

## MARK-UP

### 1232(A). Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)

- (1) The use of one of three approved NSAIDs shall be permitted under the following conditions:
  - (a) Not to exceed the following permitted **urine**, serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:
    - (i) Phenylbutazone (or its metabolite oxyphenylbutazone) – 5 micrograms per milliliter **for all non graded stakes races; however, the threshold concentrations for graded stake races is 2 micrograms per milliliter.**
    - (ii) Flunixin – 20 nanograms per milliliter;
    - (iii) Ketoprofen – 10 nanograms per milliliter.
  - (b) These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered.
  - (c) The presence of more than one of the three approved NSAIDs or any unapproved NSAID in the post-race serum or plasma sample is not permitted with the exception of Phenylbutazone in a concentration below 1 microgram per milliliter of serum or plasma. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.
- (2) Any horse to which a NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s).

## Summary

Rule 1232(A). Oaklawn has races that are called graded stakes races that generally have larger purses and attract the highest quality race horses from around the country. For example, the Arkansas Derby is currently a Grade I Race. The qualifications for these stakes races are established by the Thoroughbred Owners and Breeders Association (“TOBA”), a national organization. Effective in 2012, TOBA changed the allowable limit for Phenylbutazone (“Bute”), which is a non-steroidal anti-inflammatory drug, from 5 micrograms per milliliter in the urine or blood of a horse tested after the race to a maximum level of 2 micrograms per milliliter. This proposed amendment adopts the TOBA requirement to insure that Oaklawn continues to meet the criteria for graded stakes races established by TOBA which are applicable to every graded stakes race in the United States.

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### 1232(C). Phenylbutazone (Bute)

The owner, trainer, or other licensees associated with any horse testing positive for Phenylbutazone ("Bute") and/or Oxyphenbutazone shall be subject to the following penalties for the levels of Bute detected:

#### 2.0 - 5.0 micrograms (applicable to graded stakes races):

**1st offense within a 365-day period (in any jurisdiction): Fine of not less than \$250 absent mitigating circumstances.**

**2nd offense within a 365-day period (in any jurisdiction): Fine of not less than \$500 absent mitigating circumstances.**

**3rd offense within a 365-day period (in any jurisdiction): Fine of not less than \$1,000 and suspension for fifteen (15) days absent mitigating circumstances.**

#### 5.1 - 9.9 micrograms:

**1st offense within a 365-day period (in any jurisdiction):** Fine of not less than \$250 absent mitigating circumstances.

**2nd offense within a 365-day period (in any jurisdiction):** Fine of not less than \$500 absent mitigating circumstances.

**3rd offense within a 365-day period (in any jurisdiction):** Fine of not less than \$1,000 and suspension for fifteen (15) days absent mitigating circumstances.

#### Over 9.9 micrograms:

**1st offense within a 365-day period (in any jurisdiction):** Fine of not less than \$500 absent mitigating circumstances; loss of purse; and horse must pass commission approved examination before being eligible to run.

**2nd offense within a 365-day period (in any jurisdiction):** Fine of not less than \$1,000 and suspension for fifteen (15) days absent mitigating circumstances; loss of purse; if same horse, placed on veterinarian's list for 45 days; and horse must pass commission approved examination before being eligible to run.

**3rd offense within a 365-day period (in any jurisdiction):** Fine of not less than \$2,500 and suspension for thirty (30) days absent mitigating circumstances; loss of purse and fine of not less than \$5,000 for the owner; and if same horse, placed on veterinarian's list for 60 days; and horse must pass commission approved examination before being eligible to run.

## Summary

Rule 1232(C). This proposed amendment establishes the penalty for a horse that tests positive for Bute and has 2 - 5 micrograms per milliliter of Bute in its blood or urine. This rule was necessary because of the change in the national standards for Bute in graded stakes races established by TOBA.

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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 ~~forty-eight hours~~ **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 ~~the Racing Secretary~~ and shall be promptly paid over directly by him/her to the Commission, ~~together with a report covering same~~ **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.

## Summary

Rule 1360. The amendment to Rule 1360 merely changes the time period allowed to pay fines for violations of the rules, and to return any prize/purse money that was won in a race when a rule violation occurred from 48 hours to three live racing days. It was determined that 48 hours was not enough time for the parties to meet their obligations due to week-ends, holidays, and the fact the greyhounds do not run every day.

The amendment also makes the purse money or fines payable to the Arkansas Racing Commission rather than the Racing Secretary, who in the past merely passed the money on to the ARC.

## MARK-UP

~~3082. Trainers shall be required to notify the Board of Judges when they will be absent from the grounds during an entire performance, and shall designate, in writing, another licensee employed by his kennel who shall be responsible for any infraction of the Rules and Regulations.~~

**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.**

## Summary

Rule 3082. Prior to the proposed amendment, a licensed trainer could designate any licensed employee to be responsible for the kennel in the absence of the trainer. The proposed amendment, along with other proposed changes in the rules, creates a new license category for an Assistant Trainer to be responsible in the absence of the trainer. The purpose of the amendment is to insure that a more qualified employee assumes responsibility for the kennel in the absence of the trainer. The amendment also requires the kennel to designate a single individual as the trainer of record so that there will be no question who is responsible for the kennel when there is more than one licensed trainer.

**Rule 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.**

## Summary

Rule 3083. The proposed rule establishes a new assistant trainer license category and allows an assistant trainer to be responsible for the kennel in the absence of the trainer for fourteen days, which may be extended in an emergency situation.

**Rule 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.**

## Summary

Rule 3084. The proposed rule makes it clear that the assistant trainer or trainer of record must be present for the weigh-in of greyhounds prior to the start of a race. The proposed rule also provides that a kennel helper cannot act as a representative of the kennel or make decisions regarding the greyhound's racing career.

## MARKUP

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)	\$ 8.00
Kennel Name	\$30.00
Owner	\$30.00
Partnership or Corporation	\$30.00
Trainer	\$25.00
<b>Assistant Trainer</b>	<b>\$20.00</b>
Employee	\$ 5.00
Registration for each Greyhound	\$ 2.00

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.

## Summary

Rule 3098. The amendment to this rule establishes the amount of the license for the new Assistant Trainer category created by proposed amendments to other rules. The proposed amount for the Assistant Trainer license is \$20.00.

## MARK-UP

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 than ~~one (1) hour and not more than two and one half (2½) hours~~ **30 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.

## Summary

Rule 3220(B). The proposed amendment changes the weigh-in time period for greyhounds from the current maximum time period of 2 ½ hours before the first race to a period of not less than 30 minutes before the first race. The change is proposed so that greyhounds will have a shorter stay in the pre-race kennel prior to a race.

## MARK-UP

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 ~~one and one-half (1½)~~ **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.

## Summary

Rule 3221(A). In the past, greyhounds were allowed a 1 ½ pound variance either way from their established racing weight. The proposed amendment changes the variance to two pounds to comply with industry practices and the fact dogs have become larger in recent years.

## QUINIELA DOUBLE WITH CARRYOVER

5026.

(A) The "Quiniela Double with Carryover" is a form of pari-mutuel wagering in which the bettor selects the first two greyhounds finishers, irrespective of order, in each of two specified races.

(B) A commission authorized by law is deducted from the sum total wagered into the "Quiniela Double" pool. The balance is called the "net pool."

(C) The net "Quiniela Double" pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

1. As a single price pool to those who selected the first two finishers in each of the two "Quiniela Double" races. If there are no such wagers, then
2. 100% of the net pool shall be placed into a "carryover" pool and those monies shall be added to the "Quiniela Double" pool on the next performance.

(D) If a greyhound is scratched in either race of the "Quiniela Double" races, all money wagered on combinations including the scratched greyhound(s) shall be deducted from the "Quiniela Double" pool and refunded.

(E) In the event of a "Dead Heat" for first in either of the two races of the "Quiniela Double," then:

1. If it is between two betting interests, the calculation and distribution of the net pool shall be figured as if no "Dead Heat" occurred, or
2. If it is between three or more betting interests, the "Quiniela Double" net pool shall be distributed as a profit split.

(F) In the event of a "DEAD HEAT" for place in either of the two races of the "Quiniela Double" involving two or more betting interests, the "Quiniela Double" shall be calculated and distributed as a profit split.

(G) If either of the "Quiniela Double" races is canceled prior to the first race of the "Quiniela Double," or if the first race of the "Quiniela Double" is declared a "NO RACE," the entire "Quiniela Double" pool shall be refunded, minus any previous carryover monies, for those races.

(H) If the second race of the "Quiniela Double" is canceled or declared a "NO RACE" after the conclusion of the first race of the "Quiniela Double," the net "Quiniela Double" pool, minus any carryover monies, shall be distributed as a single price pool to

**winning wagers selecting the first two finishers of the first "Quiniela Double" race. If there are no such wagers, then the entire "Quiniela Double" pool, minus any carryover monies, shall be refunded.**

## Summary

Rule 5026. The proposed rule establishes a new pari-mutuel wager where the patron picks the first two finishers in two specified races but does not have to pick the exact order of finish for the first two dogs. The proposed rule sets out the rules for the wager that are the same or similar to other existing pari-mutuel wagering rules.

# MARK-UP

## TWIN TRIFECTA WAGER

5035.

P On the final performance of any calendar year and on a designated payout performance, the entire accumulated Twin Trifecta pools must be distributed. In the event there is no Twin Trifecta exchange ticket accurately selecting the officially declared first three (3) finishers of the second Twin Trifecta race, in exact order, payoffs shall be made ~~on Twin Trifecta tickets selecting in the following order of priority:~~ **by equally sharing the distribution of the entire second race pool and accumulated jackpot pool(s) to all patrons holding Twin Trifecta exchanges.**

~~1—— Tickets selecting the first and second finishers in that order, for example 1-2-ALL. If no ticket is sold combining the first and second finishers, then~~

~~2—— Tickets selecting the first and third finishers in that order, for example 1-ALL-3. If no ticket is sold combining the first and third finishers, then~~

~~3—— Tickets selecting the second and third finishers in that order, for example ALL-2-3. If no ticket is sold combining the second and third finishers, then~~

~~4—— Tickets selecting the runner to finish first, for example 1-ALL-ALL. If no ticket is sold selecting the runner to finish first, then~~

~~5.—— Tickets selecting the runner to finish second, for example, ALL-2-ALL. If no ticket is sold selecting the runner to finish second, then~~

~~6.—— Tickets selecting the runner to finish third, for example, ALL-ALL-3. If no such ticket is outstanding, then~~

~~7.—— All Twin Trifecta exchange tickets shall be declared winners and shall share equally in the distribution of the entire second race pool and accumulated JACKPOT POOL(S).~~

~~8.—— The payoffs in articles (1), (2), (3), (4), (5), and (6), will be calculated contrary to usual pari-mutuel payoff procedure, using the aggregate number of winning selections and then calculated as a WIN POOL with equal payoffs.~~

## Summary

Rule 5035(P). Twin Trifecta wagering has been in place for some time at Southland. In instances when no patrons picked the winners in exact order for the two races, there was a complicated formula that determined who would be paid, depending on eight tie-breaking rules. The proposed amendment is an attempt to simplify the process and avoid errors by equally sharing the race pool and any accumulated jackpot with all patrons holding Twin Trifecta exchanges from the first race.

# MARK-UP

## TRI-SUPER WAGERING

5045. P.

In the event there is no Tri-Super exchange ticket accurately selecting the officially declared first four (4) finishers of the second Tri-Super race, in exact order, payoffs shall be made on Tri-Super tickets selecting in the following order of priority:

1. ~~The first three (3) greyhounds, in exact order, for example  
1-2-3-ALL.~~
2. ~~The first two (2) greyhounds, in exact order, for example  
1-2-ALL-ALL.~~
3. ~~The runner to finish first, for example, 1-ALL-ALL-ALL.~~
4. ~~Failure to select the runner to finish first will cause the pool to  
be divided equally between holders of a second half exchange ticket.~~

**by dividing the pool equally between holders of second half exchange tickets.**

## Summary

Rule 5045(P). This amendment is similar to the proposed amendment of Rule 5035(P). The amendment does away with the four step tie-breaker formula and divides the purse money equally among the patrons that picked the correct first four finishers in the first race. The amendment is an attempt to simplify the tie-breaking process and avoid errors.