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CHAIRMAN



*Emergency*

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CHARLESTON, WEST VIRGINIA

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**WEST VIRGINIA RACING COMMISSION**

JOHN T. POFFENBARGER  
MEMBER

JOHN D. ROCKEFELLER, IV  
GOVERNOR

December 20, 1984

The Honorable A. James Manchin  
Secretary of State  
State Capitol Building, Room 157-K  
Charleston, West Virginia 25305

Dear Mr. Manchin:

Filed this date under the emergency rule provisions set forth in West Virginia Code 20A-3-15 is Administrative Regulation 19-23, Series II, Greyhound Rule No. 628. A statement of fact outlining the necessity of the rules implementation is attached.

This rule is to be effective upon receipt.

Respectfully,

*Roger R. Ramey*  
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ROGER R. RAMEY, CHAIRMAN

*Alfred K. Hays*  
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ALFRED K. HAYS, EXECUTIVE SECRETARY

attachment

cc: Leg. Rule Making Review Committee (15)

FILED  
1984 DEC 21 PM 12:20  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Legislative Rule No. 628  
Chapter 19-23, Series II  
WV Racing Commission

STATEMENT OF FACT

Wheeling Downs, Inc. has requested to implement this form of wagering on January 1, 1985. The Twin Trifecta is an exotic form of wagering and shall generate interest from the wagering public and create enthusiasm for their opening day of the 1985 racing season.

As this is a form of exotic wagering, the State, Association and dog owners (purses) shall profit from the pari-mutuel taxes from the increased handle.

This rule has already been approved by the Racing Commission for adoption and has been through all phases of rule promulgation as prescribed by law. It has been recommended for passage by the Legislative Rule Making Review Committee for adoption by the 1985 legislature.

The filing of this rule on an emergency basis is necessary as it sets the guidelines for the State, Association, and wagering public to utilize it. It also protect all parties from misinterpretation and fraudulent claims.

Dated this 20th day of December, 1984.

WEST VIRGINIA LEGISLATIVE RULE NO. 628  
EMERGENCY FILING  
Chapter 19-23  
Series II  
(1935 amended)

SUBJECT: Greyhound Rule No. 628  
TWIN TRIFECTA WAGERING

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Section 1. General

1.1. Scope - This legislative rule establishes and defines the rules and regulations for the implementation of this wagering format. This rule is designed to assist and govern the racing associations who implement it and to guide the wagering public through the procedures. The filing of these regulations further protects the Associations, State and public from misinformation and fraudulent claims.

1.2. Authority - This rule is issued under the authority of Chapter 19, Article 23, Section 6(3) and Chapter 19, Article 23, Section 12(a) of the West Virginia Code. Additional authority is granted under Administrative Regulation No. 7 of the West Virginia Rules of Racing.

1.3. Filing Date - This rule was promulgated on August 9, 1984 by the members of the Racing Commission and the initial filing was made to the Secretary of State's Office on September 25, 1984. Final filing to the Secretary of State's Office and to the Legislative Rule Making Review Committee was made on November 9, 1984. This rule was accepted and promulgation ordered

by the Legislative Rule-Making Review Committee on December 4, 1984.

1.4. Effective Date - This rule shall become effective upon filing with the Secretary of State's Office and shall remain in full force in effect until passage by the Legislature or expiration of the emergency regulations, whichever comes first.

Section 2. APPLICATION AND ENFORCEMENT

2.1. Application - This rule shall apply to any licensed racing association authorized to conduct pari-mutuel wagering under the laws of the State and to any person (patron) participating and purchasing a Twin Trifecta pari-mutuel ticket.

2.2. Enforcement - The enforcement of this rule is vested with the West Virginia Racing Commission.

Section 3. TWIN TRIFECTA WAGERING

3.01. The Twin Trifecta is a form of pari-mutuel wagering in which the bettor selects the three runners that will finish 1st, 2nd and 3rd in each of the two designated races in the exact order as officially posted.

3.02. Twin Trifecta tickets shall be sold by the licensee only from automatic issue machines.

3.03. Each bettor purchasing Twin Trifecta tickets shall designate his three selections as the first three runners for finish in that order in the first race of the designated two races.

3.04. 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.

3.05. The monies in the first part of the divided pool will be distributed to the holders of Twin Trifecta tickets selecting the first three runners, 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.

3.06. 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 runners, in exact order, on the second designated Twin Trifecta race.

3.07. 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 runners. If no ticket is sold selecting the first and second runners in the Twin Trifecta pool, the net pool shall then be apportioned equally between those having tickets selecting the runner or runners 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 runner finishing second combined with the runner finishing third.

3.08. Should no selection be made as above mentioned, those having selected the second runner for second and the third runner for third with any other runners, contrary to win, place and show pool practice, the aggregate number of tickets as mentioned in this paragraph shall divide the net pool and be paid the same pay-off price.

3.09. 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 runner 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.

3.10. After the official declaration of the first three runners 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 runners 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.

3.10.1. 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.

3.11. 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.

3.12. If a winning Twin Trifecta ticket from the first race is not presented for cashing and exchange 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.

3.13. If a runner is scratched in the first race of the Twin Trifecta races, all Twin Trifecta tickets on the scratched runner will be refunded. If a runner is scratched in the second race of the Twin Trifecta races, public address announcement will be made and reasonable time will be given for exchange of tickets on the scratched runner.

3.14. 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 con-

secutive 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 the accurate selection, in the exact order, of the first three officially declared finishers of the second Twin Trifecta race.

3.15. If for any reason, the second half of the Twin Trifecta is not declared "official", the winning ticket holders who have cashed their ticket of the first half and have received an exchange ticket, will be entitled to the remaining amount of the current programs divided pool.

3.15.1. 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 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.

3.16. Sales of the Twin Trifecta tickets other than from parimutuel machines or from an individual to another shall be deemed illegal and prohibited.

3.17. 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 pool.

3.18. If in the final performance of the meeting there is no Twin Trifecta ticket issued selecting in the exact order of finish the officially declared first three finishers of the second Twin Trifecta race, the second race pool shall be apportioned in accordance with the first half Twin Trifecta

rules. (Paragraph 7) If the final performance of the meeting is cancelled, then the Twin Trifecta jackpot pool shall be distributed during the first performance of the succeeding meet.

3.19. If the maximum amount permitted to accumulate in the Twin Trifecta jackpot pool (\$250,000 or more) has been reached, the monies accumulated will be distributed the following performance. If there is no Twin Trifecta ticket issued selecting in the exact order of finish the officially declared first three finishers of the second Twin Trifecta race, the second race pool shall be apportioned in accordance with the first half Twin Trifecta rules (paragraph 7).