

CHAPTER 2

COMMISSION RULES

Section 1. **General Rules.**

(a) The Rules and any amendments or additions apply to all persons, associations partnerships, or corporations, holding, conducting or participating in a pari-mutuel event in the State of Wyoming permitted by the Commission.

(b) In reading the Rules, unless the text otherwise requires, it shall be understood without constant reference that they apply only in the State of Wyoming.

(c) Any and all the Rules may be amended, altered, repealed or supplemented by new and additional Rules by a majority of the Commission in accordance with the provisions of the Administrative Procedure Act, W.S. 16-3-101 to 106.

(d) The Commission may rescind, increase or decrease any penalty or decision of infraction of the Rules imposed or made by the racing officials.

(e) The Laws of the State of Wyoming and the Rules promulgated by the Commission supersede the conditions of a race or the Permittee's regulations of a race meeting or any other permitted event.

(f) No person less than 18 years old shall be knowingly admitted to the betting area of any Permittee nor shall he be employed in any manner about the track or permitted event except that he may be a trainer, jockey, jockey apprentice, exerciser, groom, jockey runner or employed in such other capacity as the Commission may approve.

(g) Every licensed person participating in a permitted event including all owners and trainers and their stable employees, are subject to the Laws of Wyoming and the Rules promulgated by the Commission immediately upon acceptance and occupancy of stabling accommodations from or approved by a Permittee or upon making entry to run or participate on Permittee's grounds. Owners, trainers and stable employees shall abide by the Laws and Rules and accept the decisions of the Stewards/Judges on any and all questions, subject to their right of appeal to the Commission.

Section 2. **Corrupt Practices.**

(a) Any licensed person found guilty of any dishonest or corrupt practice, fraudulent act, or other conduct detrimental to a pari-mutuel event, including bookmaking or touting, committed while within or without any Permittee

grounds, may be ruled off all grounds under the jurisdiction of the Commission, and it shall be the duty of the Stewards and those authorized by them to exclude from all places under their jurisdiction persons who commit such offenses or are so ruled off.

(b) Violators of any Rule shall be subject to ejection from the grounds and/or to fine, suspension, or to being ruled off.

(c) No owner or trainer shall harbor on the grounds of a Permittee, engage or retain in his employ any unlicensed person unless that unlicensed person has been issued a badge by the Commission to allow entrance onto the grounds of the Permittee. In addition, each person may be required to sign a waiver of liability as a condition to receiving the badge.

(d) No licensed person shall use obscene, profane or indecent language to a racing or pari-mutuel event official, or any employee or representative of the Commission.

(e) Any person who commits an act on the grounds of any pari-mutuel facility which is patently contrary to the best interest of racing or pari-mutuel events which is in violation of a criminal statute of the United States of America or this state, and classified as a felony shall be subject to administrative action including license revocation, fine or deprivation of patron privileges.

(f) No person shall give, offer, or promise directly or indirectly, either on his own behalf or on behalf of another, any bribe, gift or gratuity in any form to any other person which is intended to influence the outcome of a pari-mutuel event.

(g) No official or his assistant, no owner, trainer, jockey, agent, roper, no person having charge of or access to any event animal, nor any other person shall accept or offer to accept on his own behalf or on behalf of another, any bribe, gift, or gratuity in any form which is intended to influence the outcome of a pari-mutuel event.

(h) No person shall offer or receive money or any other benefit for declaring an entry from a race, or for not entering a race.

(i) No person shall conspire with any other person for the Commission of any corrupt or fraudulent practice in relation to pari-mutuel events nor shall he commit such an act on his own account.

(j) No person shall make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding, and then only on said horse.

(k) No person shall offer or give a jockey any money or other benefit in relation to a race, unless the person is the owner or trainer of the horse ridden in the race by the jockey.

(l) No electrical or mechanical device or other expedient designed to increase or decrease the speed of a horse (or that would tend to do so) other than the ordinary whip, shall be possessed by anyone or applied by anyone to a horse at any time on the grounds of a Permittee, during an event whether in a race or otherwise. The owner and trainer of a horse upon which such device was used may be subject to penalties of fine, suspension and loss of purse.

(m) Any person other than a veterinarian licensed by the Commission who administers any drug or allows any other person to administer any drugs to a horse within 24 hours prior to the horse participating in a pari-mutuel event, must give notice to the Stewards of the use of the drugs prior to the running of the race or go-round. Any person failing to give notice shall be fined and/or suspended and/or his license revoked.

(n) No person shall, while on the grounds where horse or cattle which are eligible for a pari-mutuel event given by a Permittee, have in his possession any drugs; hypodermic syringes, needles or similar instruments which may be used for injection; or any electrical, mechanical, or other appliance or thing which might affect the speed or actions of horses or cattle except:

(i) A veterinarian authorized to practice at the permitted event or a person other than a veterinarian who possesses the above mentioned items for an existing emergency and as prescribed by a veterinarian, or

(ii) Any licensed person may have in his possession on the grounds any chemical substance for use on his own person, provided that, if the chemical substance is prohibited from being dispensed by any Federal law or law of this state without a prescription, he is in possession of documentary evidence that a valid prescription for such chemical substance has been issued to him, or

(iii) Any licensed person may have in his possession on the grounds any hypodermic syringe or needle for the purpose of administering a chemical substance to himself, provided that he has notified the State Steward: (1) of his possession of such device, (2) of the size of such device, and (3) of the chemical substance to be administered by such device, or

(iv) As permitted by the Stewards or the authorized representative of the Commission in writing.

Any licensed person so offending shall be fined and/or suspended and/or ruled off and/or his license revoked.

(o) With reasonable suspicion, the Commission through its employees or agents, or authorized employees of the permittee may search and inspect for prohibited medication, drugs, drug paraphernalia, or any electrical or mechanical equipment usable to affect the condition of any animal on a permitted event grounds, or the racing condition of a horse or any other item prohibited by these rules, at any time without notice:

(i) Association stables, receiving barns, the paddock, jockey's room, supply rooms, blacksmith and similar service shops or areas, including living quarters, or private vehicles located within enclosures of the Permittee grounds, and

(ii) The person of any licensee while upon the Permittee's grounds in the prescribed areas described in the preceding subparagraph.

(p) Any action or substance, drugs or otherwise, which may interfere with the testing procedure is forbidden.

(q) A trainer/roper shall be the absolute insurer of and responsible for the condition of the horses entered in a race or permitted event, regardless of the acts of third parties. Should the chemical or other analysis of blood or urine sample, or other tests, prove positive, showing a presence of any narcotic stimulant, depressant, foreign substance or drug of any kind or description, the trainer of the horse may, in the discretion of the Commission, have and receive any or all of the following penalties: be fined, suspended, his license revoked or ruled off, and in addition the owner of the horse and any other person or persons shown to have had the care or attendance of the horse, may in the discretion of the Commission, have any or all of the following penalties inflicted: be fined, suspended, his license revoked, or ruled off.

The owner or owners of any horse or horses disqualified by reason of violating the absolute insurer rule shall be denied and/or shall promptly return any part of the purse or sweepstakes or any trophy or prize received and the same shall be redistributed by order of the Stewards. If a jockey is penalized for possession or use of an electrical or mechanical device during a race, the owner may be denied any purse or award won in that race.

(r) No person shall improperly tamper or attempt to tamper with any animal in such a way as to affect its performance in a permitted event, nor shall he counsel or in any way aid or abet any such tampering.

(s) No person shall assume or pay, directly or indirectly, a fine imposed upon another without consent of the Commission.

(t) No jockey's attendant (valet) shall make a bet on any race nor shall he place a bet for anyone else.

(u) No person shall make a hand book of any kind on the grounds of a Permittee.

(v) No person shall solicit for or bet with a hand book of any kind on the grounds of a Permittee.

(w) No person (including licensees) shall refuse to obey reasonable orders of an Official or Security Personnel of the Commission or the Permittee.

(x) The Commission may deny or revoke the license of any applicant or holder who has been convicted of any of the offenses listed below, if the Commission determines that the circumstances of the offense giving rise to the conviction make the applicant's presence a hazard to the regulation and conduct of pari-mutuel events or may reasonably undermine the public confidence in the integrity of pari-mutuel events:

(i) Offenses related to drugs or narcotics;

(ii) Offenses related to bookmaking;

(iii) Offenses related to arranging the outcome of a race, or to any fraud or deception while participating in pari-mutuel activities; or

(iv) Offenses related to representations made about any horse, ownership interest in a horse, or lease or sale of any horse.

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(b) In reading the Rules, unless the text otherwise requires, it shall be understood without constant reference that they apply only in the State of Wyoming.

(c) Any and all the Rules may be amended, altered, repealed or supplemented by new and additional Rules by a majority of the Commission in accordance with the provisions of the Administrative Procedure Act, W.S. 16-3-101 to 106.

(d) The Commission may rescind, increase or decrease any penalty or decision of infraction of the Rules imposed or made by the racing officials.

(e) The Laws of the State of Wyoming and the Rules promulgated by the Commission supersede the conditions of a race or the Permittee's regulations of a race meeting or any other permitted event.

(f) No person less than 19-18 years old shall be knowingly admitted to the betting area of any Permittee nor shall he be employed in any manner about the track or permitted event except that he may be a trainer, jockey, jockey apprentice, exerciser, groom, jockey runner or employed in such other capacity as the Commission may approve.

(g) Every licensed person participating in a permitted event including all owners and trainers and their stable employees, are subject to the Laws of Wyoming and the Rules promulgated by the Commission immediately upon acceptance and occupancy of stabling accommodations from or approved by a Permittee or upon making entry to run or participate on Permittee's track grounds. Owners, trainers and stable employees shall abide by the Laws and Rules and accept the decisions of the Stewards/Judges on any and all questions, subject to their right of appeal to the Commission.

Section 2. **Corrupt Practices.**

(a) Any licensed person found guilty of any dishonest or corrupt practice, fraudulent act, or other conduct detrimental to racinga pari-mutuel event, including bookmaking or touting, committed while within or without any

Permittee grounds, may be ruled off all grounds under the jurisdiction of the Commission, and it shall be the duty of the Stewards and those authorized by them to exclude from all places under their jurisdiction persons who commit such offenses or are so ruled off.

(b) Violators of any Rule shall be subject to ejection from the grounds and/or to fine, suspension, or to being ruled off.

(c) No owner or trainer shall harbor on the grounds of a Permittee, engage or retain in his employ any unlicensed person unless that unlicensed person has been issued a badge by the Commission to allow entrance onto the grounds of the Permittee. In addition, each person may be required to sign a waiver of liability as a condition to receiving the badge.

(d) No licensed person shall use obscene, profane or indecent language to a racing or pari-mutuel event official, or any employee or representative of the Commission.

(e) Any person who commits an act on the grounds of any pari-mutuel facility which is patently contrary to the best interest of racing or pari-mutuel events which is in violation of a criminal statute of the United States of America or this state, and classified as a felony shall be subject to administrative action including license revocation, fine or deprivation of patron privileges.

(f) No person shall give, offer, or promise directly or indirectly, either on his own behalf or on behalf of another, any bribe, gift or gratuity in any form to any other person which is intended to influence the outcome of a pari-mutuel event.

(g) No racing official or his assistant, no owner, trainer, jockey, agent, roper, no person having charge of or access to any race-horse event animal, nor any other person shall accept or offer to accept on his own behalf or on behalf of another, any bribe, gift, or gratuity in any form which is intended to influence the outcome of a pari-mutuel event.

(h) No person shall offer or receive money or any other benefit for declaring an entry from a race, or for not entering a race.

(i) No person shall conspire with any other person for the Commission of any corrupt or fraudulent practice in relation to racing pari-mutuel events nor shall he commit such an act on his own account.

(j) No person shall make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding, and then only on said horse.

(k) No person shall offer or give a jockey any money or other benefit in relation to a race, unless the person is the owner or trainer of the horse ridden in the race by the jockey.

(l) No electrical or mechanical device or other expedient designed to increase or decrease the speed of a horse (or that would tend to do so) other than the ordinary whip, shall be possessed by anyone or applied by anyone to a horse at any time on the grounds of a Permittee, during an meeting event whether in a race or otherwise. The owner and trainer of a horse upon which such device was used may be subject to penalties of fine, suspension and loss of purse.

(m) Any person other than a veterinarian licensed by the Commission who administers any drug or allows any other person to administer any drugs to a horse within 24 hours prior to the horse running participating in a pari-mutuel event of a horse in a race, must give notice to the Stewards of the use of the drugs prior to the running of the race or go-round. Any person failing to give notice shall be fined and/or suspended and/or his license revoked.

(n) No person shall, while on the grounds where horse or cattle which are eligible for a pari-mutuel event given by a Permittee, have in his possession any drugs; hypodermic syringes, needles or similar instruments which may be used for injection; or any electrical, mechanical, or other appliance or thing which might affect the speed or actions of horses or cattle except:

~~No person shall have in his possession on the grounds where horses are lodged or kept which are eligible to race over a race track of a Permittee any drugs, hypodermic syringes, or hypodermic needles or similar instruments which may be used for injection, or electrical or mechanical or other appliances, or anything which might affect the speed or actions of a horse except;~~

(i) A veterinarian authorized to practice at the race track permitted event or a person other than a veterinarian who possesses the above mentioned items for an existing emergency and as prescribed by a veterinarian, or

(ii) Any licensed person may have in his possession on the grounds any chemical substance for use on his own person, provided that, if the chemical substance is prohibited from being dispensed by any Federal law or law of this state without a prescription, he is in possession of documentary evidence that a valid prescription for such chemical substance has been issued to him, or

(iii) Any licensed person may have in his possession on the grounds any hypodermic syringe or needle for the purpose of administering a chemical substance to himself, provided that he has notified the State Steward:

(1) of his possession of such device, (2) of the size of such device, and (3) of the chemical substance to be administered by such device, or

(iv) As permitted by the Stewards or the authorized representative of the Commission in writing.

Any licensed person so offending shall be fined and/or suspended and/or ruled off and/or his license revoked.

(o) With reasonable suspicion, the Commission through its employees or agents, or authorized employees of the permittee may search and inspect for prohibited medication, drugs, drug paraphernalia, or any electrical or mechanical equipment usable to affect the condition of any animal on a permitted event grounds, or the racing condition of a horse or any other item prohibited by these rules, at any time without notice:

(i) Association stables, receiving barns, the paddock, jockey's room, supply rooms, blacksmith and similar service shops or areas, including living quarters, or private vehicles located within enclosures of the Permittee grounds, and

(ii) The person of any licensee while upon the Permittee's grounds in the prescribed areas described in the preceding subparagraph.

(p) Any action or substance, drugs or otherwise, which may interfere with the testing procedure is forbidden.

(q) A trainer/roper shall be the absolute insurer of and responsible for the condition of the horses entered in a race or permitted event, regardless of the acts of third parties. Should the chemical or other analysis of blood or urine sample, or other tests, prove positive, showing a presence of any narcotic stimulant, depressant, foreign substance or drug of any kind or description, the trainer of the horse may, in the discretion of the Commission, have and receive any or all of the following penalties: be fined, suspended, his license revoked or ruled off, and in addition the owner of the horse and any other person or persons shown to have had the care or attendance of the horse, may in the discretion of the Commission, have any or all of the following penalties inflicted: be fined, suspended, his license revoked, or ruled off.

The owner or owners of any horse or horses disqualified by reason of violating the absolute insurer rule shall be denied and/or shall promptly return any part of the purse or sweepstakes or any trophy or prize received and the same shall be redistributed by order of the Stewards. If a jockey is penalized for possession or use of an electrical or mechanical device during a race, the owner may be denied any purse or award won in that race.

(r) No person shall improperly tamper or attempt to tamper with any horse/animal in such a way as to affect its/his speed performance in a race/permitted event, nor shall he counsel or in any way aid or abet any such tampering.

(s) No person shall assume or pay, directly or indirectly, a fine imposed upon another without consent of the Commission.

(t) No jockey's attendant (valet) shall make a bet on any race nor shall he place a bet for anyone else.

(u) No person shall make a hand book of any kind on the grounds of a Permittee.

(v) No person shall solicit for or bet with a hand book of any kind on the grounds of a Permittee.

(w) No person (including licensees) shall refuse to obey reasonable orders of an Official or Security Personnel of the Commission or the Permittee.

(x) The Commission may deny or revoke the license of any applicant or holder who has been convicted of any of the offenses listed below, if the Commission determines that the circumstances of the offense giving rise to the conviction make the applicant's presence a hazard to the regulation and conduct of pari-mutuel events or may reasonably undermine the public confidence in the integrity of pari-mutuel events:

(i) Offenses related to drugs or narcotics;

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(iii) Offenses related to arranging the outcome of a race, or to any fraud or deception while participating in pari-mutuel activities; or

(iv) Offenses related to representations made about any horse, ownership interest in a horse, or lease or sale of any horse.

CHAPTER 3

APPEALS, PROTESTS, AND HEARING RULES

Section 1. **Definitions.**

(a) PETITIONER shall mean the person, group, or entity initiating action for a hearing.

(b) RESPONDENT shall mean the Commission.

Section 2. **Appeals to the Commission.**

(a) When a person or persons are fined or suspended under these Rules, a request may be made for a hearing before the Commission.

(i) Such request must be filed in writing at the office of the Commission within five (5) days of the date of notice of the penalty or imposition of discipline.

(ii) The request shall be signed by the person making it and must set forth his reason for believing he is entitled to a hearing.

(iii) Any petitioner for a hearing will be heard in person or by counsel or he may submit his case in writing.

(iv) All complaints and requests to the Commission must be in writing, and all papers filed with the Commission shall become the property of the Commission.

(v) An appeal from a decision of a racing official or roping official to the Commission shall not affect such decision until the appeal has been acted upon by the Commission unless otherwise ordered by a Court of competent jurisdiction.

(vi) A decision by the stewards regarding a disqualification for interference during the running of a race is final and may not be appealed to the commission.

Section 3. **Protests.**

(a) A protest, except a protest involving fraud, may be filed only by the owner or his authorized agent, trainer or jockey of a horse engaged in the race in which the protest is made or by a racing official of the meeting.

(b) A protest involving fraud may be made by any person.

(c) A protest, except a claim growing out of the happening in the running

of the race, must be made in writing, signed by the complainant and filed with the Stewards before post time of the race in question.

(d) Any protest over the status of an alleged maiden must be made in writing, signed by the complainant, and filed with the Stewards before the programmed post time for the race in which the protested maiden is scheduled to run.

(e) A protest against a horse engaged in a race and filed with the Stewards not less than sixty (60) minutes before post time, shall receive immediate consideration; and if the eligibility of the horse cannot be verified within thirty (30) minutes of post time the horse may be disqualified from starting.

(f) A protest against the programmed distance of a race must be made at least thirty (30) minutes before post time for that race, but nothing in this rule shall affect the rule for races run at a wrong distance as compared with the official program.

(g) A protest against a horse based on a happening in a race must be made to the Stewards before the placing of the horses for that race has been officially confirmed.

(h) If a jockey wishes to protest a happening in a race, he must notify the clerk of the scales immediately upon his arrival at the scales for weighing in.

(i) A person or persons lodging a protest must pay all costs and expenses incurred in determining the objection unless his objection is upheld, in which case the cost shall be paid by the offender.

(j) Pending the determination of a protest any money or prize won by a protested horse, or any other money affected by the outcome of the protest shall be paid to and held by the horsemen's bookkeeper until the protest is determined.

(k) A protest may not be withdrawn without permission of the Stewards.

(l) The Stewards shall keep a record of all protests and complaints and of any action taken and shall report both daily to the Commission.

Section 4. **Informal Steward's Hearing.**

(a) The Board of Stewards may hold an informal hearing in order to discuss an alleged or apparent violation of the Statutes or the Rules by a licensee. Oral notice is sufficient to commence an informal hearing. After the hearing no sanction or penalty may be imposed by the Stewards unless all affected parties agree to it.

Section 5. **Formal Steward's Hearing.**

(a) The Stewards hearing procedure includes written reasonable notice to the licensee, delivered prior to the hearing, informing the licensee of:

(i) The charges against him, the possible penalties which may be imposed, and the time, date and place the hearing will be held;

(ii) The right to have counsel present, the right to present a defense, including witnesses for that purpose, and the right to cross-examine the Steward's witnesses if any.

(b) The Stewards may grant a continuance of any hearing for good cause shown.

(c) Failure of the licensee to appear at the time and place of the Formal Stewards' hearing will be deemed a default. Such default will be noted in the record and taken as a waiver of the licensee's due process rights. The Stewards may then impose penalties or make license discipline rulings against the licensee to the extent authorized by these Rules.

(d) Appeals from the decision of the Stewards shall be governed by Chapter III, Section 6 of these Rules.

Section 6. **Commission Hearing Rules.**

(a) Definitions.

(i) PETITIONER shall mean the person, group, or entity initiating action for a hearing.

(ii) RESPONDENT shall mean the Commission.

(b) Notice of Hearing. The Commission shall cause written notice of any hearing held under these rules to be served upon each contestant at least ten (10) days prior to the date set for the hearing. Such notice shall include a statement of:

(i) The time, place, and nature of the hearing.

(ii) The legal authority and jurisdiction under which the hearing is to be held.

(iii) Such other matters as may be required by the Wyoming Administrative Procedures Act.

(c) Service of Notice. Service may be made either personally or by certified or registered mail as follows:

(i) Personally: Service, if made by sheriff, or other person, shall be made in the manner prescribed by the Wyoming Rules of Civil Procedure. Service may be made by any person, not an officer, who is of lawful age, and not a party in interest. The return of service shall be made by the certification of the officer who made the service, or if made by a person other than an officer, by his affidavit. Return of service must be filed with the Commission prior to the commencement of the hearing.

(ii) By certified or registered mail to the last known address of a petitioner.

(d) Motions. The Commission may at any time after three (3) days notice to all parties, hear orally or otherwise, any motion filed in connection with hearings under these rules.

(e) Order of Procedure at Hearing. As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

(i) The chairman; shall announce that the Commission is open to transact business and call by docket number and title the case to be heard.

(ii) The petitioner will be allowed an opening statement to briefly explain its position to the Commission and outline the evidence it proposes to offer, together with the purpose.

(iii) The respondent will be allowed an opening statement.

(iv) Any additional parties will be allowed an opening statement.

(v) The petitioner's evidence will be heard and offered. Witnesses may be cross-examined by the respondent and by members of the Commission and legal counsel for the Commission. The petitioner's exhibits will be marked by letters of the alphabet, beginning with "A".

(vi) The respondent's evidence will be heard and offered. Witnesses may be cross-examined by the petitioner or his attorney and by members of the Commission and legal counsel for the Commission. The respondent's exhibits will be marked by letters of the alphabet, beginning with "AA".

(vii) The chairman may introduce any evidence necessary on behalf of the Commission, and exhibits of the Commission will be marked with numbers, beginning with "I". Members of the Commission may examine witnesses. Witnesses may be cross-examined by the contestant and the attorney for the Commission.

(viii) The Commission may in its discretion allow evidence to be

offered out of order.

(ix) Closing statements will be made in the following sequence:

(A) Petitioner.

(B) Respondent.

(x) Petitioner's rebuttal if the Commission feels it is necessary. The time for oral argument may be limited by the chairman.

(xi) The chairman may recess the hearing as required.

(xii) After all interested parties have been offered an opportunity to be heard, the chairman shall declare the evidence closed and excuse all witnesses. The evidence of the case may be reopened at a later date, for good cause shown, by order of the Commission upon motion of any party to the proceeding, the chairman, or the Commission itself.

(xiii) Parties may tender briefs, or the Commission may call for such briefs as may be desirable.

(xiv) The chairman may declare that the matter is taken under advisement and that the decision and order of the Commission will be announced at a later date.

(f) Witnesses at Hearings to be Sworn. All persons testifying at any hearing before the Commission shall stand and be administered the following oath or affirmation by a member of the Commission, or other qualified person:

"Do you swear (or affirm) to tell the truth, the whole truth, and nothing but the truth in the matter now before the Commission, so help you, God?"

No testimony will be received from a witness except under such oath or affirmation.

(g) Applicable Rules of Civil Procedure. The rules of practice and procedure contained in the Rules of Civil Procedure of the State of Wyoming, insofar as the same may be applicable and not inconsistent with the laws of the State of Wyoming, shall apply in all hearings before the Commission. For the application of such rules the secretary is designated to be in the same relationship to the Commission as a clerk of court to a court.

(h) Attorneys. The filing of a pleading or other appearance by an attorney constitutes his appearance for the party for whom made. The Commission must be notified in writing of his withdrawal from any matter. Any person appearing before

the Commission at a hearing in a representative capacity shall be precluded from examining or cross-examining any witness, unless such person shall be an attorney licensed to practice law in the State of Wyoming, or a nonresident attorney associated with a Wyoming attorney. This rule shall not be construed to prohibit any person from representing himself before the Commission.

(i) Appearances.

(i) At any hearing held or any investigation conducted by the Commission, all parties named in paragraph (f) who are directly affected by the proceeding shall be entitled to enter an appearance, to introduce evidence, examine and cross-examine witnesses, make arguments and generally participate in the conduct of the proceeding.

(ii) Appearances and representation of parties shall be made as follows:

(A) An individual may appear and be heard in his own behalf.

(B) A partnership may appear and be represented by a partner.

(C) A corporation may appear and be represented by a corporate officer or a full-time employee of the corporation.

(D) A municipal corporation or its Board of Public Utilities may appear and be represented by a municipal officer, a member of the board, or a full-time employee of the municipality or board.

(E) An unincorporated association may appear and be represented by any bona fide general officer or full-time employee of the association.

(F) Any party to a proceeding may appear and be represented by an attorney. No attorney from any other State shall be entitled to enter his appearance in, prosecute or defend any action or proceeding pending before the Commission unless he is associated with a Wyoming attorney.

(iii) Any person appearing in a proceeding before the Commission shall conform to the recognized standards of ethical conduct.

(j) Intervention. Any person interested in obtaining relief sought by a complaint or otherwise interested in the determination of a proceeding pending before the Commission, may petition for leave to intervene in such proceeding prior to or at the time it is called for hearing, but not thereafter except for good cause

shown. The petition shall set forth the grounds of the proposed intervention, the position and interest of the petitioner in the proceeding, and, if affirmative relief is sought, the same should conform to the requirement for a formal complaint. Leave will not be granted except on allegations reasonably pertinent to the issues already presented and which do not unduly broaden them.

If leave is granted, the petitioner becomes an intervenor and a party to the proceeding with the right to have notice of, and appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard on the argument of the case.

(k) General Hearing Rules.

(i) Every party shall be afforded the right to appear and testify in person or by counsel or other duly qualified representative. If testifying in behalf of another person or several persons, such party shall present to the hearing officer evidence he is a qualified representative.

(ii) Every person testifying shall, at the Commission's discretion be qualified prior to testifying. Qualification will include ascertaining the residency, occupation, background, education and expertise of the person.

(iii) All parties shall have the right to respond and present evidence and argument on all issues involved.

(iv) No person shall be required to report, inspect, or perform any investigative act except as authorized by law.

(v) All persons required to submit data or evidence shall be either entitled to retain the data or evidence or upon payment of a reasonable cost may procure a copy.

(vi) All irrelevant, immaterial, or unduly repetitious evidence may be excluded. Hearsay evidence may be admissible.

(vii) Effect to the rules of privilege shall be given as recognized by law. Documentary evidence may be received in the form of copies of excerpts, if the original is not available. All copies are subject to being compared with the original.

(viii) The Commission may sit in part or in total for hearings. A hearing officer may be appointed by the Commission.

(A) At the discretion of the Commission the Executive Director may sit as hearing officer and preside over appeals before the Commission.

(B) The Hearing Officer will accept evidence and forward all

testimony given at the hearing to the Commissioners. The Commission shall render a decision based on the evidence submitted or schedule a hearing for the licensee to appear before the Commission.

(C) The Hearing Officer, with the consent of the Commission shall determine whether good cause has been shown for a supersedeas (stay) of the Stewards' order or ruling. The Hearing Officer may require, as a condition of granting supersedeas, that the licensee appealing agree to a hearing upon short notice and specifically waive his right to ten (10) days notice of hearing.

(ix) The presiding officer shall:

(A) Administer oaths and affirmations.

(B) Issue subpoenas.

(C) Rule upon offers of proof and receive relevant evidence.

(D) Take or cause to be taken depositions.

(E) Preside over the hearing and regulate its proceedings.

(F) Dispose of procedural requests. The presiding officer shall be assisted by a representative of the Attorney General's office, when such assistance is deemed necessary.

(G) The presiding officer shall officially open and officially close the hearing.

(x) All parties planning to offer testimony shall register with the hearing clerk. All efforts will be made to accommodate the request of individuals as to time of appearance.

(xi) All parties desiring to testify shall be given an opportunity to testify at least once. An opportunity to present testimony a second time will be allowed only after all interested parties have first had the opportunity to testify.

(l) Subpoenas.

(i) Subpoenas, requiring the attendance of witnesses from any place in the State of Wyoming at any designated place of hearing, or for the production of books, papers, or other documents, may be issued by the Commission upon application of any party to the proceedings or upon motion of the Commission. The chairman or secretary of the Commission, upon written application of any party or his attorney, shall issue a subpoena requiring the appearance of witnesses for the purpose of taking evidence or requiring the production of any books, papers, or other documents relevant or material to the inquiry, all subject to the provisions of

the Wyoming Administrative Procedure Act.

(ii) Subpoenas for the production of books, papers, or other documents, unless directed by the Commission upon its own motion will issue only upon application in writing, and such application shall set forth the books, papers, or other documents sought, with a showing that they will be of service in the determination of the proceeding.

(iii) All subpoenas shall be served by delivering a copy personally, or by certified mail, requiring return receipt, to the party to be served.

(iv) Costs of service of subpoenas shall be paid by the parties requesting service.

(m) Depositions. The testimony of any witness may be taken by deposition at the insistence of a party in any proceeding or investigation at any time after it is at issue, by the consent of the Commission. The Commission may, of its own motion, order testimony to be taken by deposition in any proceeding or investigation pending before it, at any stage of the proceeding or investigation. The deposition shall be taken in the manner prescribed by the laws of Wyoming for taking depositions in civil actions in the District Courts of this State.

(n) Witness Fees.

(i) Witnesses who are summoned before the Commission are entitled to the same fees as are paid for like service in the District Courts of the State of Wyoming.

(ii) Witnesses whose depositions are taken and the officer taking it shall be entitled severally to the same fees as are paid for like service in the District Courts of the State.

(iii) All such fees shall be paid by the party at whose insistence the testimony is taken.

(o) Attorney for the Commission. In all hearings before the Commission, the chairman may request the assistance of the Attorney General's office to assist and advise the Commission.

(p) Taking of Testimony -- Reporter. In all hearings, the proceedings, including all testimony, shall be reported verbatim, stenographically or by any other appropriate means determined by the Commission or the officer presiding at the hearing.

(q) Transcripts. Oral proceedings or any part of the proceedings shall be transcribed on request of any party upon payment of the cost. In case of an appeal to the District Court, the party appealing shall secure and file a transcript of the testimony and other evidence offered at the hearing with the Commission, which

transcript shall be verified by the oath of the reporter or transcribed as a true and correct transcript of the testimony and other evidence in the hearing. The cost of making the transcript shall be paid by the party prosecuting the appeal. The complete record on appeal, including the transcript of testimony, shall be verified by the secretary.

(r) Decision, Findings of Fact and Conclusions of Law and Order. The Commission shall, following the full and complete hearing, make and enter a written decision and order containing Findings of Fact and Conclusions of Law. The decision and order shall be filed with the Commission and will, without further action, become the decision and order as a result of the hearing. Upon entry and filing, the Commission shall send a copy by prepaid mail to each of the parties, or their attorneys of record.

(s) Appeals to District Court. Appeals to the District Court from decisions of the Commission are governed by W.S. 16-3-114 and the Rules of Civil Procedure promulgated by the Supreme Court of the State of Wyoming.

(t) Transcript in Case of Appeal. In case of an appeal to the District Court the party appealing shall secure and file a transcript of the testimony and all other evidence offered at the hearing, which transcript must be verified by the oath of the reporter who took the testimony as a true and correct transcript of the testimony and other evidence in the case. The compensation of the reporter for making the transcript of the testimony and all other costs involved in the appeal shall be borne by the party prosecuting the appeal.

(u) Complaints.

(i) Informal complaints may be made in person, by letter or other writing. Matters thus presented will be, if their nature so warrants, taken up by correspondence or otherwise with the party complained against in an endeavor to bring about satisfaction of the complaint without formal hearing.

(ii) In the event of failure to bring about satisfaction of the complaint in this manner, the complaining party may file a formal complaint, whereupon the informal proceeding will be discontinued.

(iii) No form of informal complaint is prescribed but in substance, it must contain a clear and concise statement of all the facts involved, the name and address of the complaining party, the name of the party against which complaint is made, and a request for the relief sought.

(v) Pre-Hearing Conference. At a time on or before the day of the hearing, the Commission may direct the parties to appear before the Commission to consider:

(i) The simplification of the issues.

- (ii) The necessity or desirability of amending the pleading.
- (iii) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof.
- (iv) Such other matters as may aid in the disposition of the case.

Pre-hearing conferences shall be conducted informally. A memorandum will be prepared which recites the actions taken at the conference, amendments allowed, agreements of the parties and limitation of the issues to those not resolved of by admissions or agreements of counsel and the parties. The pre-hearing memorandum will control the course of the hearing unless modified by the Commission to prevent manifest injustice.

(w) Acknowledgments. All formal complaints, answers, and applications filed with the Commission must be duly verified or acknowledged before a notary public or other officer empowered to take acknowledgments.

(x) Amendments. The Commission may, in its discretion, allow any pleading to be amended or corrected or any omission to be supplied.

(y) Continuance and Extension of Time. For good cause shown, continuances and extensions of time will be granted or denied in the discretion of the Commission.

(z) Computation of Time. When the time prescribed by these rules or by any order of the Commission for doing any act expires on a Sunday or legal holiday the time shall extend to and include the next succeeding business day.

(aa) Settlements. Unless precluded by law, informal disposition may be made of any hearing by stipulation, agreed settlement, consent, order or default.

(bb) Deviation from Rules. The Commission may permit deviations from these rules as it may find compliance to be impossible or impractical.

(cc) Prescribed Forms. The following forms are prescribed by the Commission and should be used in all cases to which they are applicable:

FORMAL COMPLAINT

BEFORE THE WYOMING PARI-MUTUEL COMMISSION

_____,)	
	Petitioner,)	
)	
-vs-)	Docket No.
)	
)	
_____,)	
	Respondent.)	

COMPLAINT

COMES NOW, the above-mentioned Petitioner, whose (state post office address) and whose (state occupation or business) and respectfully shows unto the Commission:

(a) That the above-named Respondent is a (individual, corporation, or business entity) engaged in the business of (state business of the Respondent) in the State of Wyoming.

(b) That (here, state fully and clearly the act or thing done or omitted to be done which the Petitioner claims constitutes his cause of complaint, with reference, where practicable, to the law, order, or rule, and the section or sections thereof, of which a violation is alleged).

WHEREFORE, the Petitioner prays that (state specifically the relief sought).

Dated this ____ day of _____, 19

Signed:
Petitioner

Attorney

Address
(Verification)

Form No. 2

ANSWER TO COMPLAINT

BEFORE THE WYOMING PARI-MUTUEL COMMISSION

_____,)	
	Petitioner,)	
)	
-vs-)	Docket No.
)	
)	
_____,)	
	Respondent.)	

ANSWER

The above-named Respondent, in answer to the Petitioner in this proceeding, says:

(a) That (state allegations of fact by way of admission, avoidance, or denial of the allegations of fact contained in the complaint, designating each paragraph, (a), (b), etc.

WHEREFORE, the said Respondent prays that the complaint in this proceeding be dismissed or prays for such affirmative relief as the facts alleged may justify).

Dated this ___ day of _____, 19__.

Signed: _____
Respondent

Attorney

Address
(Verification)

CHAPTER 3

APPEALS, PROTESTS, AND HEARING RULES

Section 1. **Definitions.**

(a) PETITIONER shall mean the person, group, or entity initiating action for a hearing.

(b) RESPONDENT shall mean the Commission.

Section 2. **Appeals to the Commission.**

(a) When a person or persons are fined or suspended under these Rules, a request may be made for a hearing before the Commission.

(i) Such request must be filed in writing at the office of the Commission within five (5) days of the date of notice of the penalty or imposition of discipline.

(ii) The request shall be signed by the person making it and must set forth his reason for believing he is entitled to a hearing.

(iii) Any petitioner for a hearing will be heard in person or by counsel or he may submit his case in writing.

(iv) All complaints and requests to the Commission must be in writing, and all papers filed with the Commission shall become the property of the Commission.

(v) An appeal from a decision of a racing official or roping official to the Commission shall not affect such decision until the appeal has been acted upon by the Commission unless otherwise ordered by a Court of competent jurisdiction.

(vi) A decision by the stewards regarding a disqualification for interference during the running of a race is final and may not be appealed to the commission.

Section 3. **Protests.**

(a) A protest, except a protest involving fraud, may be filed only by the owner or his authorized agent, trainer or jockey of a horse engaged in the race in which the protest is made or by a racing official of the meeting.

(b) A protest involving fraud may be made by any person.

(c) A protest, except a claim growing out of the happening in the running

of the race, must be made in writing, signed by the complainant and filed with the Stewards before post time of the race in question.

(d) Any protest over the status of an alleged maiden must be made in writing, signed by the complainant, and filed with the Stewards before the programmed post time for the race in which the protested maiden is scheduled to run.

(e) A protest against a horse engaged in a race and filed with the Stewards not less than sixty (60) minutes before post time, shall receive immediate consideration; and if the eligibility of the horse cannot be verified within thirty (30) minutes of post time the horse may be disqualified from starting.

(f) A protest against the programmed distance of a race must be made at least thirty (30) minutes before post time for that race, but nothing in this rule shall affect the rule for races run at a wrong distance as compared with the official program.

(g) A protest against a horse based on a happening in a race must be made to the Stewards before the placing of the horses for that race has been officially confirmed.

(h) If a jockey wishes to protest a happening in a race, he must notify the clerk of the scales immediately upon his arrival at the scales for weighing in.

(i) A person or persons lodging a protest must pay all costs and expenses incurred in determining the objection unless his objection is upheld, in which case the cost shall be paid by the offender.

(j) Pending the determination of a protest any money or prize won by a protested horse, or any other money affected by the outcome of the protest shall be paid to and held by the horsemen's bookkeeper until the protest is determined.

(k) A protest may not be withdrawn without permission of the Stewards.

(l) The Stewards shall keep a record of all protests and complaints and of any action taken and shall report both daily to the Commission.

Section 4. **Informal Steward's Hearing.**

(a) The Board of Stewards may hold an informal hearing in order to discuss an alleged or apparent violation of the Statutes or the Rules by a licensee. Oral notice is sufficient to commence an informal hearing. After the hearing no sanction or penalty may be imposed by the Stewards unless all affected parties agree to it.

Section 5. **Formal Steward's Hearing.**

(a) The Stewards hearing procedure includes written reasonable notice to the licensee, delivered prior to the hearing, informing the licensee of:

(i) The charges against him, the possible penalties which may be imposed, and the time, date and place the hearing will be held;

(ii) The right to have counsel present, the right to present a defense, including witnesses for that purpose, and the right to cross-examine the Steward's witnesses if any.

(b) The Stewards may grant a continuance of any hearing for good cause shown.

(c) Failure of the licensee to appear at the time and place of the Formal Stewards' hearing will be deemed a default. Such default will be noted in the record and taken as a waiver of the licensee's due process rights. The Stewards may then impose penalties or make license discipline rulings against the licensee to the extent authorized by these Rules.

(d) Appeals from the decision of the Stewards shall be governed by Chapter III, Section 6 of these Rules.

Section 6. **Commission Hearing Rules.**

(a) Definitions.

(i) PETITIONER shall mean the person, group, or entity initiating action for a hearing.

(ii) RESPONDENT shall mean the Commission.

(b) Notice of Hearing. The Commission shall cause written notice of any hearing held under these rules to be served upon each contestant at least ten (10) days prior to the date set for the hearing. Such notice shall include a statement of:

(i) The time, place, and nature of the hearing.

(ii) The legal authority and jurisdiction under which the hearing is to be held.

(iii) Such other matters as may be required by the Wyoming Administrative Procedures Act.

(c) Service of Notice. Service may be made either personally or by certified or registered mail as follows:

(i) Personally: Service, if made by sheriff, or other person, shall be made in the manner prescribed by the Wyoming Rules of Civil Procedure. Service may be made by any person, not an officer, who is of lawful age, and not a party in interest. The return of service shall be made by the certification of the officer who made the service, or if made by a person other than an officer, by his affidavit. Return of service must be filed with the Commission prior to the commencement of the hearing.

(ii) By certified or registered mail to the last known address of a petitioner.

(d) Motions. The Commission may at any time after three (3) days notice to all parties, hear orally or otherwise, any motion filed in connection with hearings under these rules.

(e) Order of Procedure at Hearing. As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

(i) The chairman; shall announce that the Commission is open to transact business and call by docket number and title the case to be heard.

(ii) The petitioner will be allowed an opening statement to briefly explain its position to the Commission and outline the evidence it proposes to offer, together with the purpose.

(iii) The respondent will be allowed an opening statement.

(iv) Any additional parties will be allowed an opening statement.

(v) The petitioner's evidence will be heard and offered. Witnesses may be cross-examined by the respondent and by members of the Commission and legal counsel for the Commission. The petitioner's exhibits will be marked by letters of the alphabet, beginning with "A".

(vi) The respondent's evidence will be heard and offered. Witnesses may be cross-examined by the petitioner or his attorney and by members of the Commission and legal counsel for the Commission. The respondent's exhibits will be marked by letters of the alphabet, beginning with "AA".

(vii) The chairman may introduce any evidence necessary on behalf of the Commission, and exhibits of the Commission will be marked with numbers, beginning with "I". Members of the Commission may examine witnesses. Witnesses may be cross-examined by the contestant and the attorney for the Commission.

(viii) The Commission may in its discretion allow evidence to be

offered out of order.

(ix) Closing statements will be made in the following sequence:

(A) Petitioner.

(B) Respondent.

(x) Petitioner's rebuttal if the Commission feels it is necessary. The time for oral argument may be limited by the chairman.

(xi) The chairman may recess the hearing as required.

(xii) After all interested parties have been offered an opportunity to be heard, the chairman shall declare the evidence closed and excuse all witnesses. The evidence of the case may be reopened at a later date, for good cause shown, by order of the Commission upon motion of any party to the proceeding, the chairman, or the Commission itself.

(xiii) Parties may tender briefs, or the Commission may call for such briefs as may be desirable.

(xiv) The chairman may declare that the matter is taken under advisement and that the decision and order of the Commission will be announced at a later date.

(f) Witnesses at Hearings to be Sworn. All persons testifying at any hearing before the Commission shall stand and be administered the following oath or affirmation by a member of the Commission, or other qualified person:

"Do you swear (or affirm) to tell the truth, the whole truth, and nothing but the truth in the matter now before the Commission, so help you, God?"

No testimony will be received from a witness except under such oath or affirmation.

(g) Applicable Rules of Civil Procedure. The rules of practice and procedure contained in the Rules of Civil Procedure of the State of Wyoming, insofar as the same may be applicable and not inconsistent with the laws of the State of Wyoming, shall apply in all hearings before the Commission. For the application of such rules the secretary is designated to be in the same relationship to the Commission as a clerk of court to a court.

(h) Attorneys. The filing of a pleading or other appearance by an attorney constitutes his appearance for the party for whom made. The Commission must be notified in writing of his withdrawal from any matter. Any person appearing before

the Commission at a hearing in a representative capacity shall be precluded from examining or cross-examining any witness, unless such person shall be an attorney licensed to practice law in the State of Wyoming, or a nonresident attorney associated with a Wyoming attorney. This rule shall not be construed to prohibit any person from representing himself before the Commission.

(i) Appearances.

(i) At any hearing held or any investigation conducted by the Commission, all parties named in paragraph (f) who are directly affected by the proceeding shall be entitled to enter an appearance, to introduce evidence, examine and cross-examine witnesses, make arguments and generally participate in the conduct of the proceeding.

(ii) Appearances and representation of parties shall be made as follows:

(A) An individual may appear and be heard in his own behalf.

(B) A partnership may appear and be represented by a partner.

(C) A corporation may appear and be represented by a corporate officer or a full-time employee of the corporation.

(D) A municipal corporation or its Board of Public Utilities may appear and be represented by a municipal officer, a member of the board, or a full-time employee of the municipality or board.

(E) An unincorporated association may appear and be represented by any bona fide general officer or full-time employee of the association.

(F) Any party to a proceeding may appear and be represented by an attorney. No attorney from any other State shall be entitled to enter his appearance in, prosecute or defend any action or proceeding pending before the Commission unless he is associated with a Wyoming attorney.

(iii) Any person appearing in a proceeding before the Commission shall conform to the recognized standards of ethical conduct.

(j) Intervention. Any person interested in obtaining relief sought by a complaint or otherwise interested in the determination of a proceeding pending before the Commission, may petition for leave to intervene in such proceeding prior to or at the time it is called for hearing, but not thereafter except for good cause

shown. The petition shall set forth the grounds of the proposed intervention, the position and interest of the petitioner in the proceeding, and, if affirmative relief is sought, the same should conform to the requirement for a formal complaint. Leave will not be granted except on allegations reasonably pertinent to the issues already presented and which do not unduly broaden them.

If leave is granted, the petitioner becomes an intervenor and a party to the proceeding with the right to have notice of, and appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard on the argument of the case.

(k) General Hearing Rules.

(i) Every party shall be afforded the right to appear and testify in person or by counsel or other duly qualified representative. If testifying in behalf of another person or several persons, such party shall present to the hearing officer evidence he is a qualified representative.

(ii) Every person testifying shall, at the Commission's discretion be qualified prior to testifying. Qualification will include ascertaining the residency, occupation, background, education and expertise of the person.

(iii) All parties shall have the right to respond and present evidence and argument on all issues involved.

(iv) No person shall be required to report, inspect, or perform any investigative act except as authorized by law.

(v) All persons required to submit data or evidence shall be either entitled to retain the data or evidence or upon payment of a reasonable cost may procure a copy.

(vi) All irrelevant, immaterial, or unduly repetitious evidence may be excluded. Hearsay evidence may be admissible.

(vii) Effect to the rules of privilege shall be given as recognized by law. Documentary evidence may be received in the form of copies of excerpts, if the original is not available. All copies are subject to being compared with the original.

(viii) The Commission may sit in part or in total for hearings. A hearing officer may be appointed by the Commission.

(A) At the discretion of the Commission the Executive Director may sit as hearing officer and preside over appeals before the Commission.

(B) The Hearing Officer will accept evidence and forward all

testimony given at the hearing to the Commissioners. The Commission shall render a decision based on the evidence submitted or schedule a hearing for the licensee to appear before the Commission.

(C) The Hearing Officer, with the consent of the Commission shall determine whether good cause has been shown for a supersedeas (stay) of the Stewards' order or ruling. The Hearing Officer may require, as a condition of granting supersedeas, that the licensee appealing agree to a hearing upon short notice and specifically waive his right to ten (10) days notice of hearing.

(ix) The presiding officer shall:

(A) Administer oaths and affirmations.

(B) Issue subpoenas.

(C) Rule upon offers of proof and receive relevant evidence.

(D) Take or cause to be taken depositions.

(E) Preside over the hearing and regulate its proceedings.

(F) Dispose of procedural requests. The presiding officer shall be assisted by a representative of the Attorney General's office, when such assistance is deemed necessary.

(G) The presiding officer shall officially open and officially close the hearing.

(x) All parties planning to offer testimony shall register with the hearing clerk. All efforts will be made to accommodate the request of individuals as to time of appearance.

(xi) All parties desiring to testify shall be given an opportunity to testify at least once. An opportunity to present testimony a second time will be allowed only after all interested parties have first had the opportunity to testify.

(l) Subpoenas.

(i) Subpoenas, requiring the attendance of witnesses from any place in the State of Wyoming at any designated place of hearing, or for the production of books, papers, or other documents, may be issued by the Commission upon application of any party to the proceedings or upon motion of the Commission. The chairman or secretary of the Commission, upon written application of any party or his attorney, shall issue a subpoena requiring the appearance of witnesses for the purpose of taking evidence or requiring the production of any books, papers, or other documents relevant or material to the inquiry, all subject to the provisions of

the Wyoming Administrative Procedure Act.

(ii) Subpoenas for the production of books, papers, or other documents, unless directed by the Commission upon its own motion will issue only upon application in writing, and such application shall set forth the books, papers, or other documents sought, with a showing that they will be of service in the determination of the proceeding.

(iii) All subpoenas shall be served by delivering a copy personally, or by certified mail, requiring return receipt, to the party to be served.

(iv) Costs of service of subpoenas shall be paid by the parties requesting service.

(m) Depositions. The testimony of any witness may be taken by deposition at the insistence of a party in any proceeding or investigation at any time after it is at issue, by the consent of the Commission. The Commission may, of its own motion, order testimony to be taken by deposition in any proceeding or investigation pending before it, at any stage of the proceeding or investigation. The deposition shall be taken in the manner prescribed by the laws of Wyoming for taking depositions in civil actions in the District Courts of this State.

(n) Witness Fees.

(i) Witnesses who are summoned before the Commission are entitled to the same fees as are paid for like service in the District Courts of the State of Wyoming.

(ii) Witnesses whose depositions are taken and the officer taking it shall be entitled severally to the same fees as are paid for like service in the District Courts of the State.

(iii) All such fees shall be paid by the party at whose insistence the testimony is taken.

(o) Attorney for the Commission. In all hearings before the Commission, the chairman may request the assistance of the Attorney General's office to assist and advise the Commission.

(p) Taking of Testimony -- Reporter. In all hearings, the proceedings, including all testimony, shall be reported verbatim, stenographically or by any other appropriate means determined by the Commission or the officer presiding at the hearing.

(q) Transcripts. Oral proceedings or any part of the proceedings shall be transcribed on request of any party upon payment of the cost. In case of an appeal to the District Court, the party appealing shall secure and file a transcript of the testimony and other evidence offered at the hearing with the Commission, which

transcript shall be verified by the oath of the reporter or transcribed as a true and correct transcript of the testimony and other evidence in the hearing. The cost of making the transcript shall be paid by the party prosecuting the appeal. The complete record on appeal, including the transcript of testimony, shall be verified by the secretary.

(r) Decision, Findings of Fact and Conclusions of Law and Order. The Commission shall, following the full and complete hearing, make and enter a written decision and order containing Findings of Fact and Conclusions of Law. The decision and order shall be filed with the Commission and will, without further action, become the decision and order as a result of the hearing. Upon entry and filing, the Commission shall send a copy by prepaid mail to each of the parties, or their attorneys of record.

(s) Appeals to District Court. Appeals to the District Court from decisions of the Commission are governed by W.S. 16-3-114 and the Rules of Civil Procedure promulgated by the Supreme Court of the State of Wyoming.

(t) Transcript in Case of Appeal. In case of an appeal to the District Court the party appealing shall secure and file a transcript of the testimony and all other evidence offered at the hearing, which transcript must be verified by the oath of the reporter who took the testimony as a true and correct transcript of the testimony and other evidence in the case. The compensation of the reporter for making the transcript of the testimony and all other costs involved in the appeal shall be borne by the party prosecuting the appeal.

(u) Complaints.

(i) Informal complaints may be made in person, by letter or other writing. Matters thus presented will be, if their nature so warrants, taken up by correspondence or otherwise with the party complained against in an endeavor to bring about satisfaction of the complaint without formal hearing.

(ii) In the event of failure to bring about satisfaction of the complaint in this manner, the complaining party may file a formal complaint, whereupon the informal proceeding will be discontinued.

(iii) No form of informal complaint is prescribed but in substance, it must contain a clear and concise statement of all the facts involved, the name and address of the complaining party, the name of the party against which complaint is made, and a request for the relief sought.

(v) Pre-Hearing Conference. At a time on or before the day of the hearing, the Commission may direct the parties to appear before the Commission to consider:

(i) The simplification of the issues.

- (ii) The necessity or desirability of amending the pleading.
- (iii) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof.
- (iv) Such other matters as may aid in the disposition of the case.

Pre-hearing conferences shall be conducted informally. A memorandum will be prepared which recites the actions taken at the conference, amendments allowed, agreements of the parties and limitation of the issues to those not resolved of by admissions or agreements of counsel and the parties. The pre-hearing memorandum will control the course of the hearing unless modified by the Commission to prevent manifest injustice.

(w) Acknowledgments. All formal complaints, answers, and applications filed with the Commission must be duly verified or acknowledged before a notary public or other officer empowered to take acknowledgments.

(x) Amendments. The Commission may, in its discretion, allow any pleading to be amended or corrected or any omission to be supplied.

(y) Continuance and Extension of Time. For good cause shown, continuances and extensions of time will be granted or denied in the discretion of the Commission.

(z) Computation of Time. When the time prescribed by these rules or by any order of the Commission for doing any act expires on a Sunday or legal holiday the time shall extend to and include the next succeeding business day.

(aa) Settlements. Unless precluded by law, informal disposition may be made of any hearing by stipulation, agreed settlement, consent, order or default.

(bb) Deviation from Rules. The Commission may permit deviations from these rules as it may find compliance to be impossible or impractical.

(cc) Prescribed Forms. The following forms are prescribed by the Commission and should be used in all cases to which they are applicable:

Form No. 1

FORMAL COMPLAINT

BEFORE THE WYOMING PARI-MUTUEL COMMISSION

_____,)	
	Petitioner,)
)	
-vs-)	Docket No.
)	
)	
_____,)	
	Respondent.)

COMPLAINT

COMES NOW, the above-mentioned Petitioner, whose (state post office address) and whose (state occupation or business) and respectfully shows unto the Commission:

(a) That the above-named Respondent is a (individual, corporation, or business entity) engaged in the business of (state business of the Respondent) in the State of Wyoming.

(b) That (here, state fully and clearly the act or thing done or omitted to be done which the Petitioner claims constitutes his cause of complaint, with reference, where practicable, to the law, order, or rule, and the section or sections thereof, of which a violation is alleged).

WHEREFORE, the Petitioner prays that (state specifically the relief sought).

Dated this ____ day of _____, 19

Signed:
Petitioner

Attorney

Address
(Verification)

Form No. 2

ANSWER TO COMPLAINT

BEFORE THE WYOMING PARI-MUTUEL COMMISSION

_____,)	
	Petitioner,)	
)	
-vs-)	Docket No.
)	
)	
_____,)	
	Respondent.)	

ANSWER

The above-named Respondent, in answer to the Petitioner in this proceeding, says:

(a) That (state allegations of fact by way of admission, avoidance, or denial of the allegations of fact contained in the complaint, designating each paragraph, (a), (b), etc.

WHEREFORE, the said Respondent prays that the complaint in this proceeding be dismissed or prays for such affirmative relief as the facts alleged may justify).

Dated this ___ day of _____, 19__.

Signed: _____
Respondent

Attorney

Address
(Verification)

CHAPTER 4

INFORMATION PRACTICES

Section 1. **Authority.**

These rules are promulgated pursuant to the Wyoming Administrative Procedure Act, W.S.16-4-202, and Executive Order of March 1975. These rules apply to all public records maintained by the Wyoming Pari-Mutuel Commission.

Section 2. **Definitions.**

All of the definitions set forth and contained in W.S. 16-4-201 are incorporated by reference. In addition, "Official Custodian" means the Wyoming Pari-Mutuel Commission.

Section 3. **Disclosure.**

Records that are determined by the Wyoming Pari-Mutuel Commission to fall under the public record classification, except those public records for which inspection may or shall be denied pursuant to W.S. 16-4-203, shall be available for inspection in the offices of the Wyoming Pari-Mutuel Commission during normal business hours. Disclosure of all records maintained by the Wyoming Pari-Mutuel Commission shall be made without regard to the intended use or purpose of the request.

Section 4. **Access.**

(a) All public records, except those for which inspection may or shall be denied pursuant to W.S. 16-4-203, may be viewed, copied and physically handled in the office of the Commission during normal business hours upon written or oral request made to the official custodian. No form of identification and no form of written request shall be required as a prerequisite to access to public records.

(b) As provided by W.S. 16-4-204(b), any person requesting copies of any records permitted to be reproduced must make arrangements through the custodian since no reproduction facilities of any kind may be available at the office of the Commission. In case arrangements made are of such a nature that the Commission is required to authorize staff to be employed for this purpose away from the Commission offices, the Commission may charge up to the actual value of the time, and other expenses actually incurred, in addition to the actual costs of the reproduction; which total sum shall immediately be deposited with the Commission as provided by the law. For ordinary reproduction of records, a limited number of pages of any record permitted to be reproduced will be copied

by staff of the Commission at a charge of thirty-five (\$.35) per page to cover cost of staff's time and to cover charges levied against the Commission.

(c) No public records for which inspection may or shall be denied pursuant to W.S. 16-4-203 shall be copied except by employees of the Commission engaged in their employer's business and with the approval of the official custodian. A notation of all copies and the purpose for which they were used shall be noted on the original record.

Section 5. Correction and Amendment.

Any person in interest shall have the right upon written or oral request made to the official custodian to correct or amend any erroneous, inaccurate, or misleading information that is contained in a public record relating to him by supplementing the public record with corrected or amended material. No public records or portion shall be physically altered, destroyed or removed except with the consent of the Commission.

Section 6. Personnel Files.

Personnel files and the contents maintained by the Commission shall not be available for inspection except by the person in interest and the duly elected or appointed officials who supervise the work of the person in interest.

Section 7. Maintenance of Records.

(a) All public records maintained by the Commission shall be stored and retained according to applicable time schedules and policies of the Commission. At a minimum all public records shall be retained for the time as shall be deemed necessary to complete final agency action relative.

(b) All public records for which public inspection may or shall be denied pursuant to W.S. 16-4-203 shall be identified, stored and maintained, by whatever means appropriate, to indicate and preserve their confidentiality. The identification, storage and maintenance shall be undertaken in a manner as to indicate to an applicant for public records the existence and general notice of the confidential records.

Section 8. Mailing Lists

The official custodian shall disseminate no lists or compilations of files containing public records except when engaged in official business of the Commission.

CHAPTER 4

INFORMATION PRACTICES

Section 1. **Authority.**

These rules are promulgated pursuant to the Wyoming Administrative Procedure Act, W.S.16-4-202, and Executive Order of March 1975. These rules apply to all public records maintained by the Wyoming Pari-Mutuel Commission.

Section 2. **Definitions.**

All of the definitions set forth and contained in W.S. 16-4-201 are incorporated by reference. In addition, "Official Custodian" means the Wyoming Pari-Mutuel Commission.

Section 3. **Disclosure.**

Records that are determined by the Wyoming Pari-Mutuel Commission to fall under the public record classification, except those public records for which inspection may or shall be denied pursuant to W.S. 16-4-203, shall be available for inspection in the offices of the Wyoming Pari-Mutuel Commission during normal business hours. Disclosure of all records maintained by the Wyoming Pari-Mutuel Commission shall be made without regard to the intended use or purpose of the request.

Section 4. **Access.**

(a) All public records, except those for which inspection may or shall be denied pursuant to W.S. 16-4-203, may be viewed, copied and physically handled in the office of the Commission during normal business hours upon written or oral request made to the official custodian. No form of identification and no form of written request shall be required as a prerequisite to access to public records.

(b) As provided by W.S. 16-4-204(b), any person requesting copies of any records permitted to be reproduced must make arrangements through the custodian since no reproduction facilities of any kind may be available at the office of the Commission. In case arrangements made are of such a nature that the Commission is required to authorize staff to be employed for this purpose away from the Commission offices, the Commission may charge up to the actual value of the time, and other expenses actually incurred, in addition to the actual costs of the reproduction; which total sum shall immediately be deposited with the Commission as provided by the law. For ordinary reproduction of records, a limited number of pages of any record permitted to be reproduced will be copied

by staff of the Commission at a charge of thirty-five (\$.35) per page to cover cost of staff's time and to cover charges levied against the Commission.

(c) No public records for which inspection may or shall be denied pursuant to W.S. 16-4-203 shall be copied except by employees of the Commission engaged in their employer's business and with the approval of the official custodian. A notation of all copies and the purpose for which they were used shall be noted on the original record.

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Personnel files and the contents maintained by the Commission shall not be available for inspection except by the person in interest and the duly elected or appointed officials who supervise the work of the person in interest.

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Section 8. Mailing Lists

The official custodian shall disseminate no lists or compilations of files containing public records except when engaged in official business of the Commission.

CHAPTER 5

OFFICIALS

Section 1. **Officials, Generally.**

(a) At least thirty (30) days prior to the first day of a meeting the Permittee shall submit in writing to the Commission the names of all officials engaged for the pari-mutuel event and no official shall be qualified to act until approved and licensed by the Commission. In the event of incapacitation of any approved official the Permittee may, with the approval of the Commission, appoint a substitute.

(b) Any official or any other person who accepts conditions of employment with a Permittee in this state and is licensed by the Commission, who leaves such employment while a race meeting is in progress without first obtaining permission from the Permittee and the Commission, shall be subject to suspension.

(c) The officials of a race meeting are as follows: three (3) Stewards; three (3) Placing Judges; two (2) or more Patrol Judges; Clerk of the Scales; Starter; Handicappers; Timers; Paddock Judge; Identifier; Veterinarian; Racing Secretary; Mutuel Manager; Custodian of the Jockey Room, and other officials that the Commission may prescribe.

(d) No person shall be considered for approval by the Commission as an official unless such person is a professional racing official with a reputation of good character and ability or has indicated a desire to become a professional racing official and is in possession of sufficient experience and/or has a special aptitude for such a position.

(e) The Stewards and the Official Veterinarian for each meeting shall be selected by the Commission. The Commission may require the Permittee to pay for the salary of not more than two (2) Stewards. All other officials designated shall be appointments by the Permittee, 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 replaced to be subject to the approval of the Commission.

(f) No one interested in the result of a race or permitted event, either because of ownership of any horse entered, or of his sire or dam, or because of bets or otherwise, shall act as an official in respect to that race or permitted event.

(g) No Permittee shall employ or accept the services of any person as an official or in any other capacity who is the owner or trainer of, or who has any

interest, financial or otherwise, in horses registered for racing at their meeting or pari-mutuel event unless special permission has been granted by the Commission.

(h) No official or assistant shall wager money or any other chattel of value on the result of any pari-mutuel event.

(i) No official or assistant shall accept, directly or indirectly, any gratuity, reward or favor in connection with any permitted pari-mutuel event. This provision does not apply to salaries received from the Permittee.

(j) No official or assistant shall buy or sell any contract upon any jockey or apprentice jockey for himself or another.

(k) No official or assistant shall write or solicit horse insurance at the meeting.

(l) Each official or assistant shall report to the Stewards/Judges all observed violations of the rules.

(m) No officials other than the Stewards and the Starter shall have the right to impose a fine; only the Stewards may impose a suspension.

(n) An official imposing a fine or suspension shall report daily to the Commission, Racing Secretary and Horsemen's Bookkeeper in writing.

(o) All fines shall be paid to the State Steward within 48 hours after imposition and notice. If the meet is not in session, fines shall be mailed to the Commission office within 48 hours of receiving notice from the Stewards or the Commission. Checks shall be made payable to the State of Wyoming.

Section 2. Barn Superintendent. (See Racing Secretary)

Section 3. Clerk of Scales.

(a) The Clerk of Scales shall weigh all jockeys out and the first four place finishers in.

(b) The Clerk of Scales shall record and publish on the notice board any overweight or any change of jockey, weight or racing colors as compared with those stated on the official program and shall promptly supply the racing officials with all pertinent changes.

(c) The Clerk of Scales shall promptly report to the Stewards any infraction of the Rules with respect to weight, weighing or riding equipment.

(d) The Clerk of Scales shall maintain and deliver to the Racing Secretary and the Horsemen's Bookkeeper at the end of each race day, a record of the weights carried by each horse in each race together with the name of each horse's jockey and the overweight carried by each jockey.

(e) All jockeys taking part in a race must be weighed out by the Clerk of Scales not less than twenty (20) minutes before the time fixed for the race (the horse in each instance being specified), and the number of the horse shall be exhibited officially as soon as possible, and the first four-place finishers shall be weighed in at the conclusion of the race.

(f) If the overweight is more than two (2) pounds in excess of the weight the horse is to carry (the owner or trainer consenting), the jockey shall declare the amount of overweight to the Clerk of Scales at least forty-five (45) minutes before the time appointed for the race and the Clerk shall have the overweight posted immediately on the Notice Board or announced publicly. Failure on the part of any jockey to comply with this rule shall be reported to the Stewards.

(g) Seven (7) pounds is the limit of the overweight any horse is allowed to carry, unless approved by the Stewards. Public announcement of the overweight must be made.

Section 4. **Handicapper.**

(a) The Handicapper, who may be the Racing Secretary, shall assign the weights to be carried by each horse in a Handicap.

(b) The Handicapper shall append to the weights for every Handicap the day and hour for which winners will be liable to weight penalty.

(c) If there are no penalties, that fact shall be appended to the weights. No alteration of weights shall be made after publication.

(d) In case of omission, through error, of the name or weight to be carried of a horse duly entered, the omission shall be rectified by the Handicapper, with permission of the Stewards.

Section 5. **Horsemen's Bookkeeper.**

(a) Each Permittee shall have a Bookkeeper, approved by the Commission, whose duty it is to keep and preserve books which will reflect the deposits or other credits and withdrawals or other charges that may be made by an owner or other licensee. The Bookkeeper shall have an office at the track and the office shall be open on each racing day during the hours specified by the

Commission. He must also furnish reports and information as may be required by the Commission or its representative.

(b) The Bookkeeper shall maintain a record which includes the information obtained from the Clerk of the Scales per Section 3(d), the "post time" of each race, running time of the race, the amount of the purse and its division, the placing of the first five horses as reported by the placing judges and the amounts of fees collected or charged. All rulings made by the Stewards and the original signed claims shall be attached to and become a part of the Bookkeeper's record.

(c) The Bookkeeper shall keep a complete record of all races and submit the record to the Racing Secretary and the Commission.

(i) Total purses paid for the event including added money in stakes.

(ii) List of all stakes races.

(A) Total added money.

(B) Total amount contributed by horsemen.

(C) Total purses plus added money.

(iii) Total number of two-year-old races.

(A) Total purses paid.

(B) Total amount contributed by horsemen.

(iv) Total number of three-year-old races.

(A) Total purses paid.

(B) Total amount contributed by horsemen.

(v) Total number of "Wyoming Bred" races run.

(A) Total purses paid for "Wyoming Bred" races.

(B) Total amount contributed by horsemen.

(vi) Total number of "Wyoming Bred" races offered but unable to fill.

(vii) Complete list of all claimed horses including price and date of claim.

(d) The Bookkeeper may receive all stakes, forfeits, fines, entrance monies, fees (including jockey's fees), purchase money in claiming races and all other money that can properly come into his possession as agent for the Permittee for which he is acting.

(e) The Bookkeeper's office must be open at least one (1) hour immediately prior to post time of the first race of the day for receiving jockey mount money.

(f) The Horsemen's Bookkeeper shall pay over, when due, all monies collected by him to persons entitled to receive payment.

Section 6. **Identifier.**

(a) No horse shall be permitted to start that has not been fully identified by the Official identifier. The trainer is responsible for the identification.

(b) It shall be the duty of the Official Identifier to check all contestants for each and every race and to have all horses properly identified, keeping a record on solid colored horses and horses starting for the first time according to the published record of the "Chart Books" of the Daily Racing Form. This record is to be retained by the Racing Secretary.

Section 7. **Jockey Room Custodian.**

(a) It shall be the duty of the Jockey Room Custodian to see to it that order, decorum and cleanliness are maintained in the jockey and scale rooms.

(b) The Custodian shall assist the Clerk of Scales in the performance of his duties.

(c) The Custodian shall see to it that no person, other than racing officials, the Commission or its representatives, and the necessary Jockey Room Attendants, is admitted to the jockey room on a day of racing without express permission of the Stewards for each time of entry.

(d) The Custodian may permit the assistant starters to use the jockey room for the purpose of changing clothes prior to post time and following the running of the last race. However, they shall not be in the jockey room between forty-five (45) minutes before post time for the first race, and the finish of the last race.

(e) The Custodian shall oversee the care and storage of all racing colors.

(f) The Custodian shall oversee the jockey attendants and arrange their rotation among jockeys in the matter of weighing out.

(g) The Custodian shall see to it that no jockey attendant not approved by the Stewards and licensed by the Commission is permitted to assist any jockey at any time.

(h) The Custodian shall report to the Stewards any irregularities that occur in his province.

(i) The Custodian shall see to it that jockeys are neat in appearance and attired in keeping with the rules when they leave the rooms to ride in a race.

Section 8. **Mutuel Manager.**

(a) The Mutuel Manager of the pari-mutuel department shall deliver to the Commission at the end of each event day a record showing the amount wagered in each pool, including but not limited to "win", "place", and "show", the commissions, and the breakage for each race or go-round and the totals of each for the day.

(b) The manager of the pari-mutuel department shall deliver to the Commission at the conclusion of the meet or at any time requested prior to that time, a copy of all take-out and calculating sheets.

(c) The mutuel manager is held responsible for the conduct of his employees. He shall not be responsible for their "shorts" or "longs".

(d) Each seller or cashier shall be responsible to the mutuel manager for his "shorts" or "longs"; the "shorts" or "longs" shall be recorded and reported to the Commission daily.

(e) The Mutuel Manager shall employ only those licensed by the Commission.

(f) The Mutuel Manager shall allow no one to enter the mutuel department other than those entitled to do so by virtue of these rules.

(g) The Mutuel Manager shall countersign (or approve) all licenses granted by the Commission to the employees of the mutuel department if requested to do so by the Commission.

(h) The Mutuel Manager shall report in detail to the Commission his reasons for discharging an employee.

(i) The Mutuel Manager shall be responsible for the "odds board" and the information it reflects.

Section 9. **Outrider.**

(a) There shall be at least one Outrider. The Outriders shall be neat in appearance and must wear an approved helmet with chin strap securely fastened while on the track. The Outriders shall be approved by and work under the direction of the Stewards.

(b) The Leading Outrider shall:

(i) Be in charge of the post parade.

(ii) See to it that all jockeys and pony riders conduct themselves in a manner in conformity with the best interests of racing.

(iii) Not permit any rider to dismount unless an emergency exists.

(iv) Take special notice of all pony riders and jockeys to see that no illegal equipment is exchanged and that all conversation during the post parade is held to a minimum.

(v) Report to the Stewards any unusual conduct that occurs during the parade.

(vi) Report to the Stewards any participant in the parade who is not neatly attired.

Section 10. **Paddock Judge.**

(a) In the interest of public safety, the Paddock Judge shall exclude from the paddock all persons who have no immediate business with the horses entered. The members of the Commission, its staff and special representatives and those having special permission from the Stewards are excepted.

(b) The Paddock Judge shall keep a record of all equipment carried by all horses in all races under his jurisdiction, permitting no change in equipment not authorized by the Stewards.

(c) The Paddock Judge shall see that all horses are properly shod in every race.

(i) A horse starting in a race shall not be shod with ordinary or training shoes nor shall he run without shoes unless by permission of the Stewards.

(ii) Bar plates may be used only with consent of the Stewards and discontinuance of their use must be approved by the Stewards.

(d) The Paddock Judge shall report any irregularities to the Stewards.

(e) The Paddock Judge may permit a horse to be led to the post with a privately owned pony if the rider is properly licensed by the Commission.

Section 11. **Patrol Judge.**

(a) When deemed necessary by the Stewards the Permittee shall appoint patrol judges who shall be capable men of experience and integrity. The Patrol Judges must be approved by the Commission before appointment.

(b) The Stewards shall determine the number of Patrol Judges needed and shall direct the placing of the Patrol Judges at points of vantage about the racetrack.

Section 12. **Photographer.**

(a) On all tracks the operator of the camera taking pictures approaching the finish line and in the winner's circle after each race, shall be approved by the Commission.

(b) Photographers other than the official licensed photographer, shall not be permitted on the track or arena unless special permission is granted by the Stewards or the Commission, and then only for pictures that are specifically mentioned and in places indicated by the Stewards or the Commission.

Section 13. **Placing Judges.**

(a) The Placing Judges shall occupy the Placing Judges' stand at the time the horses pass the winning post in each race, and their duty shall be to place and record five horses or as many more as they think proper in the order of their finish in each race.

(b) The Placing Judges shall announce their decisions without delay and display the number of the first four horses in the order of their finish, and their decisions shall be final unless objection to the winner or any horse placed within the purse is made and sustained. This rule shall not prevent the judges

from correcting any mistake, such correction being subject to confirmation by the Stewards.

(c) When the Placing Judges differ, the majority shall govern, but first a photograph of the finish shall be inspected as an aid in the decision and at all times when the winning range is less than half a length and in other cases where the horses are widely spaced across the track, the photograph, if available, shall be inspected and an identical copy shall be posted for public observation.

(d) If it is considered advisable to consult a picture from the finish camera, the placing judges shall post, without waiting for a picture, placements as are in their opinion unquestionable, and after consulting the picture, make the other placements.

(e) The Placing Judges shall consider only the relative position of the respective noses of the horses in determining the places of the horses at the finish of a race.

(f) Nothing in these rules shall be construed to prevent the Placing Judges, with the approval of the Stewards, from correcting an error before the display of the "Official" sign in case it has been displayed through error.

(g) It shall be the duty of the Placing Judges to advise the Clerk of Scales of the finish of each race as it is declared "Official".

Section 14. **Racing Secretary.**

(a) The Racing Secretary shall discharge all duties of his office, expressed or implied, as required by the Rules.

(b) It shall be the duty of the Racing Secretary or the Barn Superintendent to assign to applicants such stabling as he may deem proper. He and the Stewards shall settle any and all conflicting claims for stable privileges.

(c) It shall be the duty of the Racing Secretary to maintain an accurate record of all races won and to attach the record to the turf authority registration papers.

(d) The Racing Secretary shall compile an official program for each racing day which shall state the time fixed for the first race and give the names of the horses which are to run in each of the races of the day.

(e) The program shall indicate the order in which each race is to be run; the purse, conditions, distance of each race; the owner, trainer, and jockey for each horse; each owner's racing colors, the weight assigned to each horse;

his number and post position, color, sex, age and breeding. The program may show other pertinent data subject to the approval of the Commission.

(f) The Racing Secretary shall receive all entries and declarations.

(g) The Racing Secretary shall be charged with the responsibility of maintaining exact records of the licenses of trainers and jockeys, partnership papers, contracts between a jockey and his employers, appointment of authorized agents and jockey agents, the adoption of colors, and the adoption of assumed names. The Racing Secretary shall include appropriate information in the programs.

(h) Each morning as soon as the entries have been closed and compiled, the declarations made and approved by the Stewards the Racing Secretary shall post the overnight list in a conspicuous place in his office. Any newspaper desiring the overnight list shall be furnished a copy.

Section 15. **Starter.**

(a) Only the Starter, or a deputy approved by the Starter, the Stewards and the Commission, may start a race.

(i) In case of emergency a Starter may be appointed by the Stewards.

(ii) Such emergency shall not exist for more than three racing days without Commission approval.

(b) The Starter shall give all orders and take all measures necessary to insure a fair start.

(c) The Starter's decision as to the validity of a start shall be final; likewise, his decision as to whether or not a horse was locked in the gate shall be final.

(d) The Starter may appoint his assistants subject to the approval of the Stewards and the Commission; however, no assistant starter shall be a person owning or having any interest in any horse eligible to race at the meeting nor any person having any interest in the result of any race or be or have been the employee of any such person during the progress of the event, unless approved by the Stewards and/or the Commission.

(e) No person shall give to any Starter or Assistant Starter, nor shall any Starter or Assistant Starter receive money, anything of value, or other compensation for their services in connection with the running of any race. No

Starter or Assistant Starter shall bet on any race or engage in any betting transaction. This rule has no application to salaries received from Permittee.

(f) In case the alignment of the horses at the post is delayed, the Starter may permit the jockeys to dismount and their mounts to be attended.

(g) If after reaching the starting post, a horse is so badly injured as to make it impractical or impossible for him to run in a race, the Starter or official veterinarian, may with the approval of the Stewards excuse that horse. If a horse is excused, the "Start" must be delayed until the mutuel department is notified and a change of "Odds" is made.

(h) The Starter is required to load horses into the starting gate in order of post position except in cases of emergency or by prior permission of the Stewards.

(i) If the Starter or his assistants are unable after reasonable efforts to place a horse in the gate for a satisfactory start or if the horse is mean or unruly, the Starter may order that horse placed outside the gate, one full length behind the starting line. The horse shall be denied the right of future entry until reinstated by the Starter or Stewards.

(j) The Starter shall maintain a schooling list and all horses shall be schooled at or in the starting gate, if and when required, under the personal supervision of the starter.

(k) Only the Starter or Stewards shall have the authority to designate the horses which shall be placed on the schooling list.

(l) A horse will not be eligible to start until the Starter orders the name stricken from the schooling list.

(m) The Starter shall file a copy of the schooling list with the Racing Secretary. The list must be prominently displayed.

(n) The Starter may fine a jockey for disobedience of orders or for attempting an unfair advantage or for creating a disturbance before the "Start", but the fine shall not exceed \$200.00.

(o) The Starter's authority to fine begins when horses arrive at the gate and ends at "Off-Time". All infractions noted by the starter after "Off-Time" shall be reported immediately to the Stewards.

(p) The Starter shall report in writing to the Stewards and to the Racing Secretary all fines which he has imposed and no fines reported shall be modified other than by the authority of the Commission.

(q) Neither the Starter nor his assistants shall mistreat or use abusive language to a jockey. Violators are subject to disciplinary action by the Stewards.

(r) The Starter's approval of the starting ability of all two-year olds must be obtained before they are permitted to start. He must state whether whip and/or blinkers were used in schooling.

(s) The Starter's approval must be obtained for all older horses that have never started at a recognized meeting.

(t) A false start is void and the horses shall be started again as soon as practical. Any horse running the course from a false start may be excused from the true race by the Stewards.

(u) If a horse is locked in the gate, the Starter shall immediately notify the Stewards who, in turn, shall immediately notify the Manager of the mutuel department. The Starter shall be the sole judge of what horse or horses are prevented from starting in a race through failure of gates to open.

Section 16. **Stewards.**

(a) The Stewards shall have the power to interpret and enforce these Rules and determine all questions pertaining to a racing or pari-mutuel event matter not specifically covered by these Rules in conformity with justice and customs of the turf or pari-mutuel events, being subject to the powers and duties of the Commission.

(b) In matters pertaining to racing or pari-mutuel events, the order of the Stewards supersedes the orders of the officers and directors of the Permittee.

(c) It shall be the duty of the Stewards to regulate and govern the conduct of all officials and of all owners, trainers, ropers, jockeys, grooms, and other persons attending horses during, before and after events, unless the power and the duty is vested only in the Commission.

(d) The Stewards shall have unrestricted access to all stands, weighing rooms and jockey rooms, enclosures and other places in use for the event.

(e) All entries and declarations shall be under the supervision of the Stewards or Judges and no declaration shall be made without their permission.

(f) All questions within their authority shall be determined by a majority vote of the Stewards or Judges.

(g) In the interest of the health, safety, and welfare of the people of the State of Wyoming, the Stewards may summarily declare a horse scratched and may suspend a license pending a Stewards hearing and/or hearing before the Commission.

(h) The Stewards have power to punish at their discretion any person subject to their control for violations of these Rules or regulations or for violation of the horse racing laws of Wyoming by suspension from acting or riding for up to thirty (30) calendar days or by fine not exceeding \$200 or both, and if they consider necessary any further punishment or additional fine, they shall so report to the Commission. The licensee is entitled to attend an informal hearing with the Stewards before punishment is imposed.

(i) Informal Stewards Hearing, see Chapter 3, Section 4.

(ii) Formal Stewards Hearing, see Chapter 3, Section 5.

(i) The Stewards are vested with the power to determine the extent of disqualification in case of fouls. They may place the offending horse behind the horses they judged it interfered with, or they may place it last.

(j) The Steward/Judges are vested with the power in roping events to determine the extent of an infraction. They may assess a time penalty, or disqualify the individual contestant.

(k) The Stewards may demand proof that a horse neither is disqualified in any particular; nor entered or owned, in whole or in part, by a disqualified person, or trained in whole or in part by a disqualified person. In absence of proof satisfactory to them, the Stewards may declare the horse disqualified.

(l) The Stewards/Judges may postpone a race, event, or performance from race day to race day or performance to performance.

(m) The Stewards shall have the power to examine or cause to be examined at any time any horse stabled on the Permittee grounds or in stabling approved by the Permittee.

(n) The three Stewards must be on duty during race time, which shall mean from one hour before post time for the first race of the day and until after the last race of the day has been made official.

(o) At least one of the Stewards or his deputy shall be on duty thirty (30) minutes prior to scratch time each morning until after the drawing of post positions.

(p) A Steward may appoint his own deputy at any time.

(q) If there is only one Steward present at race time that Steward shall appoint two other qualified persons to act with him as Stewards pro tem.

(r) If only two Stewards are present at race time, they shall, by agreement, appoint a deputy for the absent Steward, providing the absent Steward has not already appointed his own deputy.

(s) If none of the Stewards are present at race time, the Executive Director shall appoint three qualified persons to act as Stewards pro tem. If the Director is absent the Racing Secretary shall make the appointments.

(t) Appointments of any deputy for a Steward shall be reported immediately to the Commission.

(u) There shall be three Stewards (no more, no less) acting during the running of each race.

(v) When a vacancy occurs among the racing officials, other than the Stewards prior to post time of the first race of the day or when a vacancy occurs after the racing of the day has been started, the Stewards shall immediately fill the vacancy. The appointment shall be effective only for the day unless the Permittee fails to fill the vacancy on the following day and notifies the Stewards of its action not less than one hour before the post time of the first race of the day. Such appointments shall be reported immediately to the Commission.

(w) The Stewards shall take notice of any questionable conduct with or without complaint thereof.

(x) The Stewards may substitute a jockey of their selection on any horse.

(y) The Stewards may place any horse in the temporary charge of a trainer of their selection.

(z) It shall be the duty of the Stewards to see to it that horses arrive at the starting post as nearly as practicable at the advertised time.

(aa) The State Steward shall sound the bell closing the pari-mutuel wagering no later than the opening of the starting gate.

(bb) In case of accident or casualty to a horse before "Off-Time", the Stewards may excuse the horse.

(cc) The Stewards must investigate promptly and render a decision in every protest and in every complaint properly made to them.

(dd) The Stewards shall report all protests and complaints to the Commission daily and shall make prompt report to the Commission of their decision.

(ee) The Stewards shall file with the Commission a signed report of any and all infractions of the rules coming under their observance before the close of each day and shall file with the Commission daily any and all rulings made that day.

Stewards for roping events additional information refer to Chapter 12, Section 7

Section 17. **Timers.**

(a) There shall be one or more Timers. They shall determine the official time of each race, go-round, or contestant.

(b) When an electric timing device is used, the races shall also be timed in the usual manner by the Timers. Any electrical timing device must be approved by the Commission.

(c) The time shall be announced and/or displayed immediately following each race or after each roper.

(d) Every Commission licensee exercising a race horse shall, upon request of an official timer, correctly state the distance over which the horse is to be worked and the point on the race track where it is intended to start the workout. He must identify the horse if requested to do so.

Timers for roping events additional information refer to Chapter 12, Section 8

Section 18. **Commission Veterinarian.**

(a) The Commission shall employ a graduate veterinarian surgeon in good standing and licensed to practice under the laws of the State of Wyoming.

(b) He shall be present in the paddock to inspect all horses and shall perform other duties as shall be prescribed by the Stewards or the Commission. Adequate transportation for him shall be provided by the Permittee.

(c) He shall be responsible for securing specimens of urine and blood or any other specimens from any horse designated by the Stewards or by the Commission and shall maintain records for identification of specimens as required by the Commission.

(i) He shall be responsible for securing the proper signatures of witnesses to the taking of specimens and the ultimate sealing for delivery to the official chemist.

(ii) He shall be responsible for delivery or shipment of all specimens to the official chemist.

(d) He shall be responsible for properly instructing his assistants in the performance of their duties.

(e) The Commission Veterinarian shall be considered an official of the Commission.

(f) The Commission Veterinarian must be present at the office of the Racing Secretary and/or Stewards' office prior to scratch time each racing day at a time designated by the Stewards to inspect any horses and report on their condition as may be requested by the Racing Secretary or Stewards.

(g) The Commission Veterinarian does not have the authority to scratch a horse but shall report to the Stewards his opinion of a horse's condition and his recommendations relative to scratching.

(h) No veterinarian employed by the Commission shall be permitted during the period of his employment to treat or prescribe for any horse participating in a pari-mutuel event, for compensation or otherwise, except in case of emergency in which case a full and complete report shall be made to the Stewards. No owner or trainer shall employ or pay compensation to the veterinarian during the period for which he is employed by the Commission.

(i) Veterinarians practicing at a race track or at any permitted event shall use one time disposable needles and shall dispose of them in an approved manner as directed by the Commission.

(j) No horse shall be destroyed on the grounds of a Permittee until it has been observed by the Official Veterinarian.

(k) The Commission Veterinarian and his assistants shall not wager on the outcome of any race at the event at which they are employed.

(l) The Commission Veterinarian shall be responsible for the posting of current medication guidelines as prescribed by the Commission.

CHAPTER 5

OFFICIALS

Section 1. Officials, Generally.

(a) At least thirty (30) days prior to the first day of a meeting the Permittee shall submit in writing to the Commission the names of all officials engaged for the pari-mutuel event and no official shall be qualified to act until approved and licensed by the Commission. In the event of incapacitation of any approved official the Permittee may, with the approval of the Commission, appoint a substitute.

(b) Any official or any other person who accepts conditions of employment with a Permittee in this state and is licensed by the Commission, who leaves such employment while a race meeting is in progress without first obtaining permission from the Permittee and the Commission, shall be subject to suspension.

(c) The officials of a race meeting are as follows: three (3) Stewards; three (3) Placing Judges; two (2) or more Patrol Judges; Clerk of the Scales; Starter; Handicappers; Timers; Paddock Judge; Identifier; Veterinarian; Racing Secretary; Mutuel Manager; Custodian of the Jockey Room, and other officials that the Commission may prescribe.

(d) No person shall be considered for approval by the Commission as an official unless such person is a professional racing official with a reputation of good character and ability or has indicated a desire to become a professional racing official and is in possession of sufficient experience and/or has a special aptitude for such a position.

(e) The Stewards and the Official Veterinarian for each meeting ~~shall~~may be selected by the Commission. The Commission may require the Permittee to pay for the salary of not more than two (2) Stewards. All other officials designated shall be appointments by the Permittee, 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 ~~a~~ successor to officials replaced to be subject to the approval of the Commission.

(f) No one interested in the result of a race or permitted event, either because of ownership of any horse entered, or of his sire or dam, or because of bets or otherwise, shall act as an official in respect to that race or permitted event.

(g) No Permittee shall employ or accept the services of any person as an official or in any other capacity who is the owner or trainer of, or who has any

interest, financial or otherwise, in horses registered for racing at their meeting or pari-mutuel event unless special permission has been granted by the Commission.

(h) No official or assistant shall wager money or any other chattel of value on the result of any pari-mutuel event. ~~race at the meeting.~~

(i) No official or assistant shall accept, directly or indirectly, any gratuity, reward or favor in connection with any permitted pari-mutuel event. ~~racing at the meeting.~~ This provision does not apply to salaries received from the Permittee.

(j) No official or assistant shall buy or sell any contract upon any jockey or apprentice jockey for himself or another.

(k) No official or assistant shall write or solicit horse insurance at the meeting.

(l) Each official or assistant shall report to the Stewards/Judges all observed violations of the rules.

(m) No ~~racing~~ officials other than the Stewards and the Starter shall have the right to impose a fine; only the Stewards may impose a suspension.

(n) An racing official imposing a fine or suspension shall report daily to the Commission, Racing Secretary and Horsemen's Bookkeeper in writing.

(o) All fines shall be paid to the State Steward within 48 hours after imposition and notice. If the meet is not in session, fines shall be mailed to the Commission office within 48 hours of receiving notice from the Stewards or the Commission. Checks shall be made payable to the State of Wyoming.

Section 2. **Barn Superintendent. (See Racing Secretary)**

Section 3. **Clerk of Scales.**

(a) The eClerk of ~~thes~~Scales shall weigh all jockeys out and the first four place finishers in.

(b) The eClerk of ~~thes~~Scales shall record and publish on the notice board any overweight or any change of jockey, weight or racing colors as compared with those stated on the official program and shall promptly supply the racing officials with all pertinent changes.

(c) The eClerk of ~~thes~~Scales shall promptly report to the Stewards any infraction of the Rules with respect to weight, weighing or riding equipment.

(d) The Clerk of ~~the~~Scales shall maintain and deliver to the Racing Secretary and the Horsemen's Bookkeeper at the end of each race day, a record of the weights carried by each horse in each race together with the name of each horse's jockey and the overweight carried by each jockey.

(e) All jockeys taking part in a race must be weighed out by the ~~e~~Clerk of ~~the~~Scales not less than twenty (20) minutes before the time fixed for the race (the horse in each instance being specified), and the number of the horse shall be exhibited officially as soon as possible, and the first four-place finishers shall be weighed in at the conclusion of the race.

(f) If the overweight is more than two (2) pounds in excess of the weight the horse is to carry (the owner or trainer consenting), the jockey shall declare the amount of overweight to the ~~e~~Clerk of ~~the~~Scales at least forty-five (45) minutes before the time appointed for the race and the ~~e~~Clerk shall have the overweight posted immediately on the Notice Board or announced publicly. Failure on the part of any jockey to comply with this rule shall be reported to the Stewards.

(g) Seven (7) pounds is the limit of the overweight any horse is allowed to carry, unless approved by the Stewards. Public announcement of the overweight must be made.

Section 4. **Handicapper.**

(a) The Handicapper, who may be the Racing Secretary, shall assign the weights to be carried by each horse in a Handicap.

(b) The Handicapper shall append to the weights for every Handicap the day and hour for which winners will be liable to weight penalty.

(c) If there are no penalties, that fact shall be appended to the weights. No alteration of weights shall be made after publication.

(d) In case of omission, through error, of the name or weight to be carried of a horse duly entered, the omission shall be rectified by the ~~H~~andicapper, with permission of the Stewards.

Section 5. **Horsemen's Bookkeeper.**

(a) Each Permittee shall have a Bookkeeper, approved by the Commission, whose duty it is to keep and preserve books which will reflect the deposits or other credits and withdrawals or other charges that may be made by an owner or other licensee. The Bookkeeper shall have an office at the track and the office shall be open on each racing day during the hours specified by the

Commission. He must also furnish reports and information as may be required by the Commission or its representative.

(b) The Bookkeeper shall maintain a record which includes the information obtained from the Clerk of the Scales per Section 3(d), the "post time" of each race, running time of the race, the amount of the purse and its division, the placing of the first five horses as reported by the placing judges and the amounts of fees collected or charged. All rulings made by the Stewards and the original signed claims shall be attached to and become a part of the Bookkeeper's record.

(c) The Bookkeeper shall keep a complete record of all races and submit the record to the Racing Secretary and the Commission.

(i) Total purses paid for the event including added money in stakes.

(ii) List of all stakes races.

(A) Total added money.

(B) Total amount contributed by horsemen.

(C) Total purses plus added money.

(iii) Total number of two-year-old races.

(A) Total purses paid.

(B) Total amount contributed by horsemen.

(iv) Total number of three-year-old races.

(A) Total purses paid.

(B) Total amount contributed by horsemen.

(v) Total number of "Wyoming Bred" races run.

(A) Total purses paid for "Wyoming Bred" races.

(B) Total amount contributed by horsemen.

(vi) Total number of "Wyoming Bred" races offered but unable to fill.

(vii) Complete list of all claimed horses including price and date of claim.

(d) The Bookkeeper may receive all stakes, forfeits, fines, entrance monies, fees (including jockey's fees), purchase money in claiming races and all other money that can properly come into his possession as agent for the Permittee for which he is acting.

(e) The Bookkeeper's office must be open at least one (1) hour immediately prior to post time of the first race of the day for receiving jockey mount money.

(f) The Horsemen's Bookkeeper shall pay over, when due, all monies collected by him to persons entitled to receive payment.

Section 6. **Identifier.**

(a) No horse shall be permitted to start that has not been fully identified by the Official identifier. The trainer is responsible for the identification.

(b) It shall be the duty of the Official Identifier to check all contestants for each and every race and to have all horses properly identified, keeping a record on solid colored horses and horses starting for the first time according to the published record of the "Chart Books" of the Daily Racing Form. This record is to be retained by the Racing Secretary.

Section 7. **Jockey Room Custodian.**

(a) It shall be the duty of the ~~j~~Jockey ~~r~~Room ~~e~~Custodian to see to it that order, decorum and cleanliness are maintained in the jockey and scale rooms.

(b) The ~~e~~Custodian shall assist the ~~e~~Clerk of ~~the~~ ~~s~~Scales in the performance of his duties.

(c) The ~~e~~Custodian shall see to it that no person, other than racing officials, the Commission or its representatives, and the necessary ~~j~~Jockey ~~r~~Room ~~a~~Attendants, is admitted to the jockey room on a day of racing without express permission of the Stewards for each time of entry.

(d) The ~~e~~Custodian ~~of the jockey room~~ may permit the assistant starters to use the jockey room for the purpose of changing clothes prior to post time and following the running of the last race. However, they shall not be in the jockey room between forty-five (45) minutes before post time for the first race, and the finish of the last race.

(e) The eCustodian shall oversee the care and storage of all racing colors.

(f) The eCustodian shall oversee the jockey attendants and arrange their rotation among jockeys in the matter of weighing out.

(g) The eCustodian shall see to it that no jockey attendant not approved by the Stewards and licensed by the Commission is permitted to assist any jockey at any time.

(h) The eCustodian shall report to the Stewards any irregularities that occur in his province.

(i) The eCustodian shall see to it that jockeys are neat in appearance and attired in keeping with the rules when they leave the rooms to ride in a race.

Section 8. **Mutuel Manager.**

(a) The Mutuel mManager of the pari-mutuel department shall deliver to the Commission at the end of each eventracing day a record showing the amount wagered in each pool, including but not limited to "win", "place", and "show", the commissions, and the breakage for each race or go-round and the totals of each for the day.

(b) The manager of the pari-mutuel department shall deliver to the ~~secretary of the~~ Commission at the conclusion of the meet or at any time requested prior to that time, a copy of all take-out and calculating sheets.

(c) The mutuel manager is held responsible for the conduct of his employees. He shall not be responsible for their "shorts" or "longs".

(d) Each seller or cashier shall be responsible to the mutuel manager for his "shorts" or "longs"; the "shorts" or "longs" shall be recorded and reported to the Commission daily.

(e) The mMutuel mManager shall employ only those licensed by the Commission.

(f) The mMutuel mManager shall allow no one to enter the mutuel department other than those entitled to do so by virtue of these rules.

(g) The mMutuel mManager shall countersign (or approve) all licenses granted by the Commission to the employees of the mutuel department if requested to do so by the Commission.

(h) The mMutuel mManager shall report in detail to the Commission his reasons for discharging an employee.

(i) The mMutuel mManager shall be responsible for the "odds board" and the information it reflects.

Section 9. **Outrider.**

(a) There shall be at least one Outrider. The Outriders shall be neat in appearance and must wear an approved helmet with chin strap securely fastened while on the track. The Outriders shall be approved by and work under the direction of the Stewards.

(b) The Leading Outrider shall:

(i) Be in charge of the post parade.

(ii) See to it that all jockeys and pony riders conduct themselves in a manner in conformity with the best interests of racing.

(iii) Not permit any rider to dismount unless an emergency exists.

(iv) Take special notice of all pony riders and jockeys to see that no illegal equipment is exchanged and that all conversation during the post parade is held to a minimum.

(v) Report to the Stewards any unusual conduct that occurs during the parade.

(vi) Report to the Stewards any participant in the parade who is not neatly attired.

Section 10. **Paddock Judge.**

(a) In the interest of public safety, the Paddock Judge shall exclude from the paddock all persons who have no immediate business with the horses entered. The members of the Commission, its staff and special representatives and those having special permission from the Stewards are excepted.

(b) The Paddock Judge shall keep a record of all equipment carried by all horses in all races under his jurisdiction, permitting no change in equipment not authorized by the Stewards.

(c) The Paddock Judge shall see that all horses are properly shod in every race.

(i) A horse starting in a race shall not be shod with ordinary or training shoes nor shall he run without shoes unless by permission of the Stewards.

(ii) Bar plates may be used only with consent of the Stewards and discontinuance of their use must be approved by the Stewards.

(d) The Paddock Judge shall report any irregularities to the Stewards.

(e) The Paddock Judge may permit a horse to be led to the post with a privately owned pony if the rider is properly licensed by the Commission.

Section 11. **Patrol Judge.**

(a) When deemed necessary by the Stewards the Permittee shall appoint patrol judges who shall be capable men of experience and integrity. The Patrol Judges must be approved by the Commission before appointment.

(b) The Stewards shall determine the number of ~~p~~Patrol ~~j~~Judges needed and shall direct the placing of the ~~p~~Patrol ~~j~~Judges at points of vantage about the racetrack.

Section 12. **Photographer.**

(a) On all tracks the operator of the camera taking pictures approaching the finish line and in the winner's circle after each race, shall be approved by the Commission. ~~In all cases where a still picture is taken, the operator must direct his camera at a point away from the finish line unless special permission is granted by the Stewards or the Commission.~~

(b) Photographers other than the official licensed photographer, shall not be permitted on the track or arena unless special permission is granted by the Stewards or the Commission, and then only for pictures that are specifically mentioned and in places indicated by the Stewards or the Commission.

Section 13. **Placing Judges.**

(a) The ~~p~~Placing ~~j~~Judges shall occupy the ~~p~~Placing ~~j~~Judges' stand at the time the horses pass the winning post in each race, and their duty shall be to place and record five horses or as many more as they think proper in the order of their finish in each race.

(b) The ~~p~~Placing ~~j~~Judges shall announce their decisions without delay and display the number of the first four horses in the order of their finish, and their decisions shall be final unless objection to the winner or any horse placed

within the purse is made and sustained. This rule shall not prevent the judges from correcting any mistake, such correction being subject to confirmation by the Stewards.

(c) When the placing judges differ, the majority shall govern, but first a photograph of the finish shall be inspected as an aid in the decision and at all times when the winning range is less than half a length and in other cases where the horses are widely spaced across the track, the photograph, if available, shall be inspected and an identical copy shall be posted for public observation.

(d) If it is considered advisable to consult a picture from the finish camera, the placing judges shall post, without waiting for a picture, placements as are in their opinion unquestionable, and after consulting the picture, make the other placements.

(e) The placing judges shall consider only the relative position of the respective noses of the horses in determining the places of the horses at the finish of a race.

(f) Nothing in these rules shall be construed to prevent the placing judges, with the approval of the Stewards, from correcting an error before the display of the "Official" sign in case it has been displayed through error.

(g) It shall be the duty of the placing judges to advise the clerk of scales of the finish of each race as it is declared "Official".

Section 14. **Racing Secretary.**

(a) The Racing Secretary shall discharge all duties of his office, expressed or implied, as required by the Rules.

(b) It shall be the duty of the Racing Secretary or the Barn Superintendent to assign to applicants such stabling as he may deem proper. He and the Stewards shall settle any and all conflicting claims for stable privileges.

(c) It shall be the duty of the Racing Secretary to maintain an accurate record of all races won and to attach the record to the turf authority registration papers.

(d) The Racing Secretary shall compile an official program for each racing day which shall state the time fixed for the first race and give the names of the horses which are to run in each of the races of the day.

(e) The program shall indicate the order in which each race is to be run; the purse, conditions, distance of each race; the owner, trainer, and jockey

for each horse; each owner's racing colors, the weight assigned to each horse; his number and post position, color, sex, age and breeding. The program may show other pertinent data subject to the approval of the Commission.

(f) The Racing Secretary shall receive all entries and declarations.

(g) The Racing Secretary shall be charged with the responsibility of maintaining exact records of the licenses of trainers and jockeys, partnership papers, contracts between a jockey and his employers, appointment of authorized agents and jockey agents, the adoption of colors, and the adoption of assumed names. The Racing Secretary shall include appropriate information in the programs.

(h) Each morning as soon as the entries have been closed and compiled, the declarations made and approved by the Stewards the Racing Secretary shall post the overnight list in a conspicuous place in his office. Any newspaper desiring the overnight list shall be furnished a copy.

Section 15. **Starter.**

(a) Only the Starter, or a deputy approved by the Starter, the Stewards and the Commission, may start a race.

(i) In case of emergency a Starter may be appointed by the Stewards.

(ii) Such emergency shall not exist for more than three racing days without Commission approval.

(b) The Starter shall give all orders and take all measures necessary to insure a fair start.

(c) The Starter's decision as to the validity of a start shall be final; likewise, his decision as to whether or not a horse was locked in the gate shall be final.

(d) The Starter may appoint his assistants subject to the approval of the Stewards and the Commission; however, no assistant starter shall be a person owning or having any interest in any horse eligible to race at the meeting nor any person having any interest in the result of any race or be or have been the employee of any such person during the progress of the event, unless approved by the Stewards and/or the Commission.

(e) No person shall give to any **s**Starter or **a**Assistant **s**Starter, nor shall any **s**Starter or **a**Assistant **s**Starter receive money, anything of value, or other compensation for their services in connection with the running of any race.

No sStarter or aAssistant sStarter shall bet on any race or engage in any betting transaction. This rule has no application to salaries received from Permittee.

(f) In case the alignment of the horses at the post is delayed, the sStarter may permit the jockeys to dismount and their mounts to be attended.

(g) If after reaching the starting post, a horse is so badly injured as to make it impractical or impossible for him to run in a race, the sStarter or official veterinarian, may with the approval of the Stewards excuse that horse. If a horse is excused, the "Start" must be delayed until the mutuel department is notified and a change of "Odds" is made.

(h) The Starter is required to load horses into the starting gate in order of post position except in cases of emergency or by prior permission of the Stewards.

(i) If the sStarter or his assistants are unable after reasonable efforts to place a horse in the gate for a satisfactory start or if the horse is mean or unruly, the sStarter may order that horse placed outside the gate, one full length behind the starting line. The horse shall be denied the right of future entry until reinstated by the Starter or Stewards.

(j) The Starter shall maintain a schooling list and all horses shall be schooled at or in the starting gate, if and when required, under the personal supervision of the starter.

(k) Only the Starter or Stewards shall have the authority to designate the horses which shall be placed on the schooling list.

(l) A horse will not be eligible to start until the Starter orders the name stricken from the schooling list.

(m) The Starter shall file a copy of the schooling list with the Racing Secretary. The list must be prominently displayed.

(n) The Starter may fine a jockey for disobedience of orders or for attempting an unfair advantage or for creating a disturbance before the "Start", but the fine shall not exceed \$200.00.

(o) The Starter's authority to fine begins when horses arrive at the gate and ends at "Off-Time". All infractions noted by the starter after "Off-Time" shall be reported immediately to the Stewards.

(p) The Starter shall report in writing to the Stewards and to the Racing Secretary all fines which he has imposed and no fines reported shall be modified other than by the authority of the Commission.

(q) Neither the Starter nor his assistants shall mistreat or use abusive language to a jockey. Violators are subject to disciplinary action by the Stewards.

(r) The Starter's approval of the starting ability of all two-year olds must be obtained before they are permitted to start. He must state whether whip and/or blinkers were used in schooling.

(s) The Starter's approval must be obtained for all older horses that have never started at a recognized meeting.

(t) A false start is void and the horses shall be started again as soon as practical. Any horse running the course from a false start may be excused from the true race by the Stewards.

(u) If a horse is locked in the gate, the Starter shall immediately notify the Stewards who, in turn, shall immediately notify the Manager of the mutuel department. The Starter shall be the sole judge of what horse or horses are prevented from starting in a race through failure of gates to open.

Section 16. **Stewards.**

(a) The Stewards shall have the power to interpret and enforce these Rules and determine all questions pertaining to a racing or pari-mutuel event matter not specifically covered by these Rules in conformity with justice and customs of the turf or pari-mutuel events, being subject to the powers and duties of the Commission.

(b) In matters pertaining to racing or pari-mutuel events, the order of the Stewards supersedes the orders of the officers and directors of the Permittee.

(c) It shall be the duty of the Stewards to regulate and govern the conduct of all ~~raeing~~ officials and of all owners, trainers, ropers, jockeys, grooms, and other persons attending horses during, before and after raees events, unless the power and the duty is vested only in the Commission.

(d) The Stewards shall have unrestricted access to all stands, weighing rooms and jockey rooms, enclosures and other places in use for the meet event.

(e) All entries and declarations shall be under the supervision of the Stewards or Judges and no declaration shall be made without their permission.

(f) All questions ~~within pertaining to which~~ their authority ~~extends~~ shall be determined by a majority vote of the Stewards or Judges.

(g) In the interest of the health, safety, and welfare of the people of the ~~s~~State of Wyoming, the ~~s~~Stewards may summarily declare a horse scratched and may suspend a license pending a ~~s~~Stewards hearing and/or hearing before the Commission.

(h) The Stewards have power to punish at their discretion any person subject to their control for violations of these ~~r~~Rules or regulations or for violation of the horse racing laws of Wyoming by suspension from acting or riding for up to thirty (30) calendar days or by fine not exceeding \$200 or both, and if they consider necessary any further punishment or additional fine, they shall so report to the Commission. The licensee is entitled to attend an informal hearing with the Stewards before punishment is imposed.

(i) Informal Stewards Hearing, see Chapter ~~H~~3, Section 4.

(ii) Formal Stewards Hearing, see Chapter ~~H~~3, Section 5.

(i) The Stewards are vested with the power to determine the extent of disqualification in case of fouls. They may place the offending horse behind the horses ~~they judged it as in their judgment it~~ interfered with, or they may place it last.

~~(j)~~ The Steward/Judges are vested with the power in roping events to determine the extent of an infraction. They may assess a time penalty, or disqualify the individual contestant.

~~(k)(i)~~ The Stewards may demand proof that a horse neither is disqualified in any particular; nor entered or owned, in whole or in part, by a disqualified person, or trained in whole or in part by a disqualified person. In absence of proof satisfactory to them, the Stewards may declare the horse disqualified.

~~(l)(k)~~ The Stewards/Judges may postpone a race, event, or performance from race day to race day or performance to performance.

~~(m)(i)~~ The Stewards shall have the power to examine or cause to be examined at any time any horse stabled on the Permittee grounds or in stabling approved by the Permittee.

~~(n)(m)~~ The three Stewards must be on duty during race time, which shall mean from one hour before post time for the first race of the day and until after the last race of the day has been made official.

~~(o)(m)~~ At least one of the Stewards or his deputy shall be on duty thirty (30) minutes prior to scratch time each morning until after the drawing of post positions.

- ~~(p)(e)~~ A Steward may appoint his own deputy at any time.
- ~~(q)(e)~~ If there is only one Steward present at race time that Steward shall appoint two other qualified persons to act with him as Stewards pro tem.
- ~~(r)(e)~~ If only two Stewards are present at race time, they shall, by agreement, appoint a deputy for the absent Steward, providing the absent Steward has not already appointed his own deputy.
- ~~(s)(e)~~ If none of the Stewards are present at race time, the Executive Director shall appoint three qualified persons to act as Stewards pro tem. If the Director is absent the Racing Secretary shall make the appointments.
- ~~(t)(e)~~ Appointments of any deputy for a Steward shall be reported immediately to the Commission.
- ~~(u)(e)~~ There shall be three Stewards (no more, no less) acting during the running of each race.
- ~~(v)(e)~~ When a vacancy occurs among the racing officials, other than the Stewards prior to post time of the first race of the day or when a vacancy occurs after the racing of the day has been started, the Stewards shall immediately fill the vacancy. The appointment shall be effective only for the day unless the Permittee fails to fill the vacancy on the following day and notifies the Stewards of its action not less than one hour before the post time of the first race of the day. Such appointments shall be reported immediately to the Commission.
- ~~(w)(e)~~ The Stewards shall take notice of any questionable conduct with or without complaint thereof.
- ~~(x)(e)~~ The Stewards may substitute a jockey of their selection on any horse.
- ~~(y)(e)~~ The Stewards may place any horse in the temporary charge of a trainer of their selection.
- ~~(z)(e)~~ It shall be the duty of the Stewards to see to it that horses arrive at the starting post as nearly as practicable at the advertised time.
- ~~(aa)(e)~~ The State Steward shall sound the bell closing the pari-mutuel wagering no later than the opening of the starting gate.
- ~~(bb)(e)~~ In case of accident or casualty to a horse before "Off-Time", the Stewards may excuse the horse.

~~(cc)(bb)~~ The Stewards must investigate promptly and render a decision in every protest and in every complaint properly made to them.

~~(dd)(ee)~~ The Stewards shall report all protests and complaints to the Commission daily and shall make prompt report to the Commission of their decision.

~~(ee)(dd)~~ The Stewards shall file with the Commission a signed report of any and all infractions of the rules coming under their observance before the close of each day and shall file with the Commission daily any and all rulings made that day.

Stewards for roping events additional information refer to Chapter 12, Section 7

Section 17. **Timers.**

(a) There shall be one or more ~~t~~Itimers. They shall determine the official time of each race, go-round, or contestant.

(b) When an electric timing device is used, the races shall also be timed in the usual manner by the ~~t~~Itimers. Any electrical timing device must be approved by the Commission.

(c) The time shall be announced and/or displayed immediately following each race or after each roper.

(d) Every Commission licensee exercising a race horse shall, upon request of an official timer, correctly state the distance over which the horse is to be worked and the point on the race track where it is intended to start the workout. He must identify the horse if requested to do so.

Timers for roping events additional information refer to Chapter 12, Section 8

Section 18. **Commission Veterinarian.**

(a) The Commission shall employ a graduate veterinarian surgeon in good standing and licensed to practice under the laws of the State of Wyoming.

(b) He shall be present in the paddock to inspect all horses and shall perform other duties as shall be prescribed by the Stewards or the Commission. Adequate transportation for him shall be provided by the Permittee.

(c) He shall be responsible for securing specimens of urine and blood or any other specimens from any horse designated by the Stewards or by the

Commission and shall maintain records for identification of specimens as required by the Commission.

(i) He shall be responsible for securing the proper signatures of witnesses to the taking of specimens and the ultimate sealing for delivery to the official chemist.

(ii) He shall be responsible for delivery or shipment of all specimens to the official chemist.

(d) He shall be responsible for properly instructing his assistants in the performance of their duties.

(e) The Commission Veterinarian shall be considered an official of the Commission.

(f) The Commission Veterinarian must be present at the office of the Racing Secretary and/or Stewards' office prior to scratch time each racing day at a time designated by the Stewards to inspect any horses and report on their condition as may be requested by the Racing Secretary or Stewards.

(g) The Commission Veterinarian does not have the authority to scratch a horse but shall report to the Stewards his opinion of a horse's condition and his recommendations relative to scratching.

(h) No veterinarian employed by the Commission shall be permitted during the period of his employment to treat or prescribe for any ~~race~~ horse participating in a pari-mutuel event, for compensation or otherwise, except in case of emergency in which case a full and complete report shall be made to the Stewards. No owner or trainer shall employ or pay compensation to the veterinarian during the period for which he is employed by the Commission.

(i) Veterinarians practicing at a race track or at any permitted event shall use one time disposable needles and shall dispose of them in an approved manner as directed by the Commission.

(j) No horse shall be destroyed on the grounds of a Permittee until it has been observed by the ~~e~~Official ~~v~~Veterinarian.

(k) The Commission Veterinarian and his assistants shall not wager on the outcome of any race at the event at which they are employed.

(l) The Commission Veterinarian shall be responsible for the posting of current medication guidelines as prescribed by the Commission.

CHAPTER 11

CUTTER AND CHARIOT RACING

Section 1. **Eligibility.**

- (a) All participants will have a minimum weight of 275 pounds which includes chariot, driver, and harness. No minimum weight on chariot.
- (b) Driver shall not be fastened or attached to the chariot in any manner.
- (c) Any chariot used is subject to disqualification by authorized racing stewards.

Section 2. **Start.**

- (a) With approval of the stewards the starter shall have authority to scratch an un-cooperative team and driver.

Section 3. **Finish.**

- (a) The intact team whose horses or horse nose reach the finish line first with the driver shall be the winner.
- (b) In the event of a dead heat, judges shall revert to the third horse to determine the winning team.

Section 4. **Race.**

- (a) No team is to interfere in any way with any other team. Disqualification of a team shall be determined by the stewards.
- (b) Photo finish shall be provided.
- (c) In case of injury to a horse after entries are taken the entire team shall be scratched.
- (d) Once a team has run at a meet no substitution may be made without permission from the Commission Veterinarian and Board of Stewards.
- (e) In no case may a horse race on any more than one team.
- (f) All rules of pari-mutuel racing in the State of Wyoming are applicable.

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