

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

FILED IN THE OFFICE OF THE SECRETARY OF STATE THIS DATE Sept. 3, 1987 ADMINISTRATIVE LAW DIVISION

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Racing Commission TITLE NUMBER: 178

CITE AUTHORITY WV Code 19-23-6 (a) (3)

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 2

TITLE OF RULE BEING AMENDED: Greyhound

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

*Lois J. ...*

RECEIVED

SEP 4 1987

Legislative Rule Making Review Committee

## FISCAL NOTE FOR PROPOSED RULES

Rule Title: 178 Series 2Type of Rule:  Legislative  Interpretive  ProceduralAgency Racing Commission Address 240 Capitol Street, Suite 310  
Charleston, WV 25301

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 100.00	\$	\$ 100.00	\$-0-	\$-0-
Personal Services					
Current Expense	100.00		100.00		
Repairs and Alterations					
Equipment					
Other					

## 2. Explanation of above estimates.

These amounts are the expenditures that will be made in photo copying these pari-mutuel wagering rules and the expense of distribution.

## 3. Objectives of these rules:

To provide alternate wagering for the patrons as well as to stimulate business.

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Review Committee

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

These rules when fully implemented will provide at least \$7,500. dollars in revenue to the state.

Enacting these rules will promote the best interest of racing and thereby provide opportunities to increase the 15.1 million dollars that is currently being paid to the state in direct racing revenues.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

Additional revenue will go to the county and city that the race track is located in. Also additional revenue will go to track associations and for purse money for dog owners.

C. Economic Impact on Citizens/Public at Large.

Racing revenues, by law, are dedicated to paying professional teachers salaries.

Date September 3, 1987

Signature of Agency Head or Authorized Representative

Lois J. Graham

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DATE: September 3, 1987

SEP 4 1987

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Legislative Rule Making  
Review Committee

FROM: Racing Commission

LEGISLATIVE RULE TITLE:

1. Authorizing statute(s) citation Code 19-23-6 (a) (3)

2. a. Date filed in State Register with Notice of Hearing:

July 31, 1987

b. What other notice, including advertising, did you give of the hearing?

Sent letters to the greyhound management, judges,  
mutuel managers, tote managers

c. Date of hearing (s): September 1, 1987

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received x

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

September 3, 1987

f. Name and phone number of agency person to contact for additional information:

Lois J. Graham 348-2150

Racing Commission

240 Capitol Street, Suite 310, Charleston, WV

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

July 31, 1987

- b. Date of hearing: September 1, 1987

- c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

September 3, 1987

- d. Attach findings and determinations and reasons:

Attached none

DATE: July 31, 1987

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Racing Commission

EMERGENCY RULE TITLE: <sup>Greyhound</sup> Pick-Six; Pick-Three; Twin-Trifecta; Big Perfecta;  
Quinella Double

1. Date of filing: July 31, 1987
2. Statutory authority for promulgating the emergency rule: West Virginia Code § 19-23-6(a) (3)
3. Date of filing of proposed legislative rule: July 31, 1987
4. Does the emergency rule adopt new language or does it amend or repeal a current legislative rule?  
These emergency rules adopt new language (these are amendments to existing rules.)
5. Has the same or similar emergency rule previously been filed and expired?  
No
6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the immediate preservation of public peace, health, safety or welfare.  
These rules provide for the orderly distribution of pari-mutuel pool money to the public, State and other statutorily designated parties. Without these rules there would be no formula for distribution of the pari-mutuel pools which would be chaotic and not conducive to the public peace, health, safety or welfare.

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

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Not Applicable

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8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

The facts and circumstances cited in number six are applicable.

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## ANALYSIS

### GREYHOUNDS

- Rule 45.28 Deletes Big or Twin perfecta wagering rules that had the exchange ticket procedure in making selections. Procedure now is that all four (4) selections are to be made on one (1) ticket.
- Rule 45.34 This rule provides for the distribution of a wagering pool with the first two (2) greyhounds to finish of each of two consecutive races.
- Rule 45.35 This rule provides for the distribution of a wagering pool with a Pick Three wagering format.
- Rule 45. 36 The change on this rule provides that entries or fields are permitted in races constituting the Pick Six. Also, the name of the minor pool has been changes to "The Little Six"
- Rule 45.37 This rule provides for the distribution of a wagering pool with a twin-trifecta wagering format.

45:28. Delete entire existing rule ("Big" or "Twin" perfecta wagering)

GREYHOUND

45.28. Big Perfecta Wagering

(---) Denotes deleted words

( ) Denotes new language

- (1) The Big Perfecta is a form of pari-mutuel wagering in which the bettor selects two greyhounds that will finish first and second in each of two designated races in the exact order as officially posted.
- (2) Each bettor shall select on one ticket the two greyhounds that will finish first and second in each of two consecutive designated races in the exact order as officially posted. Tickets are to be sold for both of the two races prior to the first race of the races without any exchange of tickets between the first and second race.
- (3) "Big Perfecta" tickets shall be sold only by the licensee for not less than \$2.00 and only from machines capable of issuing tickets in the manner prescribed by section (2) of this rule. Resale of such tickets from one individual to another is prohibited and shall be grounds for ejection.
- (4) The division of the net pool shall be calculated as in a straight pool, subject to the provisions of these rules to the contrary.
- (5) If a greyhound is scratched in either of the two races designated as the Big Perfecta races before the running of the first of these races, then no further Big Perfecta tickets may be issued designating such greyhound and all Big Perfecta tickets previously issued designating such greyhound shall be refunded and the money deducted from the gross pool.
- (6) If a greyhound is scratched in the second race, after the running of the first race, of the Big Perfecta races, then all Big Perfecta tickets having the exact order as officially posted for the first race of the Big Perfecta races and also combining the scratched greyhound shall become consolation tickets and shall be paid a price per dollar denomination calculated as follows: the net Big Perfecta

45.28. Big Perfecta Wagering (Con't.)

pool (gross pool less commission) shall be divided by the purchase price of all tickets combining the winners of all tickets combining the winners of the first race of the Big Perfecta. The quotient thus obtained shall be the price to be paid to all Big Perfecta tickets having the exact order as officially posted for the first race of the Big Perfecta races and combining the scratched runner in the second race of the Big Perfecta. The entire consolation pool (number of eligible tickets times the consolation price) plus the breakage shall be deducted from the net Big Perfecta pool.

- (7) If no Big Perfecta ticket is sold as a winning combination in the first race of the Big Perfecta, the Big Perfecta pool shall be divided among those having tickets including the greyhound finishing first or second and such distributions shall be calculated and made as a place pool, and in such an instance, the Big Perfecta race shall end and the pool be closed.
- (8) If no Big Perfecta ticket is sold designating a greyhound finishing first or second in the first race of the Big Perfecta then the gross pool shall be refunded.
- (9) If the first half of the Big Perfecta is cancelled or declared "no race" then the Big Perfecta shall be declared off and the gross pool refunded.
- (10) If no Big Perfecta ticket that is eligible for further participation after the first race includes the winning combination for the second race, then the net pool shall be apportioned equally between those having tickets including the greyhound finishing first and those having tickets including the greyhound finishing second in the same manner in which a place pool is calculated and distributed.

- (11) If a Big Perfecta ticket that is eligible for further participation after the first race combines only one of the two winners for the second race and no Big Perfecta ticket that is eligible for further participation after the first race combines the other winner, then the entire pool shall be distributed as a straight pool to holders of those tickets.
- (12) If no Big Perfecta ticket that is eligible for further participation after the first race includes either the first or second runner of the second race of the Big Perfecta, then the entire net pool shall be distributed as a straight pool to all holders of Big Perfecta tickets that were eligible for further participation after the first race.
- (13) In the event of a two greyhound dead heat for place in the first race of the Big Perfecta races, all Big Perfecta tickets combining the first greyhound and either of the place greyhounds shall be eligible for further participation.
- (14) In the event of a two greyhound dead heat for place in the second race of the Big Perfecta races, the Big Perfecta pool shall be divided, calculated and distributed as a place pool to the holders of all Big Perfecta tickets having the exact order as officially posted for the first race in combination with the first greyhound and either of the place greyhounds of the second race of the Big Perfecta.

In the event of a two greyhound dead heat to place in the second race and there are no tickets with one combination, then the other combination having winning greyhounds shall be declared the winner. If no Big Perfecta tickets that are eligible for further participation after the first race combine the winning greyhound with either of the place greyhound in the dead heat, the Big Perfecta pool shall be calculated and distributed as a place pool to the Big Perfecta ticket holders eligible for further participation

45.28. Big Perfecta Wagering (Con't.)

after the first race who combine with the greyhound finishing first in the second race and the Big Perfecta ticket holders eligible for further participation after the first race who combine with either of the dead heat place.

In the event of a triple dead heat for place in the first or second race of the Big Perfecta, three winning combinations result. Prices will be computed using the show pool calculation procedure.

In the event of a dead heat for place in both races of the Big Perfecta, four (2-runner dead heats) or six (triple dead heats) combinations result. Prices are computed in the same manner as the show pool except that the total dividend is divided into four or six equal parts, as appropriate.

If there is a dead heat for the winning greyhound in either of the two consecutive races for the Big Perfecta, ticket holders combining those greyhounds in either order will participate in the Big Perfecta as prescribed in these rules.

- (15) If for any reason the second race of the Big Perfecta races is cancelled or declared "no race" then the pool shall be calculated as a straight pool and shall be distributed among the Big Perfecta ticket holders eligible for further participation after the first race.
- (16) The word "Perfecta" used in these rules is to be construed to mean "Exacta" where Exacta wagering is conducted.
- (17) Other than those designated by the auditor of pari-mutuels, no person shall have access to the information that is shown on the computer printouts or any other source concerning the number of tickets sold in the Big Perfecta or the number or amount of tickets selecting winners of

45.28. Big Perfecta Wagering (Con't.)

the Big Perfecta races prior to the time the officials  
have determined the last race comprising the Big Perfecta  
of each performance to be official.

(Underlined ( ) denotes new wording.)

GREYHOUND

45.34

QUINELLA DOUBLE

- (1) The Quinella Double is a form of pari-mutuel wagering. The Quinella Double consists of selecting the Quinella (the first two greyhounds to finish) of each of two consecutive races. Pari-mutuel wagering tickets are to be sold for both of the two consecutive races prior to the first race of the two consecutive races, without any exchange of tickets between the first and second race. The division of the pool shall be calculated as in a straight pool, subject to the provisions of these rules to the contrary.
- (2) Quinella Double tickets shall be sold only by the licensee for not less than \$2.00 and only from machines capable of issuing tickets in the manner prescribed by paragraph (1) of this rule. Resale of such tickets from one individual to another is prohibited and shall be grounds for ejection.
- (3) Each bettor purchasing Quinella Double tickets shall designate his selection in both of the two consecutive races for which such tickets are sold at the time he purchases the Quinella Double ticket(s) as the first two greyhounds to finish in each of the said two consecutive races.
- (4) If a greyhound is scratched in the first of the Quinella Double races, all Quinella Double tickets sold on the scratched greyhound will be refunded.
- (5) If a greyhound is scratched in the second race of the Quinella Double, all tickets combining the scratched greyhound shall become consolation tickets and shall be paid a price per dollar denomination calculated as follows: the net Quinella Double pool (gross pool less commission) shall be divided by the total purchase price of all tickets combining the winners of the first race of the Quinella Double. The quotient thus obtained shall be the price to be paid to holders of tickets combining the scratched greyhound in the second race of the Quinella Double. The entire consolation pool (number of eligible tickets times the consolation price) plus the breakage shall be deducted from the net Quinella Double pool.
- (6) If no Quinella Double ticket is sold as a winning combination in the first race of the Quinella Double, the entire Quinella Double pool will be paid to the holders of tickets with the winning combination in the second race of the Quinella Double.
- (7) If no Quinella Double ticket is issued on the winning combination in the second race of the Quinella Double, the net pool shall be distributed to holders of tickets including the greyhound finishing first and holders of tickets including the greyhound finishing second in the same manner in which a place pool is calculated and distributed.
- (8) If a Quinella Double ticket combines only one of the two winners in the second race and no Quinella Double ticket combines the other winner, the entire pool shall be distributed as a straight pool to the holders of those tickets.
- (9) If no ticket includes either the first or second greyhound of the second half of the Quinella Double, the entire net pool shall be distributed as a straight pool to all holders of tickets with winning combinations of the first half.
- (10) In the event of a dead heat for place in the first race of the Quinella Double races, all Quinella Double tickets combining the first greyhound and either of the place greyhounds shall be considered eligible for participation in the second race of the Quinella Double.

- (11) In the event of a dead heat for place in the second race of the Quinella Double races, the Quinella Double pool shall be divided, calculated and distributed as a place pool to the holders of Quinella Double tickets combining the first greyhound and either of the place greyhounds in the second race. In the event of the dead heat to place and there are no tickets sold on one combination, then the other combination having winning greyhounds shall be declared the winner.
- (12) If no tickets combine the winning greyhound in the second race with either of the greyhounds in the dead heat for place, the net Quinella Double pool shall be paid to holders of tickets including any of the three win/place greyhounds as in a win, place or show pool. However if any tickets combine both of the greyhounds in the dead heat for place, the net pool shall be paid to holders of such tickets.
- (13) If for any reason the first race of the Quinella Double races is cancelled or declared "No Race", full and complete refund shall be made from the Quinella Double pool.
- (14) If for any reason the second of the Quinella Double races is cancelled or declared "No Race", the pool shall be calculated as a straight pool and shall be distributed among the holders of tickets combining the first two greyhounds of the first race of the Quinella Double.
- (15) If there is a dead heat for the winning greyhounds in either of the two consecutive races for the Quinella Double, such calculation of distribution of the Quinella Double pool shall be made in the manner in which any ordinary Quinella pool would be made should there be a dead heat for the win despite the number of greyhounds involved in the dead heat.
- (16) Each association using this form of wagering shall make available to the public upon request copies of this rule at the information window.

GREYHOUND

45.35. PICK-THREE

(---) Denotes deleted words

( ) Denotes new language

(1) The Pick-Three is not a parlay and has no connection with or relation to any other form of mutual betting. All tickets on the Pick-Three will be calculated in an entirely separate pool.

(2) Pick-Three means a betting transaction in which a purchaser of a ticket undertakes to select the winner of each of the three (3) races on which that feature is operated.

(3) The three (3) parts of a Pick-Three feature, each part hereinafter referred to as a leg, shall be held on three (3) consecutive races during one (1) racing performance.

(4) No more than one (1) Pick-Three shall be held during one (1) racing performance.

(5) The payout price for a Pick-Three shall be calculated from the net pool (gross pool less commission take-out)

(6) (A) The winning combination of greyhounds constituting a winning ticket shall be those that finish first, or those greyhounds determined to be the winners as set forth in paragraph (B), hereinafter referred to as the winner, in each leg of the Pick-Three feature, determined in sequence, race by race.

(B) Where no tickets have been sold on the combination of winners, winning tickets shall be determined starting with the first leg as follows:

(1) In the event no pari-mutuel ticket is sold combining the three winners of the Pick-Three, one hundred percent of the net amount in the pari-mutuel pool shall be distributed among the holders of pari-mutuel tickets which include the winners of two of the three races comprising the Pick-Three.

(2) In the event no pari-mutuel ticket is sold combining two winners of the Pick-Three, one hundred percent of the net amount in the pari-mutuel pool shall be distributed among the holders of pari-mutuel tickets which include the winner of any one race comprising the Pick-Three.

(7) When the race on which the first leg of the Pick-Three feature is scheduled and cancelled, declared off, declared no contest or no greyhound finishes, then the total pool shall be refunded.

(8) (A) When after the running of the race on which the first leg of the Pick-Three feature is operated, the race on which the second or third leg is scheduled to be operated is

(1) cancelled, declared off, declared no contest;

(2) a race in which no greyhounds finish, or

(3) a race in which all bets are refunded in accordance with any provisions of the Rules

the Pick-Three feature pool shall be calculated in accordance with subsections (B), (C), or (D) as the case may be.

(B) When circumstances described in paragraph (A) occur in the race on which the second leg of the Pick-Three feature is scheduled, the pool shall be calculated in accordance with Section 5, except that the net pool shall be divided by the value of tickets sold coupling the winner of the first leg with all greyhounds in the second leg and the winner of the third leg.

(C) When circumstances described in paragraph (A) occur in the race in which the third leg of the Pick-Three feature is scheduled, the pool shall be calculated in accordance with Section 5 except that the net pool shall be divided by the value of tickets sold coupling the winners of the first and second legs with all greyhounds in the third.

(D) When circumstances described in paragraph (A) occur in both races on which the second and third leg of the Pick-Three feature is scheduled, the pool shall be calculated in accordance with Section 5 except that the net pool shall be divided by the value of tickets sold coupling the winner of first leg with all greyhounds in the second and third legs.

(9) In the event a pari-mutuel ticket designates as the selection to win in any one or more of the three races comprising the Pick-Three a single wagering interest which is scratched or excused by the Judges, the holder of such ticket shall automatically receive as his alternate selection in the race that greyhound upon which the most money was wagered to win.

In the event two or more greyhounds have the identical amount wagered upon them to win, the holder of such ticket shall automatically receive as his alternate selection in the race that greyhound upon which the most money was wagered to win and to place.

In the event two or more greyhounds have the identical amount wagered upon them to win and to place, the holder of such ticket shall automatically receive as his selection in the race that greyhound upon which the most money was wagered to win, to place and to show.

In the event two or more greyhounds have the identical amount wagered upon them to win, to place and to show, the holder of such ticket shall automatically receive such greyhound in the lower post position as his alternate selection.

(10) When two or more greyhounds finish in a dead heat for first place in any leg of the Pick-Three feature, the pay-out prices shall be calculated in the following manner:

(A) The legal percentages shall be deducted from the total amount bet in the pool to determine the net pool;

(B) The total value of all bets on all winning combinations shall be deducted from the net pool to determine the calculating pool;

(C) The calculating pool shall be divided by the number of winning combinations on which tickets have been sold;

(D) The value of the tickets bet on each respective winning combination shall be divided into its' respective portion of the calculating pool;

(E) One dollar shall be added to the quotient obtained pursuant to paragraph (D); and

(F) The sum shall be multiplied by the purchase price of each ticket.

## 45.36 Pick Six Wagering

- (1) The Pick Six is a form of pari-mutuel wagering. The Pick Six is not a parlay and has no connection with or relation to any other pari-mutuel pool made and conducted by an association, nor is the Pick Six connected with or related to win, place and show pool shown on the totalisator board, nor is it governed by any Commission rules pertaining to the distribution of any other pari-mutuel pools. Each person participating in a Pick Six pool selects the greyhound for win in each of six contests designated by the association with the approval of the Racing Commission. The six contests so designated comprise the Pick Six for that performance. The association issues the Pick Six participant a ticket which reflects the participant's selection in the six designated contests.
- (2) A validly issued Pick Six ticket timely surrendered to the association by the legal holder thereof shall be the only evidence of a person's participation in a Pick Six pari-mutuel pool. The acceptance of a Pick Six ticket by taking an issued ticket away from the window or terminal from which it is purchased shall constitute an acknowledgement by the purchaser of the correctness of the ticket and each purchaser of a Pick Six ticket agrees to be bound by the terms and provisions of this and all other applicable Commission rules and regulations and by the laws of the State of West Virginia pertaining to pari-mutuel wagering. Neither the association, totalisator company nor the State of West Virginia shall be liable to any person for any ticket which is not a winning ticket in accordance with the provisions of this rule nor shall they, or any of them, be liable to any person for any Pick Six ticket not delivered for any reason, including but not limited to, mechanical malfunction, electrical failure, machine locking, or other cause.
- (3) (a) Pick Six shall be composed of two separate and distinct pari-mutuel pools. Seventy Five percent of the gross amount of all sums wagered on Pick Six tickets on each performance shall be paid into a pari-mutuel pool to be known as "BIG SIX". The remaining twenty-five percent of the gross amount of all sums wagered on Pick Six tickets for that performance shall be paid into a pari-mutuel pool to be known as "THE LITTLE SIX".
- (b) Subject to the provisions of this rule pertaining to refunds and after the deduction of all legal sums therefrom, the net amount in the BIG SIX pool subject to distribution among winning ticket holders shall be distributed only among the holders of Pick Six tickets which correctly designate all six official winners of the six contests comprising the Pick Six for that performance.
- (c) Subject to the provisions of this rule pertaining to refunds and after deduction of all legal sums therefrom, the net amount in THE LITTLE SIX pool subject to distribution amount winning ticket holders shall be distributed among the holders of Pick Six tickets which correctly designate the most official winners of the six contests comprising the Pick Six for that performance.
- (d) In the event there is no Pick Six tickets issued which would entitle the ticket holder to THE BIG SIX, then, and in such event, the entire BIG SIX shall be carried over and included in the BIG SIX pool for the next performance. The BIG SIX shall be supplemented each performance by the amount added thereto from all previous performance's BIG SIX pools that have not been won by a holder of a Pick Six ticket which correctly selects all six official winners of the six contests comprising the Pick Six for any performance.

- (3) (e) In the event the accumulated BIG SIX has not been distributed prior to the closing day of the calendar year in which THE BIG SIX was generated, the accumulated BIG SIX and the net amount in THE LITTLE SIX pool subject to distribution among winning ticket holders shall be distributed among closing day holders of Pick Six tickets which correctly designated the most official winners of the six contests comprising the closing day Pick Six. In the event of a cancellation of the closing day racing program, the accumulated BIG SIX pool will be distributed under the direction of the West Virginia Racing Commission. Contrary provisions in the paragraph notwithstanding, the Commission, after due notice and hearing, may impose reasonable limits on the carry over provisions relating to BIG SIX if the best interests of the State of West Virginia are thereby served.
- (f) In the event a pari-mutuel ticket designates as the selection to win in any one or more of the six races comprising the Pick Six Sweepstakes a single wagering interest which is scratched or excused by the Judges, the holder of such ticket shall automatically receive as his alternate selection in the race that greyhound upon which the most money was wagered to win. In the event two or more greyhounds have the identical amounts wagered upon them to win, the holder of such ticket shall automatically receive as his alternate selection in the race that greyhound upon which the most money was wagered to win and to place. In the event two or more greyhounds have the identical amounts wagered upon them to win and to place, the holder of such ticket shall automatically receive as his selection in the race that greyhound upon which the most money was wagered to win, to place and to show. In the event two or more greyhounds have the identical amounts wagered upon them to win, to place and to show, the holder of such ticket shall automatically receive each such greyhound as his alternate selections.
- (g) In the event one or more of the contests comprising the Pick Six is cancelled for any reason, the distribution of the net amount subject to distribution in the LITTLE SIX pool shall be among the holders of pari-mutuel tickets which correctly designate the most official winners in all of the remaining contests comprising the Pick Six in such performances, except, that in the event there is officially cancelled or declared as no contest three or more of the six contests comprising the Pick Six, all pari-mutuel tickets on the Pick Six for that performance shall be refunded, and the Pick Six shall be cancelled for that performance. No person shall win BIG SIX unless that person holds a Pick Six ticket which correctly designates all six official winners of the six contests comprising the Pick Six for that performance. The cancellation of one or more contests comprising the Pick Six in any performance shall result in the contribution to the LITTLE SIX pool of the amount contributed that day to the BIG SIX. The contribution to that performance's BIG SIX pool will then be distributed along with the remainder of the LITTLE SIX pool to the winners of the LITTLE SIX pool. Any contributions to THE BIG SIX pool from prior performances will remain in THE BIG SIX pool to be carried over and included in THE BIG SIX pool for the next performance as prescribed in (d) above.
- (4) In the event of a dead heat for win between two or more contestants in any Pick Six race, all such contestants in the dead heat for win shall be considered as the winner in the race for the purpose of distribution of BIG SIX and THE LITTLE SIX pools.

- (5) Other than the auditor of pari-mutuel, no person shall have access to the information that is shown on the computer printouts or any other source concerning the number of tickets sold in the Pick Six or the number or amount of tickets selecting winners of the Pick Six races prior to the time the officials have determined the last contest comprising the Pick Six of each performance to be official.
- (6) No pari-mutuel ticket for Pick Six shall be sold, exchanged or cancelled after the time of the close of mutuel windows for wagering in the first of the six contests comprising the Pick Six, except for such refunds on Pick Six tickets as are required under this rule.  
Notwithstanding the provisions of the previous paragraph, the mutuel windows may be reopened after the time of the close for wagering in the first of six contests comprising the Pick Six for the sole purpose of cancelling any ticket that was issued in error. A full written report is to be made by the mutuel manager and totalisator manager with their signatures thereon and submitted to the auditor of pari-mutuels within twenty-four (24) hours detailing the circumstances involved. In any event the mutuel windows shall not be reopened for cancelling tickets after the start of the first of the six contests comprising the Pick Six.

- (a) The Twin Trifecta is a form of pari-mutuel wagering in which the bettor selects the three greyhounds that will finish 1st, 2nd and 3rd in each of the two designated races in the exact order as officially posted.
- (b) Twin Trifecta tickets shall be sold by the licensee only from automatic issue machines.
- (c) Each bettor purchasing Twin Trifecta tickets shall designate his three selections as the first three greyhounds for finish in that order in the first race of the designated two races.
- (d) After the wagering closes for the first half of the Twin Trifecta the commission will be deducted from the pool in accordance with the laws of the State of West Virginia. The remaining pool will then be divided into two separate pools of equal amounts.
- (e) The monies in the first part of the divided pool will be distributed to the holders of Twin Trifecta tickets selecting the first three greyhounds, in order, on the first designated Twin Trifecta race, in accordance with the established pari-mutuel practice.
- The terms, "First Part of Divided Pool", shall mean one-half of the net distributable pool of the total monies wagered in the Twin Trifecta on the current days program only and specifically excluded therefrom shall be any carryover of any special cumulative second race Twin Trifecta pool from any previous day's program.
- (f) The second part of the divided pool will be placed in a separate pool to be distributed to holders of "Second Half" Twin Trifecta tickets selecting the first three greyhounds, in exact order, on the second designated Twin Trifecta race.
- (g) In the first half of the Twin Trifecta only, if no ticket is sold on a winning combination of a twin Trifecta pool, the net pool shall be apportioned equally between those having tickets selecting the first and second place greyhound. If no ticket is sold selecting the first and second greyhounds in the Twin Trifecta pool, the net pool shall then be apportioned equally between those having tickets selecting the greyhound or greyhounds that finish first in the Twin Trifecta race. Should no selection be made as above mentioned, the net pool shall be apportioned equally between those having selected the greyhound finishing second combined with the greyhound finishing third.
- (h) Should no selection be made as above mentioned, those having selected the second greyhound for second or the third greyhound for third with any other

greyhounds, contrary to win, place and show pool practice, the aggregate number of tickets and mentioned in this paragraph shall divide the net pool and be paid the same pay-off price. Should no selection be made thus far then a complete refund of the Twin Trifecta pool shall be made and the Twin Trifecta will be cancelled for that performance.

- (i) In the event of a dead heat or dead heats in either the first or second race of the Twin Trifecta, all Twin Trifecta tickets selecting the correct order of finish counting a greyhound in a dead heat as finishing in any position dead heated, shall be winning tickets, and contrary to the usual practice, the aggregate number of winning tickets shall be divided into the net pool and be paid the same pay-off price.
- (j) After the official declaration of the first three greyhounds to finish in the first race of the Twin Trifecta, each bettor holding a winning ticket must, prior to the running of the second Twin Trifecta race, exchange such winning ticket for both the monetary value established by the mutuels department and a Twin Trifecta exchange ticket at any window and at such time shall select the three greyhounds to finish in the second race of the Twin Trifecta in exact order as officially posted. No further money shall be requested of the holders of the winning ticket in order to make the exchange.
- (k) Other than the auditor of pari-mutuels, no person shall have access to the information that is shown on the computer printouts or any other source concerning the number of tickets sold in the first half of the Twin Trifecta or the number or amount of tickets selecting winners of the first half of the Twin Trifecta prior to the time the officials have determined the second half of the Twin Trifecta of each performance to be official.
- (l) No Twin Trifecta exchange ticket upon the second race shall be issued except upon surrender of the Twin Trifecta tickets from the first race as described in these rules. Twin Trifecta windows, for the purpose of cashing and exchanging winning tickets, shall be open for the purpose of making exchange as described only after the first race has been declared official and such windows shall close when wagering closes for the second race of the Twin Trifecta races.
- (m) If a winning Twin Trifecta ticket from the first race is not presented for cashing and exchanged within the time provided, the bettor may still collect the monetary value attached to the ticket but forfeits all rights to any distribution of the second race Twin Trifecta pool.

(n) If up to and including the weighing-in, the number of greyhounds is scratched to six (6) or less in the first or second races of the Twin Trifecta, then the Twin Trifecta will be cancelled for that performance and the races designated for the Twin Trifecta will revert to a regular trifecta race. A refund shall be made of all money wagered for that performance's Twin Trifecta pool.

If a greyhound(s) is scratched in the first or second races of the Twin Trifecta after the weigh-in, but prior to the running of the first half of the Twin-Trifecta, then all Twin Trifecta tickets on the scratched greyhound(s) will be refunded. A public address announcement will be made and reasonable time will be given to make another selection.

If, after the running of the first half of the Twin Trifecta races, a greyhound(s) is scratched in the second race of the Twin-Trifecta races, then all Twin Trifecta tickets on the scratched greyhound(s) will be exchanged. A public address announcement will be made and reasonable time will be given to make another selection.

If after the weigh-in the number of greyhounds is scratched to six (6) or less, then the running of the Twin Trifecta will be at the discretion of the Judges and General Manager.

(o) In the event there is no twin Trifecta ticket issued accurately selecting the officially declared first three finishers of the second Twin Trifecta race, in the exact order, such second race pool, as divided earlier, shall be held for the next consecutive racing day or night and combined with that program's second race Twin Trifecta pool. Distribution of this special cumulative second race Twin Trifecta pool will be made only upon accurate selection, in the exact order, of the first three officially declared finishers of the second Twin Trifecta race.

(p) If for any reason, the second half of the Twin Trifecta is not declared "official", the winning ticket holders will be entitled to the remaining amount of the current programs divided pool.

(q) In the event that racing is cancelled for any program prior to the running of the second half of the Twin Trifecta, the second part of that program's divided pool will be evenly distributed to all holders of first half winning tickets and all holders of second half Twin Trifecta exchange tickets. The cumulative Twin Trifecta pool will remain undistributed and be carried over for use in the next Twin Trifecta.

- (r) Sales of Twin Trifecta tickets other than from pari-mutuel machines or from an individual to another shall be deemed illegal and prohibited.
- (s) The Twin Trifecta pool shall be held entirely separate from all other pools, and is no part of a daily double, perfecta, trifecta or other wagering pools.
- (t) The Racing Commission, after due notice and hearing, may impose reasonable limits on the Twin Trifecta jackpot pool if the best interests of racing are thereby served.
- (u) The two races comprising the Twin Trifecta shall be approved by the Racing Commission and shall be clearly and prominently designated in the program.
- (v) Notwithstanding any other provision or section contained in this rule, the State Presiding Judge may at any time impose such condition or conditions for running Twin Trifecta races and at any time take such action or actions as he deems necessary in his sole discretion to protect the best interests of racing. Such imposed condition and action taken and the reasons therefore shall be detailed in writing to the Racing Commission within seventy-two (72) hours of implementation.