out area from weigh-in time until the time when greyhounds are removed for the last race of a performance.

## **LEAD-OUTS**

3070. Kennel owners, trainers, or their representatives will not be allowed to lead their greyhounds from the paddock to the post. The greyhounds shall be led from the paddock to the starting post by the Lead-Outs provided by each Franchise Holder for that purpose. 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 Franchise Holder. The Lead-Out must put the greyhound in its proper box before each race and then retire to the assigned place. No Lead-Out will be permitted to have any ownership interest in any greyhound racing for said Franchise Holder. Lead-Outs shall be assigned to post position by the Paddock Judge by lot.

3071. Lead-Outs are prohibited from holding any conversation with the public or with one another, either in the paddock, enroute to the starting box, or while returning to the paddock.

## **OWNERS, TRAINERS, AND AUTHORIZED AGENTS**

3080. Owners, authorized agents, and trainers will be expected to retire greyhounds off form, or in poor condition. Failure to do so will bring the suspension of said greyhounds for a period to be decided by the Presiding Judge.

3081. Owners, authorized agents, and trainers who make frivolous complaints may be liable for a fine, suspension, and/or ruled off.

3082. Any person who applies for a Trainer's License must pay the applicable fee, secure a license from the Commission and sufficiently pass qualifications as mandated in Rules 3094 and 3095. Only one trainer license may be issued to a single kennel operation and will be known as the "trainer of record." Any trainer license holder shall be required to notify the Board of Judges or the Director of Racing when they will be absent from the grounds for more than 48 hours and will designate in writing another licensee who holds an active assistant trainer license who will be responsible for any infraction of the Rules and Regulations.

3083. Any person who applies for an Assistant Trainer's License must pay the applicable fee, secure a license from the Commission and sufficiently pass qualifications as mandated in Rules 3094 and 3095. Any holder of an "Assistant Trainer's" license, if

so designated in writing by a kennel's trainer of record, may temporarily be responsible for any infraction of the Rules and Regulations during a Trainer's absence for up to 14 consecutive calendar days. The Board of Judges may extend that period for up to an additional 14 consecutive days in the event of an emergency situation if it is in the best interest of greyhound racing.

3084. Any person who applies for a "Kennel Helper" license must pay the applicable fee and secure a license from the Commission. A person holding a "Kennel Helper" license is not authorized to weigh-in greyhounds prior to official races, without being accompanied by a licensed Assistant Trainer or Trainer that works for the same kennel operation. A "Kennel Helper" may not act as an agent or authorized representative for a kennel or otherwise make decisions regarding the active career of any greyhound on the grounds of the Franchise Holder.

### **LICENSES, REGISTRATIONS, AND FEES FOR PARTICIPANTS IN RACING**

3090. All owners and/or trainers, agents, handlers, attendants, employees of a kennel or Franchise Holder, and all other persons, firms, Associations, or corporations patronizing or participating in a racing meeting are subject to the Laws of the State of Arkansas and the Rules and Regulations promulgated by the Commission, and all such persons, firms, Associations, or corporations shall abide by said Laws and the Rules of the Commission. Further, said persons, firms, Associations, or corporations shall accept and abide by the decisions of the Racing Officials on any and all questions to which their authority extends.

3091. All applications for licenses and registrations to participate in racing shall be made to the Commission on forms supplied by it.

3092. The appropriate fee shall accompany each application for a license or registration, and such license shall expire on December 31 of the license period.

3093. No application for a license shall be approved, and no license will be issued, by the Commission unless satisfactory evidence is first presented that the applicant will participate in the Meeting for which the license is sought.

3094. All applications for owner's and trainer's licenses must be approved by the Director of Racing before any action on the application will be taken by the Commission. Before approving any application for a license, it shall be the duty of the Director of Racing to ascertain whether the applicant is qualified for the license.

3095. In considering each application for a license, the Director of Racing or the authorized representatives of the Commission may require the applicant, as well as his endorsers, to appear before them and show that said applicant is qualified to receive their recommendation for the granting of the license.



3096. Any person to whom a license has been issued by the Commission may have his/her license revoked due to corrupt, fraudulent, or improper practice or conduct on the part of the licensee.

All licenses granted shall be subject to the conditions set forth in the application and the Commission shall have full discretion to suspend or revoke the same for any infraction of the conditions of the application of license and the rules and regulations of the Commission.

3098 The following persons shall be required to secure a license from the Commission and the annual fee shall be as follows:

Authorized Agent (for each owner represented)	\$38.00
Kennel Name	\$60.00
Owner	\$60.00
Partnership or Corporation	\$60.00
Trainer	\$55.00
Assistant Trainer	\$50.00
Employee	\$ 5.00
Registration for each Greyhound	\$ 2.00
Breeder	\$60.00

Any person employed on the grounds of a Franchise Holder by the Franchise Holder, or its lessees, or on any authorized off-track facility, either owned by the Franchise Holder, or by any individual, where racing greyhounds are housed, or by any concession licensed or permitted to operate on the grounds of the Franchise Holder, must secure an Employee License.

Any person to whom a license has been issued by the Commission and whose duties require that such person have access to the paddock and/or the kennel compound shall have a photographic identification badge clearly visible on his person at all times while he is in these areas. Persons failing to have a photographic identification badge clearly visible when entering the paddock and/or kennel areas are subject to ejection from the grounds, a fine, suspension, or ruling off. The photographic identification badge shall be issued by the Commission in the form approved by the Commission. Any licensee who loses his photographic identification badge will be charged \$5.00 to replace the badge. Any visitor to the paddock and/or kennel compound shall wear a visitor's pass in plain view. The visitor's pass shall be in the form approved by the Commission. Track security shall maintain a log of all persons to whom a visitor's pass has been issued.

3100. Any Franchise Holder, owner, trainer, or other licensee employing persons who fails to hire qualified persons for the job duties assigned to their employees or fails to adequately supervise, direct, or train the persons in their employment, may be fined, suspended, or ruled off.

A. No license shall be issued by the Arkansas Racing Commission to any person who:

1. Owns, operates, or has an interest in any bookmaking, pool selling, or other illegal enterprise, or who is connected with or associated with any person engaged in bookmaking, pool selling, or other illegal enterprise;
2. Has been convicted or found guilty of a crime, excluding minor traffic offenses, except that the said Commission may, in its discretion, grant a license where the applicant has been found guilty of a misdemeanor;
3. Is unqualified, by experience or otherwise, to perform the duties required of such applicant;
4. Is habitually intoxicated, or addicted to drugs;
5. Fails to disclose the true ownership or interest in any and all greyhounds as required by said application;
6. Makes misrepresentations or false statements in his application for a license;
7. Is engaged in any activity or practice which is undesirable or detrimental to the best interests of the public and the sport of racing; and/or,
8. Is under sixteen (16) years of age.

3102. It shall be the duty of each Franchise Holder to see that all owners, trainers, and authorized agents are licensed before any greyhound in which they hold an interest or which they train is allowed to race, and it shall also be the duty of each Franchise Holder to see that the application for license is filed and the prescribed fee is paid to the Commission.

3103. The Commission and the Board of Judges may order that any person be tested for illegal drug usage at the time they apply for a license. The Commission and the Board of Judges may order that any licensee be tested for illegal drugs on a random or for cause basis. Licensees testing positive for illegal drugs are subject to fine, suspension, probation, or revocation of their license. Persons applying for a license who test positive for illegal drugs may, at the discretion of the Commission, be granted a probationary license, if they enroll in a drug treatment or counseling program approved by the Commission. Otherwise, such persons shall not be eligible for licensure.

### **KENNEL NAMES**

3104. A person wishing to race greyhounds under a kennel name may do so by registering with the Commission and by paying a fee of \$20.00 per year.

3105. A person can not register more than one kennel name at the same time, nor can they race under their real name if he/she has registered a kennel name.

3106. A kennel name may be changed at any time by registering a new name and paying the fee charged for the original registration. A person can not register as his/her kennel name a name similar to:

- A. One already registered by another person.
- B. One which is the name of another owner.
- C. One which is the name of any prominent person, other than the registrant.

3107. All registrations of kennel names by the National Greyhound Association, and all recognized by State Racing Commissions shall be respected in Arkansas.

3108. In applying to race under a kennel name, the applicant must disclose the identity or identities of the owners associated with the kennel name. Any partnership or corporation associated with a kennel name shall comply with the Rules governing partnerships or corporations and the usual fees of such partnerships or corporations shall be paid in addition to the fees for the registration of the name.

3109. Changes in identities of owners associated with the kennel name shall be reported immediately to and approval obtained from the Commission.

3110. Any person may abandon a registered kennel name at any time after he has given written notice to the Commission and the Franchise Holder.

3111. No trainer shall have any ownership interest in a greyhound of which he/she is not the trainer located at the same track.

3112. A corporate name shall be considered a kennel name for the purposes of these Rules, but the Commission may refuse any corporation the privilege of registering a kennel name.

## **KENNEL OWNERS**

3115. Each kennel owner shall submit a registration paper for each of their greyhounds with the Racing Secretary giving the name, color, sex, age, breeding, and characteristic markings, scars, and other identification features not above named. Each Franchise Holder shall keep and maintain during its meeting the registration papers for each greyhound containing the above information.

3116. If any kennel owner changes trainers, he/she must notify the Racing Secretary and cause the trainer's name to be changed on the kennel owner's roster. No greyhound will be eligible for entry until transfer has been made.

## **PARTNERSHIPS**

3120. Each and every partnership must be registered with the Commission.

3121. Partnership papers shall, among other things, set forth the following:

A. The name and address of each and every person having any interest in the greyhound involved, including husband and wife when listed on registration papers as "Mr. and/or Mrs." And racing on the program as such.

B. The relative proportions of such interest.

C. To whom the winnings are payable.

D. The terms of any contingency, lease, or any other arrangement concerning the greyhound.

3122. All partnership papers must be signed by all of the parties or by their authorized agents.

3123. In cases of emergency, authority to sign declarations of partnership may be given to the Racing Secretary by a telegram promptly confirmed in writing.

3124. If the Racing Secretary is unable to communicate with all proper parties in an attempt to obtain a declaration of partnership, he/she may authorize a greyhound involved in a partnership to enter and start in a stake race without a declaration of partnership.

3125. Any alteration in a recorded partnership registration, to be effective, must be reported in writing to the Commission and signed by all the partners.

3126. All the parties to a partnership, and each of them, shall be jointly and severally liable for all stakes, forfeits, and other obligations.

## **CORPORATE OWNERS**

3130 .All corporations having any interest in a greyhound shall file a kennel name application with the Racing Secretary. At the time of filing application for a kennel name, a statement in duplicate setting forth the names and addresses of all officers,

directors, and stockholders of said corporation, together with the amount of the respective holdings of each stockholder and a statement as to whether or not said stock is paid in full, and including the designation of an authorized agent or agents of said corporation. The said statements shall be signed by the president of the corporation attested to by its secretary and the corporate seal attached. A copy of said statement shall be transmitted promptly to the office of the Arkansas State Racing Commission by the Racing Secretary.

### **AUTHORIZED AGENTS**

3140. Each authorized agent must file an application for a license for each owner represented setting forth the agent's authority to act for the owner including any authority the agent may have to collect money from the Franchise Holder. A copy of the agent's agreement with the owner, if in writing, shall be attached to the application.

3141. A copy of the application and written agreement, if any, shall be filed permanently with the Racing Secretary.

3142. An Authorized Agent may appoint a subagent only when authorized in writing by the owner and written notice of such appointment is given to the Commission.

3143. Any changes in the agent's authority must be in writing and filed as above provided.

3144. If an agent represents more than one owner, a separate application shall be filed for each owner.

3145. The term of the license shall be the calendar year unless the agent's appointment is revoked by the owner, or the license is revoked by the Racing Commission.

3146. The revocation of an agent's authority shall be filed in writing with the Commission and with the Racing Secretary.

### **ARKANSAS BREEDERS PROGRAM**

3160. *Arkansas Breeders Program.* "Registered Arkansas-bred" greyhound registration and eligibility to participate in the Arkansas Racing Commission Purse and Awards Fund shall be determined and made in accordance with registration rules adopted by the Greyhound Breeders of Arkansas and approved by the Commission.

3161. *Distribution of Arkansas Breeders Purse and Award Funds.*

(a) The Arkansas Racing Commission shall pay 10% of all Funds deposited in the Arkansas Breeders Purse and Award Fund for the respective month to the Greyhound Breeders of Arkansas to promote the development of greyhound breeding in the State of Arkansas and pay for the cost of administering the program.

(b) By the 5th of the month of the appropriate calendar quarter (March, June, September, December), the designated representative for the Greyhound Breeders of Arkansas shall submit/forward to the Arkansas Racing Commission a voucher request, on forms approved by the Arkansas Racing Commission, requesting that monies be distributed to the appropriate parties pursuant to the above mentioned formula.

(c) If the Arkansas Racing Commission determines that all the documentation is proper and correct, the Arkansas Racing Commission shall distribute monies from the Arkansas Breeders Purse and Award Fund to the appropriate parties by the 20th of the month of the appropriate calendar quarter.

### **GREYHOUND REGISTRATION**

3175. No greyhound shall be entered or permitted to race or to be schooled at any racetrack operated or licensed under the jurisdiction of the Commission unless properly registered with the National Greyhound Association, which is the recognized official breeding registry of all greyhounds. 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 may be certified by the Commission. A greyhound may not be entered for racing or schooling at any official track unless it has been tattooed and registered in the NGA Stud Book and the last six performance lines, if applicable, and the racing history of the greyhound are made available to the Racing Secretary.

3177. Any transfers of any title to or interest in greyhounds schooled, entered, or racing at any racetrack under the jurisdiction of the Commission shall be registered with the National Greyhound Association. No title in any greyhound will be recognized by the Commission until such title shall be evidenced by written instrument duly filed with the National Greyhound Association.

### **GREYHOUND SCHOOLING**

3180. Greyhounds must be properly officially schooled in the presence of the Presiding Judge and the Commission Judge at least one time at the track where they are to race, provided that the greyhound has run an official race at another recognized track

and a recognized meeting within 30 calendar days preceding its entry for official schooling. The track shall carry the past performance lines from the previous four races in the Official Racing Program. A greyhound racing at approximately 5/16 mile distance shall be schooled at that distance. Each schooling race should consist of at least 6 greyhounds. However, if conditions create a hardship, less than 6 greyhounds may be schooled with the permission of the Commission Judge. Any greyhound that has raced at a track franchised by the Arkansas Racing Commission that has not been entered for a period of 6 racing days, and/or has not raced for a period of 10 racing days or more, shall be schooled at least once at its racing weight before being eligible for entry. All greyhounds in schooling races must be raced at their established racing weight and started from the box wearing blankets. No hand schooling will be considered official.

3181. Any greyhound can be ordered on the schooling list by the Presiding Judge at any time. Any greyhound ordered placed on the schooling list by the Presiding Judge must be schooled officially and satisfactorily before being allowed to enter into an official race.

## **ENTRIES**

3185. Every person who enters a greyhound, or in any way participates in any race or racing under these rules, thereby obligates himself/herself to accept these rules upon all questions relating thereto.

3187. Every entry in an official race must be in the name of the person having ownership in the greyhound, and must be made in writing, or by telegram to be immediately confirmed in writing, by the kennel owner and/or trainer, or by an authorized agent, and 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 licensed by the Commission before it starts at any meeting, as must be every change in such ownership or interest, thereafter made during that meeting. Any failure to comply with this rule shall be punishable by a fine or suspension, or both, and if an 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 to the greyhound that finished next behind it.

### **3190. *DOUBLE ENTRIES:***

1. Double entries will be permitted in all races. There shall be at least six (6) greyhounds of different ownership in all overnight races.
2. No more than two (2) double entries will be allowed in any race.
3. Double entries shall not be allowed until all single interests are used and double entries shall be uncoupled for wagering purposes.
4. Double entries will be used only when that kennel is assured of having at least one (1) greyhound in all races of that particular grade on that performance.
5. The above provisions shall not apply to stakes races, feature races, and special events.

## SCRATCHES

3195. A greyhound that is scratched from an official race will be required to be officially schooled before being allowed to be entered for official racing.

A. Any scratches that occur that are the result of violation of a racing rule must carry a penalty or suspension for said greyhound for a period of six (6) racing days. Greyhounds will be allowed to be officially schooled during this suspension period.

B. A greyhound that is scratched for sickness or injury must be examined by the Commission Veterinarian. The Commission Veterinarian shall determine whether or not the greyhound will be placed on the Commission Veterinarian's List. The Commission Veterinarian shall examine said greyhound and will notify the Racing Secretary and Presiding Judge that the greyhound is again fit to compete and be entered for official racing if said greyhound qualifies under the time period set forth in Rule 3180. If the greyhound meets the time requirements of Rule 31 80, the greyhound will NOT be required to school officially.

C. A greyhound that is scratched by the Commission Veterinarian due to an injury or sickness in the paddock area after the official weigh-in will be placed on the Commission Veterinarian's List and may NOT be required to school officially if said greyhound meets the time requirements of Rule 3180.

D. A greyhound that is scratched as a result of an error by the Racing Office personnel will NOT be required to school officially before being re-entered for official racing.

E. The Board of Judges may waive the official schooling requirements for just cause.

3196. If three (3) or more greyhounds are scratched in any one race, the Presiding Judge may cancel said race.

3197. All declarations in the overnight entries must be made with the Racing Secretary of the Franchise Holder before the draw has been closed. Any greyhound that



does not compete once the draw has been closed and made official will be considered as a scratch.

## **POST POSITION**

3200. The drawing for entries and post positions shall be held not less than twenty-four (24) hours before the start of each performance, and supervised by the Commissioner Supervisor or Commission Judge and Racing Secretary. Post positions must be drawn prior to all official races.

A. All post positions for official purse races shall be drawn by random lot. With permission from the Judges or the Racing Commission, stakes or features races may be exempt from this rule.

B. In the event there is an inadequate number of greyhounds in the “left-over” pool to complete a draw for a given performance at the scheduled time, the following steps will be taken:

1. The performance will be constructed (prepared for drawing) using the available greyhounds until the “left-over” pool is exhausted.

2. The draw will be entered, using the available greyhounds, with blank posts left at random to be filled later when eligible greyhounds become available.

3. Once a pool of greyhounds becomes available (after official schooling or official races from the next scheduled performance have been run), the blank posts are filled by selecting greyhounds at random from the pool and assigning the next available post, beginning with the post closest to one (#1) and going down through eight (#8), to the greyhound(s) selected.

4. This is repeated until all blank posts have been filled. The draw is then re-proofed and the draw is considered complete.

## **PROGRAM**

3205. A Program printed for each racing day shall be compiled by the Franchise Holder which shall contain the names of the greyhounds that are to run in each of the races for that day. These names are to appear in the order of their post positions, the said post position to be designated by numerals placed at the left and in line with the names of the greyhounds in each race, and shall also be prominently displayed on each greyhound. The printed program shall contain all the information required by these rules.

3206. The Program must carry at least two (2) performances of said greyhounds at the track they are to be raced, with the exception of greyhounds qualifying under Rule #3180.

3207. All past performances as shown in the Program shall be in the order of the races or official schooling races held, the last performance appearing on the first line, etc.

3208. The Program must also contain name, color, sex, date and location of most recent races, age, established racing weight, distance, time, track record, track weight, post position and finish, name of owner and trainer, number of starts in official races and number of times finishing first, second and third, and such other information as will enable the public to properly judge the greyhound's ability.

3209. Each Franchise Holder shall print in heavy type, in conspicuous place in its printed program that the Daily Double Rules, 5010 and 5012; the Quiniela Pool Rule, 5020; the Trifecta Rule, 5030; and the Big Q Rule 5025 are posted in the mutuel areas and available at the information window, Racing Commission office, and General office.

3210. 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 five (5) times. The violation of any part of this Rule may be sufficient cause for a fine, suspension, or both, at the discretion of the Board of Judges.

## **WEIGHTS AND WEIGHING**

3220. A. All greyhounds shall be weighed in at the designated time preceding the first race of the day. All greyhounds must weigh-in with wire or plastic muzzle, collar, lead strap, and approved identification tag.

B. All greyhounds must be weighed not less thirty minutes before the time of the first race of the performance unless a later time has been designated or approved by the Board of Judges or the Commission.

C. The weigh-in time shall be limited to a 30-minute period unless an extension has been granted by the Commission Judge or approved by the Commission.

3221. At the first official schooling of each greyhound, the trainer and/or owner must establish the racing weight ("set weight") for each greyhound.

A. At first weigh-in time (pre-post weight), should there be a variation of more than two pounds either way from its established racing weight ("set weight"), the Presiding Judge or Commission Judge must order said greyhound scratched if it cannot meet the weight requirements by the close of time for the weigh-in.

B. At the "post weight" weighing, any greyhound that loses two (2) or more pounds from its "pre-post weight" while in the lock-out kennels may be allowed to race if, in the opinion of the Commission Veterinarian, such loss of weight does not impair its racing condition.

C. The Presiding Judge shall keep a greyhound “weight loser” list updated and available at all times, and shall consult with the Commission Veterinarian on a regular basis when updating said list.

3222. The established racing weight may be changed from time to time on written request and by written consent of the Paddock Judge or Scale Clerk, provided said change is made four (4) days before the greyhound is allowed to race at new weight. All greyhounds must be schooled at least once at new racing weight before being eligible for entry; if, however, the change of weight does not exceed one (1) pound, the changed weight may be listed without the greyhound being schooled.

3223. The Presiding Judge shall have the privilege of ordering the weighing of a greyhound entered in a race at any period from the time it is entered in a race until post time.

3224. Immediately after being weighed in (pre-post weight), the greyhounds shall be placed in lock-out kennels under the supervision of the Paddock Judge, and no owner or other person excepting the Paddock Judge, Commission Veterinarian, Kennel Master, Scale Clerk, Lead-Outs under the supervision of the Paddock Judge, Presiding Judge, or Commission’s representative, shall be allowed in or near the lock-out kennel.

3225. Every trainer who does not have his/her greyhound(s) at the weighing-in room promptly at the time appointed shall have his/her greyhound(s) scratched and, in addition, at the discretion of the Board of Judges, the trainer may be liable for a fine.

## **THE RACE**

3230. All starters must wear the regulation muzzle and blanket. Muzzles and blankets must be carefully examined in the paddock by the Paddock Judge before the greyhounds leave for the starting box, and again be examined before the Presiding Judge, the Commission Judge, and the Patrol Judge.

3231. All greyhounds must be exhibited in the show paddock before post time of the race in which they are entered.

3232. After the greyhounds leave the paddock on their way to the starting box, and until the race has been completed, all persons, except the Racing Officials and necessary attendants, shall be excluded from the course.

3233. No race shall be called official unless the lure is in advance of the greyhounds at all times during the race. If at any time during the race any greyhound or greyhounds touch or overtake the lure, the Presiding Judge and Commission Judge shall declare the race a “No Race” and all wagers shall be refunded. However, when a greyhound bolts the course or runs in the opposite direction during the running of a race

and in doing so, in the opinion of the Presiding Judge and Commission Judge, does not interfere with the race in any manner, the Presiding Judge and Commission Judge shall declare the race "Official." The decision of the Presiding Judge and Commission Judge shall be final.

3234. If a race is marred by jams, spills, or racing circumstances other than accidents to the machinery while a race is being run and three (3) or more greyhounds finish, the Presiding Judge and Commission Judge shall declare the race finished. If less than three (3) greyhounds finish, the Presiding Judge and Commission Judge shall declare the race a "No Race" and all wagers shall be refunded.

3235. If a greyhound bolts the course, it shall forfeit all rights in the race. The Presiding Judge and Commission Judge shall declare the race the same as if it were not a contender.

3236. All greyhounds ruled off of one track in Arkansas for fighting or quitting shall be ruled off all tracks under the jurisdiction of the Arkansas State Racing Commission and will not race again in Arkansas except with written consent of the Commission.

### **DEAD HEATS**

3240. When two (2) or more greyhounds run a dead heat for first place, all prizes which first and second greyhounds would have been entitled, shall be divided equally between them; and this applies in dividing prizes whatever the number of greyhounds running in a dead heat. All greyhounds shall be deemed to be winners. Likewise, when two (2) or more greyhounds run a dead heat for second place they shall divide the second and third moneys.

3241 .When a dead heat is run for second place and the winner of the race is subsequently disqualified, the greyhounds which ran for the dead heat shall be deemed to have a dead heat for first place.

### **POSTPONEMENT AND CANCELLATION OF RACES**

3250. If the whole or a part of a racing program is canceled, any race involved may be rescheduled at the discretion of the Commission.

3251. If the whole or a part of the racing program is canceled, any race involved may be postponed or declared off.

3252. Public notice shall be given at the earliest practicable time if a published race is declared off.

3253. No race which has closed with sufficient entries shall be declared off except by the Board of Judges.

3254. In case of fire or accident, or for 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 paid must be refunded.