

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**David L. Flynn, James H. Fagan**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David L. Flynn	8th Plymouth
James H. Fagan	3rd Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and 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 Official  
2 Edition, is hereby amended in subsection 5 by striking out the fourth paragraph and inserting in place  
3 thereof the following:—

4           No racing meeting licensee, whether acting as a guest track or host track, shall simulcast live races  
5 unless the licensee conducts a full schedule of live racing performances during a racing season except  
6 that, if the commission determines that a licensee cannot conduct a full schedule of live racing  
7 performances due to weather conditions, race track conditions, strikes, work stoppages, sickness or  
8 quarantine not within the control of the licensee, the commission may permit the licensee to continue  
9 simulcasting and, if it appears that a racing meeting licensee is or will become unable to conduct a full  
10 schedule of live racing performances, the commission shall suspend such right to simulcast until the  
11 licensee conducts or resumes a full schedule of live racing performances; provided, however, that no  
12 racing meeting licensee shall simulcast live races in any racing season unless the racing meeting licensee  
13 is licensed to and actually conducts at least 900 live races over the course of not less than 100 calendar  
14 days during that racing season with no fewer than 7 races completed on any of those 100 calendar days;  
15 provided further, that, on or after January 1, 2010, the foregoing live racing requirements shall not apply  
16 to the greyhound dog racing meeting licensee in Bristol county and the greyhound dog racing meeting  
17 licensee in Suffolk county and each such licensee shall, notwithstanding any other provision of this  
18 chapter, be entitled to simulcast live races as provided in this chapter despite any such licensee's  
19 inability to conduct live racing due any law or requirement prohibiting the conduct of live greyhound  
20 dog racing meetings in the commonwealth; provided further, that, if the commissioner determines that  
21 either of the greyhound dog racing meeting licensee in Bristol county or the greyhound dog racing  
22 meeting licensee in Suffolk county is unable, on or after the effective date of this act and prior to

23 January 1, 2010, to conduct a full schedule of live racing performances due to insufficient or lack of  
24 participation in live racing performances by dogmen, the commission may permit such licensee to  
25 continue simulcasting.

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

28 Each racing meeting licensee shall pay a fee for those days, whether a dark day, a day during a dark  
29 season, or any day between the periods of racing pursuant to an operating license, when no live races  
30 are conducted but simulcast races are shown and simulcast wagers are accepted; provided, however,  
31 that, on or after January 1, 2010, the greyhound dog racing meeting licensee in Bristol county and the  
32 greyhound dog racing meeting licensee in Suffolk county shall not be required to pay a fee for any day  
33 on which such licensee would have been entitled to conduct a greyhound dog racing meeting but for  
34 any law or requirement prohibiting the conduct of a greyhound dog racing meeting in the  
35 commonwealth. Such fee shall be determined by the commission in accordance with the license fees  
36 charged pursuant to the provisions of chapter 128A. No other daily fees shall be assessed.

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