

GREYHOUND NETWORK NEWS

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Kansas Governor Signs Controversial Bill Legalizing Casino Gambling

Slot Machines for Greyhound Tracks; Camptown to Reopen

Topeka: In the early hours on Thursday, March 29, the Kansas Senate voted 21-19 to approve Senate Bill 66, a historic gambling bill authorizing four state-owned, privately managed hotel-and-casino complexes to be constructed in Wyandotte County, Ford County, and either Cherokee County or Crawford County, and either Sedgwick County or Sumner County. In addition, 2,800 slot machines will be divided among the state's three greyhound race-tracks — Wichita Greyhound Park, The Woodlands in Kansas City, and Camptown Greyhound Park in Frontenac, which has been closed since 2000. The bill requires voters in the four counties where slot machines will operate to approve the measure.

The 78-page bill was drafted by a bipartisan coalition in the House and amended into Senate Bill 66, which originally was a measure to extend the state lottery, due to expire at the end of June. The House passed the measure March 26 by a vote of 22-18, and sent the bill back to the Senate. Senators who supported casino gambling held a 12-hour filibuster, allowing them to find enough votes for passage.

Constitutional Challenge

State Rep. Kasha Kelley, R-Arkansas City, filed a protest about the way the bill was passed and has had it entered into the historical record. She said procedures were not followed and believes the bill is unconstitutional. In her protest, Kelley wrote that the bill's passage "is an affront to the legislative process, entered into in an unconstitutional manner, and flanked by deceit and unethical maneuvering."

Kelly also objected to the fact that there was no public testimony taken, and that there was virtually no debate at the Statehouse about the bill. She concluded her protest by stating, "This is truly a dark day in the state of Kansas and for the now-tainted legislative process."

Opponents argue that the constitution

requires the state not only to own the casinos and slots at tracks, but to manage them directly, rather than delegating management to a private company as the legislation envisions. Senate Majority Leader Derek Schmidt, R-Independence, said, "I think the statute is constitutional but I anticipate a legal challenge and the courts will decide." House Speaker Melvin Neufeld disagreed, saying, "I'm sure it's unconstitutional, but I'm also sure that given the way the Kansas Supreme Court interprets the constitution it makes no difference what the constitution says." If the bill survives a constitutional challenge, Kansas would become the first state in the nation to own Las Vegas-style casinos.

Ceremonial Signing

Gov. Kathleen Sebelius, a long-time proponent of casino gambling, traveled across the state on April 11, holding bill-signing ceremonies in four communities — Mid-Continent Airport in Wichita, the Dodge City Regional Airport, The Woodlands dog track in Kansas City and the Cherokee County Courthouse. Sebelius also announced plans to meet head-on the lawsuits expected to be filed. She said she will ask Attorney General Paul Morrison to seek a ruling from the state Supreme Court as to the law's constitutionality.

"If you're asking investors to come forward and make a minimum \$225 million investment, they need to know that they're on strong legal ground, so I think the faster we can get a ruling from the Supreme Court, the better off we'll be," she said. Ashley Anstaett, a spokeswoman for Morrison, said the attorney general was reviewing the law "to assure a prompt review of its constitutionality. He and top attorneys are working to find the best method possible to test the law." The law went into effect April 19.

Provisions of the Bill

The bill requires developers of the proposed casinos in Wyandotte County, either Sedgwick or Sumner counties and either Cherokee or Crawford counties, to make a

minimum capital investment of \$225 million plus pay a one-time privilege fee of \$25 million; Ford County casino developers would make a minimum \$50 million investment plus pay a \$5.5 million fee. The race-tracks are required to pay a privilege fee of \$2,500 per slot machine. The three dog tracks will divide up 2,200 slot machines. An additional 600 slot machines will be distributed to the tracks after contracts for the casinos have been signed.

Twenty-two percent of the casino revenue, estimated to be \$200 million a year, will go to the state, but may only be used for debt reduction, infrastructure improvements and property tax relief. Forty percent of slot machine revenue at the racetracks goes to the state and 25 percent goes to the facility owner as a management fee.

The governor, lieutenant governor, attorney general and members of the legislature are prohibited from working with a gambling company until they have been out of office for five years. The bill's language includes a 25-year moratorium on the expansion of casinos or more than 2,800 slot machines at the racetracks.

Camptown Greyhound Park

During an interview with the *Wichita Business Journal* on the day the Senate passed the bill, billionaire Phil Ruffin, owner of Wichita Greyhound Park and Camptown Greyhound Park in Crawford County, said he plans a \$50 million expansion of the Wichita dog track to accommodate the slot machines. "If we need a hotel, we'll put one in," he said.

In a *Pittsburg Morning Sun* interview weeks later, Ruffin said, "We're going to try to open as soon as possible." The track, closed since 2000, is reportedly in a state of extensive disrepair. "We're going to start aggressively renovating the facility as soon as possible," Ruffin added.

Sources: The Associated Press; Carl Manning; *The Kansas City Star*: Rick Alm, David Klepper; *Wichita Business Journal*; *The Topeka Capital-Journal*: James Carlson; Chris Moon; *The Kansas City Kansas*; *The Joplin Globe*: Roger McKinney; *Lawrence World-Journal*: Scott Rothschild; *The Morning Sun*: Kevin Flaherty, Matthew Clark

STATE-BY-STATE NEWS UPDATE: January 1 through April 30, 2007

ARIZONA

Tucson: State racing regulators in Colorado followed Arizona's lead in revoking the license of kennel operator Richard Favreau on April 10. Favreau, who is under suspicion in the disappearance of more than 170 greyhounds he had been paid to place with adoption groups, did not show up for the hearing. Favreau was paid \$150 per dog by Tucson Greyhound Park (TGP) officials to transport the dogs either to their owners or to adoption agencies. Eight of the greyhounds have been accounted for; the remaining dogs are presumed dead. "This business doesn't need people like that," said Colorado racing regulator Dan Hartman.

Last December, Arizona Department of Racing Director Geoffrey Gonsler revoked Favreau's Arizona license and ordered him to pay \$140,000 to a greyhound adoption group and perform 700 hours of community service. In his ruling, Gonsler also questioned the role TGP officials played in "not maintaining complete and accurate records as to the status, whereabouts or disposition of the animals." Former TGP general manager Chris McConnell is scheduled to appear before the racing department's Phoenix Board of Stewards in May to determine if he was also at fault, Gonsler said.

Susan Netboy, president of the California-based Greyhound Protection League, praised racing officials for revoking Favreau's racing licenses. Still, she expressed frustration about the limits of the investigation. "We're still haunted by the question, 'Where are the dogs?'" [See *GNN* Fall 2006/Winter 2007 for complete details. — *Ed.*]

Source: *Colorado Springs Gazette*: Anthony Lane

ARKANSAS

West Memphis: Southland Greyhound Park's revenue has been in decline for the last 15 years, in large part due to the casinos operating in Tunica, Mississippi just across the state line. "The people and greyhounds went to places where they have gaming and that had the larger purses," said Barry Baldwin, the track's general manager. "You go to where the money is. Now that we have electronic gaming machines, the purses are starting to be better," Baldwin said.

The track underwent a \$40 million renovation late last year after voters in West Memphis approved expanded gambling at the track. Southland now operates 800 elec-

tronic "games of skill," including digital blackjack and poker tables with a digital dealer and virtual cards.

Fourteen percent of the income from the machines will go to higher purses for kennel operators to attract better greyhounds, while another one percent will go to state breeders. "The one percent breeder's award is already getting people where they are looking at land, coming from out of state and buying property here in Arkansas," Baldwin said.

Local greyhound breeder Robert Thorne said he believes the number of greyhound breeders in Arkansas will go from around seven to more than 35 in the next decade. "They will be spending the money that we make off the dogs to race more dogs." The Thorne farm is one of just four in Northeast Arkansas. Two new breeding farms started up recently.

Southland also has a new promotion that will allow all track visitors the opportunity to win a racing greyhound.

Source: KAIT-TV Channel 8

COLORADO

Loveland: Cloverleaf Kennel Club, which announced Nov. 30, 2006 that it will not conduct live racing in 2007, is seeking tax relief from the state. Florida resident Harry Hess, president of Cloverleaf's board of directors, told *The Coloradoan* Jan. 8, 2007 that "the track's future depends on whether the Colorado General Assembly would consider changing the state's tax structure of pari-mutuel wagering."

The present structure imposes a 4.5 percent tax on the gross wagering handle of greyhound tracks in addition to a license fee of \$133,400 per month of live racing, according to a report prepared by the Colorado Department of Regulatory Agencies on the state's racing industry. The report, which is expected to be presented to legislative committees this year, recommends reducing the tax rate to 0.75 percent — the same rate imposed on horse tracks. According to the report, the annual wagering handle for dog tracks in Colorado decreased 51.7 percent between 1995 and 2005, with tax revenues down 60 percent.

Cloverleaf's live racing season ran from February to June. The track, which opened in 1955, remains open for simulcasting.

Source: *The Coloradoan*: Kevin Duggan

FLORIDA

Bonita Springs: Kennel operators Arlene and Gregory Wootten have settled their lawsuit against the Naples Fort-Myers Greyhound Track where 17 of their racing dogs died of smoke inhalation in June 2005. The lawsuit, seeking undisclosed damages, was settled during a mediation hearing April 16, said David McElrath, the Wootten's attorney. "They are very relieved this matter is resolved," McElrath said. "It has been difficult for them to deal with the trauma."

Addison Meyers, attorney for the track, said the agreement also settles the track's countersuit against the Woottens. In the settlement, neither side admitted liability, Meyers said. The terms of the settlement are confidential and will not be disclosed, McElrath said.

The pre-dawn fire, which was ruled accidental, was caused by a buildup of animal dander over a long period of time in the air conditioning ducts, said Scott C. Bialy, a detective with the state Fire Marshal's Office, which investigated the cause of the fire. According to the fire marshal's report, the fire burned itself out, but the air-conditioning system continued to blow smoke into the kennel. The report also stated that heat alarms were activated, but security guards investigated the wrong building and cleared the alarms without notifying track authorities.

There were 66 greyhounds in the Wootten kennel at the time of the fire. The 17 greyhounds died of either smoke inhalation or cardiac arrest. The surviving dogs could not race again and were placed in adoption. The Woottens, who are no longer involved in dog racing, sold their home in Bonita Springs and are now living in Costa Rica.

[For complete details of the dramatic rescue efforts to save the 66 greyhounds, see *GNN*'s Summer/Fall 2005 cover story at www.greyhoundnetworknews.org — *Ed.*]

Source: *The Fort Myers News Press*: Denes Husty III

Palm Beach: Eighty-five-year-old Jan Paisley, owner of three racing greyhounds, was barred from watching her dogs run at the Palm Beach Kennel Club (PBKC) after she complained about unsafe track conditions. Track officials notified police on Feb. 21 that Paisley's dog owner credentials had been revoked and that her presence at the track

would be treated as a trespass.

Paisley has repeatedly called for widening the turns and adding padding to the track railings to prevent dogs from being injured. Paisley charges that the track, which is owned by the Dan Rooney family, owners of the National Football League's Pittsburgh Steelers, is "too cheap to pay for the cost of making safety changes."

Paisley told *The Palm Beach Post* that when she tried to enter the track on Feb. 22, she was led to an office and held for 30 minutes against her will. Then two sheriff's deputies arrived, told her she was under arrest, and led her to a police cruiser. At that moment, state pari-mutuel investigator Bryan Wall intervened and Paisley was released; no charges were filed.

"It's elderly abuse," Paisley said. "I've been going to the track since 1952, sitting at the same table every day for the past 30 years. 'They can't do this.'" Paisley also has complained to state gaming officials, the Florida Department of Business and Professional Regulation, the state inspector general and Gov. Charlie Christ.

Paisley's complaints come nearly four years after a widely reported incident at PBKC raised questions about track safety. In July 2003, spectators were horrified when 3-year-old Leta's Princess was electrocuted after falling against the electric rail. She was then struck by the motor that propels the arm of the mechanical lure. A state investigation subsequently cleared the track of wrongdoing, ruling the greyhound's death a "fluke accident." The Palm Beach Kennel Club opened in 1932.

Sources: *Palm Beach Post*: Jose Lambiet; *All Headline News*: William Macklin

Tallahassee: The Florida Supreme Court on March 27 agreed to hear arguments in a case challenging the validity of signatures gathered for a petition drive that led to Florida's 2004 slot machine referenda in Broward and Miami-Dade counties. Broward County voters approved the initiative, but Miami-Dade voters rejected it.

The court agreed to consider two constitutional questions: (1) whether such signatures can be challenged even after the signatures have been certified by the secretary of state and voting has begun, (2) and whether a state constitutional amendment may be invalidated even after the vote if a claim is later lodged that some signatures were fraudulently obtained.

The original suit was brought by Floridians Against Expanded Gambling. On the other side of the issue is a pro-gambling group called Floridians for a Level Playing Field. Oral arguments are expected to be heard this spring.

Source: *The Miami Herald*

Tampa/St. Petersburg: Tampa Greyhound Track and the Derby Lane greyhound track in St. Petersburg announced in late March they will run year-round live greyhound racing beginning July 1, 2007. Both tracks operated seasonally since they opened in 1933 and 1925, respectively.

Kristen Ploska, a spokeswoman for the Florida Department of Business and Professional Regulation, said Derby Lane was granted a license for 468 performances from July 1 through June 30, 2008, with no racing on Sundays or Christmas Day. The license includes a card room for 45 tables. The Tampa track's license is for 416 performances with no racing on Christmas Eve or Christmas Day, and a 30-table card room.

"We started as a seasonal entertainment venue that has grown into a popular local attraction," Derby Lane president and chairman of the board Vey Weaver said. "The year-round schedule will provide stability for our employees and for greyhounds who might be transported to other tracks at the end of the season."

Chuck Marriott, longtime Derby Lane kennel owner and a board member of the National Greyhound Association, said, "Thank God it's a reality. Everybody is ecstatic about running year-round at one place and not having to get the dogs accustomed to a different racetrack."

Tampa marketing director Hillary Fellenz said Tampa would race seven days a week. Fellenz said the track has received commitments from 12 kennels. Greyhounds will be housed at Tampa's compound in Thonotosassa, currently under renovation.

There are six other Florida greyhound tracks that have year-round racing: Flagler Greyhound Park (Miami); Mardi Gras Race-track (Hallandale Beach); Naples-Fort Myers Greyhound Track (Bonita Springs); Sanford-Orlando Kennel Club; Palm Beach Kennel Club and the Sarasota Kennel Club. Seven tracks operate seasonally.

[For a current list of operating greyhound racetracks nationwide, go to www.greyhoundnetworknews.org — *Ed.*]

Source: *St. Petersburg Times*: Don Jensen

IOWA

Waterloo: Local efforts to reopen the defunct Waterloo Greyhound Park as a greyhound track and casino gambling complex were dealt a blow in late January 2007 by an Iowa court ruling. Black Hawk County District Judge Stephen Clarke upheld an October 2005 decision by the Iowa Racing and Gaming Commission to deny state gambling licenses to the National Cattle Congress (NCC), the nonprofit entity that operated the track for ten years.

Clarke's ruling clears the way for the Isle of Capri Casino to open a \$175 million casino-hotel complex in Waterloo in May or June without local competition. "This takes the racetrack off the table for immediate consideration," said Gerald Bair Ankeny, a member of the Iowa Racing and Gaming Commission.

The financially troubled Waterloo track shut down in 1996 after state regulators declined to renew its racing license. State officials said at the time the track was unable to make a profit, which violated state regulations requiring tracks to be financially viable. In May 2005, the gaming commission considered a license application to reopen the track as a riverboat casino complex, but the proposal was rejected. Then in October 2005, the NCC took the stance that the old track license was still valid, but state regulators rejected the argument 4-0.

Sources: *Des Moines Register*: William Petroski; *Waterloo-Cedar Falls Courier*: The Associated Press

KANSAS

Topeka: The Kansas Racing Commission is investigating illegal betting at The Woodlands racetrack, according to information published Feb. 24 in the *Lawrence Journal-World*. Jim Gartland, a spokesman for the track, said the allegations are without merit. "Frankly, it's just a bunch of bull," Gartland said.

Stephen Martino, the commission's executive director, said there is an administrative complaint "regarding allegations of a conspiracy to engage in illegal gambling." Marino declined to comment further on the nature of the allegations, but Gartland said the investigation is related to a dispute that involves him.

The racing commission earlier this year refused to approve Gartland's periodic background check, which essentially removed Gartland as general manager of the

(continued on page 7)

Dear Readers

More than ten years ago, I received a manuscript titled *Dog Catcher*, a novel that explores the subculture of the dog racing industry in Florida written by Erich Sysak. Several months ago, much to my surprise, I received a copy of the book, which was published by Moonsoon Books in Singapore in July 2005 and released in the U.S. in 2007. Sysak is now living in Thailand and teaches English and creative writing at Webster University in Cha-am. Reviews of *Dog Catcher* and a biography of Sysak can be found under "Links" on GNN's website. The book, described as Southern noir, contains graphic violence. Reader discretion is advised.

My thanks to all the readers whose contributions made the publication and mailing of this issue possible. Extra copies are available by request.

Joan Eiding, Editor
April 30, 2007

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The newsletter, in print for more than a decade, continues to be the primary source of information about the worldwide dog racing industry. This newsletter is dedicated to all the racing greyhounds who have suffered and died in service to this industry.

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Letters to the Editor

Please accept the enclosed donation in memory of our good friend's greyhound, Abby. Abby was 14 when she left for the Rainbow Bridge. She was a real sweetie and will be missed by all who knew her.

Thank you for keeping your publication active. It is so important for people to be aware of what is going on. Greyhound racing must come to an end.

Joanne and Shawn Connors,
Michigan

Enclosed is a donation in memory of Jack, who died in November 2006 at the age of 14-1/2. Jack was the most perfect greyhound a human could ask for. We miss him greatly.

Thank you for making a difference for the greyhounds. Your dedication to the cause is impressive.

Sarah Lierman,
Nebraska

Thanks for the great work you do every day for the hounds.

Donna and Mark Gioia,
Pennsylvania

Please accept this donation for the humane work you do and in memory of a very special greyhound, "Raymond O'Neill."

Nancy and John Miller,
Missouri

Enclosed is a check for our subscription renewal. Keep up your good work! We hope and pray for the end of greyhound racing.

Ann, Marvin and "Sammy" Leiner,
Illinois

Enclosed is a donation in memory of Sheila's Haven's greyhound Mitzi who recently had to be euthanized. Mitzi was an inspiration to Sheila and I know she misses her desperately.

Sheila's relentless dedication to greyhound welfare and advocacy on behalf of the New Jersey Greyhound Adoption Program and the Greyhound Protection League will always remain an inspiration and a benchmark.

Melani Nardone,
Greyhound Protection League
New Jersey

Please accept this donation on behalf of myself and my new brindle girl, Norma. I lost my girl Abbey over a year ago and she will never be replaced. However, Norma brings to my home a new, joyful and fun experience and I love her! Keep up the good work.

Donna D. Dapuzzo,
New Jersey

Please find enclosed a donation to your very necessary publication. When my wife and I worked as volunteers in Georgia for an adoption group funded by the racetrack, we were told "racing is good for greyhounds, they love to run." We learned from publications like yours that racing takes a heavy toll on the poor greyhounds.

We had to "come out of the closet" and voice our objections to the evil sport of greyhound racing. We do not regret it and will continue to support greyhound advocacy.

David and Kathy French,
Connecticut

In Memorium

Santa, beloved black male greyhound of Cheryl Ann Williams, died January 29, 2007 at the age of 13 in Georgia.

Frano, beloved brindle male greyhound of Nancy Nenad, died March 27, 2007 at the age of 15 in Arizona.

Mitzi, beloved black female greyhound of Sheila and Vernon Havens, died April 17, 2007 at the age of 13-1/2 in New Jersey. Sheila Havens is the New Jersey representative for the Greyhound Protection League and a volunteer for *Greyhound Network News*.

Legislative Briefs

ALABAMA: House Bill 527, a measure that would legalize high stakes electronic bingo games at the greyhound tracks in Birmingham and Mobile, was approved by the House Tourism and Travel Committee by voice vote on April 4. The bill was sponsored by Rep. Marcel Black, D-Tusculum. HB 527, which is a constitutional amendment that would require a statewide referendum, was sent to the full House for debate.

The bill would also outlaw other types of electronic gaming machines, which Black said would stop the spread of the games across the state. "There's not going to be gambling at every little convenience store at every crossroads in the state," Black said.

Update: The bill was withdrawn from consideration.

Sources: *The Decatur Daily News*

FLORIDA: Senate Bill 2434, a measure to allow the state's 25 pari-mutuel facilities — dog and horse tracks and jai alai frontons — to operate 500 video lottery terminals (VLTs) each, was approved by a 7-1 vote in the Senate Regulated Industries Committee on April 9. Sen. Steve Geller, D-Cooper City, who sponsored the bill, said economists estimated that the machines could generate \$2 billion in state revenues. The machines would be regulated by the Department of the Lottery.

Update: SB 2434 was passed by the Senate April 27 on a vote of 34-5. The \$2 billion in estimated revenues would be used to replace property taxes. The Florida House traditionally has been opposed to the expansion of gambling in the state, but, as the end of the legislative session nears, some legislators think gambling dollars belong in the mix as a logical piece to a property-tax compromise. Geller said, "I'm not saying it's going to happen, but as we get down to the wire, \$2 billion a year may be the way we make up the difference between us (House and Senate)."

Sources: *Miami Herald*: Breanne Gilpatrick; The Associated Press

TEXAS: State Representative Ismael Flores, D-Mission, introduced House Bill 1405 on Feb. 13 to allow the video-slots at the tracks. HB 1405 had its first reading Feb. 19 and was referred to the House Licensing & Administration Procedures Committee.

In early March, Sen. Rodney Ellis, D-Houston and Sen. John Carona, D-Dallas, proposed Senate Joint Resolution 45 and

New Hampshire Bill to Ban Greyhound Racing Fails

Concord: House Bill 923, formally known as "an act prohibiting dog racing in New Hampshire and establishing a committee to make recommendations for mitigating the impacts of prohibiting dog racing," was introduced in late January. The bill, sponsored by Rep. Peter Schmidt, D-Dover, Sen. Sheila Roberge, R-Bedford, and four other lawmakers, would force the closure of Seabrook and Hinsdale Greyhound Parks and The Lodge at Belmont by mid-2009.

Sponsors of the bill cited poor kennel conditions and more than 100 serious or life-ending injuries in the past two years at the state's three tracks. Schmidt said, "It's the idea that man's best friend is being exploited, used up and then thrown away. They are kept in conditions which I think are inhumane, all on behalf of an industry that is not really viable..." State revenues from the tracks peaked at \$8.8 million in 1977. The revenues for 2005 were \$3.04 million, according to the New Hampshire Pari-Mutuel Commission.

On March 20, the Executive Departments and Administration Committee deemed that HB 923 was "inexpedient to legislate." However, in New Hampshire, every bill introduced in committee goes to the full House of Representatives for consideration. The bill was debated for one hour on the House floor March 27. Schmidt argued that "we may be ending an industry that has been around since 1972," but said

the dogs are "kept in their crates most of the time. It seems like an inherently exploitative and inhumane type of existence." The House rejected HB 923 by a vote of 198-138.

[Editor's Note: Numerous articles written about HB 923 contained erroneous information. Massachusetts-based Grey2K USA, which backed the bill, told the *Union Leader*: "Vermont and Maine acted to prohibit greyhound racetracks after the existing tracks in those states closed." In fact, Vermont's Green Mountain track remained licensed until April 1995, when legislation to ban dog racing, sponsored by Save the Greyhound Dogs! was signed into law. According to the *Bennington Banner*, it was "the first bill of its kind to pass in a state where current racing licensing exists."

As for Maine, dog racing never existed in the state. In 1992, when Las Vegas investors proposed opening a track in Old Orchard Beach, greyhound adopters united and passed Bill No. 68, an act to ban greyhound racing, which became law in 1993.

It was also erroneously reported that dog racing is illegal in 35 states. In fact, only eight states have banned the sport. Dog racing is not specifically illegal in the remaining states — it simply has not been legislated in many of them.]

Sources: *Union Leader*: John Distaso; *Brattleboro Reformer*: Paul H. Heinz; *Foster's Daily Democrat*: Nate Pardue

Senate Bill 1359, which would allow casino resorts in some cities and video slots at the three dog tracks in Corpus Christi, Harlingen and Galveston and the state's horse tracks. SB 1359 would also permit gambling on the Indian reservations. Rodney and Ellis said expanded gambling would generate about \$4 billion a year in state revenue. Ellis and Carona argued that Texans already spend \$10 billion a year on gambling in Louisiana and Oklahoma, where casino gambling is legal. Other gambling measures are expected to be introduced before the session ends.

Source: *Galveston Daily News*: Laura Elder

WEST VIRGINIA: Gov. Joe Manchin signed House Bill 2718 on March 21, which authorizes voters in the four counties with racetracks to determine whether the tracks can add casino-style table games, such as crap tables, blackjack and roulette. The

state's two greyhound tracks — Wheeling Island Racetrack in Ohio County and Tri-State in Kanawha County — and two horse tracks already operate video lottery terminals. The Ohio and Kanawha County Commissions have approved special elections set for June 9 that will determine whether voters approve the operation of table games at the two dog tracks.

The West Virginia Family Foundation is challenging the legislation on grounds that allowing table games violates the state constitution, arguing that a statewide referendum should be held to legalize the games. The foundation is seeking a court-ordered injunction in one or more counties to prevent a local-option vote on the issue. Supporters of table games say they would create new jobs and help the tracks compete with gambling venues in other states, particularly Pennsylvania.

Source: *The Intelligencer*: Joselyn King

AUSTRALIA

Queensland: The Australian Associated Press reported Feb. 6 that the RSPCA had seized 14 malnourished greyhounds from a property at Ipswich, west of Brisbane. More than 30 greyhounds were found on the property and 20 will be examined by a veterinary surgeon.

"A very sad situation, most of the animals were malnourished and in very poor condition with sores and vast quantities of ticks," said RSPCA spokesman Michael Beatty. The RSPCA hopes to rehabilitate six of the dogs but most are unlikely to recover and will be euthanized. RSPCA officials inspected the property following a complaint from veterinary staff at the University of Queensland after the dogs' owners brought ten greyhounds to the university to be euthanized.

Sources: Australian Associated Press; Australian Broadcasting Corporation

Tasmania: The death of a greyhound during a hurdle race Feb. 26 has prompted an animal welfare group to demand an immediate ban on dog hurdle racing in Tasmania. "The death of this greyhound is a reminder of why greyhound hurdle racing takes place in no other state in Australia, other than Tasmania," said Emma Haswell, a spokeswoman for Against Animal Cruelty Tasmania.

According to witnesses, the greyhound slammed into the second hurdle at high speed at the Elwick track in Hobart, breaking its back and crushing its skull. "These gentle and graceful dogs have never seen an uneven surface let alone a jump," Haswell said. "Hurdle racing is an accident waiting to happen."

Dr. Rick Butler, chief executive officer of the RSPCA, also called for a ban. "It's cruel and not a natural movement for these animals to go through, and doesn't serve any purpose. It's the RSPCA's official policy to oppose steeple-chasing and hurdling in any animal."

Denise Fish, manager of the Hobart track, said, "The chief steward is holding an investigation which is normal procedure. We are not considering a ban and will wait and see what comes out of the inquiry."

Sources: *Hobart Mercury*: Michelle Paine; *The Australian*: Glenn Cordingley

Victoria: Dr. Hugh Wirth, national president of the RSPCA, told *The Sunday Age* Feb. 11 that "thousands of greyhounds considered too slow or too old to race are being shot dead and dumped by their owners." Wirth said breeding limits must be imposed on the industry to stop the culling. "There is no doubt one of the major problems in greyhound racing is over-production." A breeding task force has been set up to try to cut the number of dogs being bred. Wirth said the deaths of so many greyhounds was a "scandal."

Animal welfare groups, including Animal Liberation Victoria, say it is time for all greyhounds to be identified with a microchip to prevent owners from getting away with killing and dumping the dogs in remote areas.

In August 2006, 70 starving greyhounds were found abandoned without food or water on four properties in western Victoria. Some dogs were so emaciated they had to be euthanized.

Source: *The Sunday Age*: Mark Russell

EUROPE

Kilkenny, Republic of Ireland: Millionaire greyhound trainer Paul Hennessy pleaded guilty in Kilkenny District Court Feb. 6, 2007 to seven counts of possession of unauthorized animal performance-enhancing drugs and injectable supplements that included phosphorus, folic acid and vitamin B12. Hennessy, who has earned •2.6 million from greyhound racing in the past six years, is considered one of Ireland's most successful trainers.

The substances were seized at Hennessy's premises nearly two years ago when the property was visited by a Special Investigation Unit of the Department of Agriculture. Unit veterinary inspector Brian Kilgallen told the court the seized substances included DADA 250, which increases blood flow to the heart and skeletal muscles and reduces muscular fatigue, increasing performance in racing animals. Other drugs seized included Tridenosen, a potent stimulant, and Mepivicaïne, an anesthetic which is authorized for use only by veterinary surgeons in treating injured dogs.

Judge William Harnett imposed fines totaling •4,200 on each count and ordered payment of •800 to the agriculture department.

Source: *Irish Independent*

Greyhound Killer David Smith Fined for "Disposal of Waste"

Durham, England: David Smith, a builder's merchant who allegedly killed thousands of greyhounds over a 15 year period, appeared before Durham Magistrates' Court on Feb. 18. Smith admitted to one charge under the Pollution, Prevention and Control Regulations of burying the dogs without a permit. The magistrates referred the case to Durham Crown Court because the magistrates' sentencing powers were insufficient. Magistrates could only impose a fine of up to •20,000 or six months' jail time. Vivian Lowe, chairman of the bench, said, "We are of the view that this was a commercial operation and it was going on for a considerable length of time and was escalating in recent years."

Smith appeared for sentencing at Durham Crown Court on March 16 and admitted failing to obtain a •2,765 permit to dispose of waste on his land. Judge Peter Armstrong ordered Smith to pay •2,000 in court costs. Animal activists in the packed courtroom gasped in disbelief when the judge did not sentence Smith to jail time.

Armstrong expressed his concern that what started as a service to dog owners had become a business used by greyhound trainers to dispose of healthy animals that could no longer race. "As a result of this case, there may be some inquiry or even a change in the law," Armstrong said.

A spokeswoman for the RSPCA said, "The RSPCA, while not in any way endorsing or approving of his actions, acknowledges that Mr. Smith's activities did not breach any animal welfare cruelty laws." But she added, "There is simply no justification for killing racing greyhounds just because they can't do their job anymore — it is shocking and unnecessary."

[See *GNN* Summer/Fall 2005 online for the full story. — *Ed.*]

Sources: *The Times*: Joanna Bale; *The Northern Echo*; *Sunderland Echo*

State-by-State News Update

(continued from page 3)

track. He continues to work there, he said, in "non-racing operations." Last year, Gartland paid a \$300 fine after pleading no contest to having a gambler place wagers equaling \$300 to \$400 to help cover shortfalls in a tri-superfecta wagering pool. The track covered the wagers from funds designated for "customer relations," the state complaint stated.

Some state lawmakers said the allegations are troubling, especially because there is expected to be a renewed push during the legislative session to expand gambling in Kansas to include slot machines at parimutuel racetracks. "This is quite serious," said Sen. Karin Brownlee, R-Olathe. Brownlee said the alleged problems at The Woodlands raise concerns about whether the racing commission could regulate expanded gambling. "We really need to watch this," Brownlee said.

Gartland is fighting the Racing and Gaming Commission, and has filed a lawsuit seeking a review of the racing commission's actions that removed him from his job as general manager.

Update: Gartland submitted his resignation in late March. The action came a few weeks after a Wyandotte County District Court Judge had issued an injunction against the Kansas Racing Commission for not allowing Gartland his due process for the right to make a living without proper cause. Gartland, citing the probability of ongoing problems with the commission, said, "I felt it was best for me, my family and the employees that I leave."

Jayme LaRocca, who has been the track's director of simulcasting since 1992, was named general manager.

Sources: *Lawrence Journal-World*: Scott Rothschild
The Kansas City Kansas: Alan Hoskins; *Fremont Tribune*: Beverly J. Lydick

MASSACHUSETTS

Boston: Penn National Gaming, which operates a casino and slot machine empire, is in serious talks to acquire a major stake in the financially troubled Wonderland Greyhound Park near Boston. The Pennsylvania-based gaming company would buy up to 50 percent of the dog track from Boston restaurant mogul Charles Sarkis under a deal now under discussion, executives familiar with the talks said in early April.

Representatives of Donald Trump's

Falsified Greyhound Health Certificates under Investigation

Charleston, West Virginia: The West Virginia Racing Commission launched an investigation on March 5 into 35 falsified health certificates for racing dogs belonging to Paul Carbonneau, one of the state's top greyhound breeders. Commission chairman George Sidiropolis said Carbonneau's dogs were quarantined and suspended from racing at Tri-State Racetrack in Cross Lanes. He added the dogs will be tested for rabies, distemper and steroids.

"On Monday, one of our inspectors showed up at Tri-State for a routine check and while he was reading the health certificates for Mr. Carbonneau's dogs, 35 of them appeared suspicious to him. All 35 of these certificates had the signature of Dr. Bob Wilson from Grand Prairie, Texas," Sidiropolis said. The inspector contacted Dr. Wilson, who faxed a statement to the commission the following day, stating, "I have not vaccinated any of the animals in Carbonneau's care for the past three years. Therefore, I have not issued him any vaccination certificates during this period of time, nor did I issue health certificates for him to travel from one state to another. Needless to say, anything signed by me in regard to items in this paragraph would be fraudulent."

On March 10, the racing commission widened its probe of falsified health certificates, suspending racing privileges for

seven other kennel operators and breeders, preventing them from racing their dogs. Six days later the racing commission, without explanation, lifted the suspensions on the seven other breeders, which generated a storm of controversy over lost income. Sam Burdette, president of the West Virginia Greyhound Owners and Breeders Association, is calling for Sidiropolis to resign. Burdette is also a board member of the National Greyhound Association, based in Abilene, Kansas.

Carbonneau was found in violation by the commission's three-judge panel of altering health certificates to misrepresent greyhounds at Tri-State. The judgment against him calls for his dogs to remain in suspension for an unspecified period of time. Carbonneau has also been fined \$500 for each of the 35 fraudulent health certificates for a total fine of \$17,500.

State Veterinarian Joe Starcher made several visits to Carbonneau's kennels at Tri-State and his breeding farm in Hurricane. "The 161 dogs that I have observed over the last few days were in good health, showed no injuries and are now unquestionably vaccinated against rabies and other diseases." The vaccinations were paid for by Carbonneau.

Sources: *Charleston Daily Mail*: Jake Stump; *The Intelligencer*: Casey Junkins; *News-Register*: Shelley Hanson

casino empire also have begun preliminary research into potential local partners. Efforts to expand gambling in the Bay State have failed in the Legislature for more than a decade, but rising interest from casino companies may indicate a change.

Source: *Boston Herald*: Scott Van Voorhis

RHODE ISLAND

Providence: Twin River, formerly known as Lincoln Park, held a grand opening ceremony Friday morning, March 23, to mark the completion of a 160,000-square-foot addition on the north and west sides of the existing building, which is the largest part of the track's \$220 million expansion and renovation project. When the entire expansion project is completed by July 2008, the track will have added 500,000 square-feet, more than doubling its original size. Twin River is now the fourth largest gaming facility in the nation.

The new name signifies the track's loca-

tion between the Providence and Blackstone Rivers. "We set out to create a world-class entertainment destination and with today's opening we have taken an important step in achieving just that," said Len Wolman, a principal of BLB, which bought the track from London-based Wembley PLC in July 2005 for \$435 million. Wembley was forced to divest itself of its U.S. racetrack properties after two of its executives were convicted and jailed on federal bribery and conspiracy charges.

An hour before the ribbon-cutting ceremony, food and beverage employees of the track gathered outside to protest BLB's implementation of an unfair scheduling system, putting some jobs in jeopardy. Bartender Arlene DerHagopian said, "I've been a loyal employee of Lincoln Park for 25 years. We've made a commitment to Lincoln Park and we ask that BLB make the same commitment to us."

Source: *Pawtucket Times*: Rochelle Lefebvre

Dairyland Tribal Casino Backer under Federal Indictment

Kenosha, Wisconsin: Kenosha millionaire Dennis Troha, the driving force behind a proposed \$808 million off-reservation Menominee tribal casino at Dairyland Greyhound Park, was charged in late February with illegally funneling contributions to the two election campaigns of Gov. Jim Doyle. According to the *Milwaukee Journal-Sentinel*, Troha and 12 of his family members contributed nearly \$200,000 to Doyle since 2002. State law caps an individual's donations to a gubernatorial candidate at \$10,000 per campaign. Doyle pledged to return the money if Troha is found guilty.

The eight-page federal indictment charges Troha with fraud and lying about the contributions during a lengthy Jan. 12 interview with FBI agents. The investigation, which has been underway for several months and is continuing, has been conducted by the FBI and the IRS, said U.S. Attorney Steven M. Biskupic. "It is against the law to illegally funnel campaign contributions as well as to conceal those types of activities when he was seeking the Indian gaming casino compact and contractor license," Biskupic said.

The Menominee tribe continues to hold a purchase option on Dairyland. The Connecticut-based Mohegan tribe, who partnered with Troha as project developers, bought out Troha's share of the project days before the indictment was announced. The Mohegan operate The Mohegan Sun, the largest casino in the U.S.

The Forest County Potawatomi Community, operator of Potawatomi Bingo Casino in Milwaukee, is opposed to the Kenosha casino project on the grounds that it would hurt its business. Jeff Crawford, the tribe's attorney general, said, "Indian gaming is supposed to help Native Americans, not millionaire developers."

In the wake of the indictment, Milwaukee community and elected state leaders spoke out in favor of Assembly Bill 205, which would make all off-reservation casino proposals subject to a vote by lawmakers statewide. Currently, final approval or rejection of off-reservation Indian gaming venues is in the hands of the governor alone. Sources: *Milwaukee Journal Sentinel*: John Diedrich, Cary Spivak; *The Business Journal of Milwaukee*

Accident Kills Four Greyhounds

Gadsden, Alabama: A greyhound hauler carrying an unconfirmed number of dogs crashed at 3:55 a.m. on Friday, April 27. Sixteen dogs escaped and four were killed instantly by passing vehicles. Jeff Barber, a member of the Birmingham chapter of Greyhound Pets of America, said about 30 dogs were on the truck. Eight dogs were recaptured within hours and four remained missing as of late Friday.

Curtis Summerville, a spokesman for the State Troopers, said the accident occurred on Interstate 95 near Gadsden, approximately 50 miles northeast of Birmingham. The accident remains under investigation. Members of several greyhound adoption groups from Birmingham and Atlanta and staff from Rainbow City Animal Control assisted in the search for the missing dogs in a heavily wooded area near the crash site.

No further information was reported as *GNN* neared press time April 30. Source: *The Birmingham News*

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INSIDE

Kansas Legalizes Casino Gambling; Greyhound Tracks to Receive Slot Machines	1
State-by-State News Update	2-3
Letters to the Editor	4
Legislative Updates	5
International News Update	6
West Virginia Breeder Suspended for Falsified Greyhound Health Certificates	7