

HOUSE No. 4062

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to simulcasting by greyhound dog racing meeting licensees..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 2 of chapter 128C of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended in subsection 5 by striking out the fourth paragraph and
3 inserting in place thereof the following:—

4 No racing meeting licensee, whether acting as a guest track or host track, shall simulcast
5 live races unless the licensee conducts a full schedule of live racing performances during a racing
6 season except that, if the commission determines that a licensee cannot conduct a full schedule of
7 live racing performances due to weather conditions, race track conditions, strikes, work
8 stoppages, sickness or quarantine not within the control of the licensee, the commission may
9 permit the licensee to continue simulcasting and, if it appears that a racing meeting licensee is or
10 will become unable to conduct a full schedule of live racing performances, the commission shall
11 suspend such right to simulcast until the licensee conducts or resumes a full schedule of live
12 racing performances; provided, however, that no racing meeting licensee shall simulcast live
13 races in any racing season unless the racing meeting licensee is licensed to and actually conducts
14 at least 900 live races over the course of not less than 100 calendar days during that racing

15 season with no fewer than 7 races completed on any of those 100 calendar days; provided
16 further, that, on or after January 1, 2010, the foregoing live racing requirements shall not apply to
17 the greyhound dog racing meeting licensee in Bristol county and the greyhound dog racing
18 meeting licensee in Suffolk county and each such licensee shall, notwithstanding any other
19 provision of this chapter, be entitled to simulcast live races as provided in this chapter despite
20 any such licensee's inability to conduct live racing due any law or requirement prohibiting the
21 conduct of live greyhound dog racing meetings in the commonwealth; provided further, that, if
22 the commissioner determines that either of the greyhound dog racing meeting licensee in Bristol
23 county or the greyhound dog racing meeting licensee in Suffolk county is unable, on or after the
24 effective date of this act and prior to January 1, 2010, to conduct a full schedule of live racing
25 performances due to insufficient or lack of participation in live racing performances by dogmen,
26 the commission may permit such licensee to continue simulcasting.

27 SECTION 2. Section 2 of said chapter 128C, as so appearing, is hereby further amended
28 in subsection 5 by striking out the sixth paragraph and inserting in place thereof the following:—

29 Each racing meeting licensee shall pay a fee for those days, whether a dark day, a day
30 during a dark season, or any day between the periods of racing pursuant to an operating license,
31 when no live races are conducted but simulcast races are shown and simulcast wagers are
32 accepted; provided, however, that, on or after January 1, 2010, the greyhound dog racing
33 meeting licensee in Bristol county and the greyhound dog racing meeting licensee in Suffolk
34 county shall not be required to pay a fee for any day on which such licensee would have been
35 entitled to conduct a greyhound dog racing meeting but for any law or requirement prohibiting
36 the conduct of a greyhound dog racing meeting in the commonwealth. Such fee shall be

37 determined by the commission in accordance with the license fees charged pursuant to the
38 provisions of chapter 128A. No other daily fees shall be assessed.