

**HOUSE . . . . . No. 4062**

**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
Christine E. Canavan	10th Plymouth
Geraldine Creedon	11th Plymouth
Paul McMurtry	11th Norfolk
Elizabeth Poirier	14th 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:*

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

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

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

Each racing meeting licensee shall pay a fee for those days, whether a dark day, a day during a dark season, or any day between the periods of racing pursuant to an operating license, when no live races are conducted but simulcast races are shown and simulcast wagers are accepted; provided, however, that, on or after January 1, 2010, the greyhound dog racing meeting licensee in Bristol county and the greyhound dog racing meeting licensee in Suffolk county shall not be required to pay a fee for any day

on which such licensee would have been entitled to conduct a greyhound dog racing meeting but for any law or requirement prohibiting the conduct of a greyhound dog racing meeting in the commonwealth. Such fee shall be determined by the commission in accordance with the license fees charged pursuant to the provisions of chapter 128A. No other daily fees shall be assessed.