

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: W. Va. Racing Commission TITLE NUMBER: 178
Series 5

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: Series 5

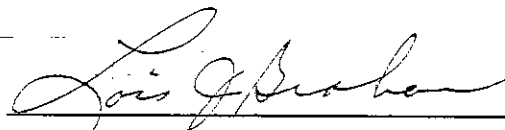
TITLE OF RULE BEING PROPOSED: Pari-Mutuel Wagering

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 100

SECTION 64-7-5-(cc), PASSED ON May 26, 1993

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: June 9, 1993



Lois G. Probert

AGENCY APPROVED PROPOSED
WEST VIRGINIA LEGISLATIVE REGULATIONS
DEPARTMENT OF TAX AND REVENUE
TITLE 178
SERIES 5

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SECRETARY OF STATE

PARI-MUTUEL WAGERING

§ 178-5-1. GENERAL.

- 1.1 Scope. - These regulations regulate all pari-mutuel wagering occurring in West Virginia.
- 1.2 Authority. - W.Va. Code § 19-23-6.
- 1.3 Filing Date. -
- 1.4 Effective Date. -

§ 178-5-2. DEFINITIONS. As used in these regulations and unless the context clearly requires a different meaning, the following terms shall have the meaning ascribed herein, and shall apply in the singular or in the plural.

- 2.1 "Association" means a person or persons, partnership or corporate body licensed by the Commission to conduct a meeting where horse racing or dog racing is permitted for any stake, permit or reward.
- 2.2 "Code" means the Code of West Virginia of 1932, as amended.
- 2.3 "Commission" or "Racing Commission" means the West Virginia Racing Commission.
- 2.4 "Contestant" means the horse or dog entered to run in a scheduled race.
- 2.5 "Pari-mutuel" means a mutuel or collective pool that can be divided among those who have contributed their wagers to one central agency, the odds to be reckoned in accordance to the collective amounts wagered upon each contest running in a race upon which the pool is made, but the total to be divided among the first three contestants on the basis of the number of wagers on these.
- 2.6 "Totalisator" means the system used by the association to maintain the odds, amounts wagered and winnings per race.

§ 178-5-3. INFORMATION OF A GENERAL NATURE.

- 3.1 General

3.1.1 Each association shall conduct wagering in accordance with applicable laws and these rules. Such wagering shall employ a pari-mutuel system approved by the Commission. The totalisator shall be tested prior to and during the meeting as required by the Commission.

3.2 Records

3.2.1 The association shall maintain records of all wagering so the Commission may review such records for any contest including the opening line, subsequent odds fluctuation, the amount and at which window wagers were placed on any betting interest and such other information as may be required. Such wagering records shall be retained by each association and safeguarded for a period of time specified by the Commission. The Commission may require that certain of these records be made available to the wagering public at the completion of each contest.

3.2.2 The association shall provide the Commission with a list of the licensed individuals afforded access to pari-mutuel records and equipment at the wagering facility.

3.4 Pari-Mutuel Tickets. -

3.3.1 A pari-mutuel ticket is evidence of a contribution to the pari-mutuel pool operated by the association and is evidence of the obligation of the association to pay to the holder thereof such portion of the distributable amount of the pari-mutuel pool as is represented by such valid pari-mutuel ticket. The association shall cash all valid winning tickets when such are presented for payment during the course of the meeting where sold, and for a specified period after the last day of the meeting.

3.3.2 To be deemed a valid pari-mutuel ticket, such ticket shall have been issued by a pari-mutuel ticket machine operated by the association and recorded as a ticket entitled to a share of the pari-mutuel pool, and contain imprinted information as to:

3.3.2.1 the name of the association operating the meeting.

3.3.2.2 a unique identifying number or code.

3.3.2.3 identification of the terminal at which the ticket was issued.

3.3.2.4 a designation of the performance for which the wagering transaction was issued.

3.3.2.5 the contest number for which the pool is conducted.

3.3.2.6 the type or types of wagers represented.

3.3.2.7 the number or numbers representing the betting interests for which the wager is recorded.

3.3.2.8 the amount or amounts of the contributions to the pari-mutuel pool or pools for which the ticket is evidence.

3.3.3 No pari-mutuel ticket recorded or reported as previously paid, canceled, or non-existent shall be deemed a valid pari-mutuel ticket by the association. The association may withhold payment and refuse to cash any pari-mutuel ticket deemed not valid, except as provided in rule D (5) of these general provisions.

3.4 Pari-Mutuel Ticket Sales

3.4.1 Pari-mutuel tickets shall not be sold by anyone other than an association licensed to conduct pari-mutuel wagering.

3.4.2 No pari-mutuel ticket may be sold on a contest for which wagering has already been closed and no association shall be responsible for ticket sales entered into but not completed by issuance of a ticket before the totalisator is closed for wagering on such contest.

3.4.3 Claims pertaining to a mistake on an issued or unissued ticket must be made by the bettor prior to leaving the seller's window.

3.4.4 Payment on winning pari-mutuel wagers shall be made on the basis of the order of finish as purposely posted and declared "official". Any subsequent change in the order of finish or award of purse money as may result from a subsequent ruling by the stewards or Commission shall in no way affect the pari-mutuel payoff. If an error in the posted order of finish or payoff figures is discovered, the official order of finish or payoff prices may be corrected and an announcement concerning the change shall be made to the public.

3.4.5 The association shall not satisfy claims on lost, mutilated, or altered pari-mutuel tickets without authorization of the Commission.

3.4.6 The association shall have no obligation to enter a wager into a betting pool if unable to do so due to equipment failure.

3.5 Advance Performance Wagering

No association shall permit wagering to begin more than one hour before scheduled post time of the first contest of a performance unless it has first obtained the authorization of the Commission.

3.6 Claims for Payment from Pari-Mutuel Pool

At a designated location, a written, verified claim for payment from a pari-mutuel pool shall be accepted by the association in any case where the association has withheld payment or has refused to cash a pari-mutuel wager. The claim shall be made on such form as approved by the Commission, and the claimant shall make such claim under penalty of perjury. The original of such claim shall be forwarded to the Commission within 48 hours.

3.6.1 In the case of a claim made for payment of a mutilated pari-mutuel ticket which does not contain the total imprinted elements required in rule C (1) of these general provisions, the association shall make a recommendation to accompany the claim forwarded to the Commission as to whether or not the mutilated ticket has sufficient elements to be positively identified as a winning ticket.

3.6.2 In the case of a claim made for payment on a pari-mutuel wager, the Commission shall adjudicate the claim and may order payment thereon from the pari-mutuel pool or by the association, or may deny the claim, or may make such other order as it may deem proper.

3.7 Payment for Errors

3.7.1 If an error occurs in the payment amounts for pari-mutuel wagers which are cashed or entitled to be cashed; and as a result of such error the pari-mutuel pool involved in the error is not correctly distributed among winning ticket holders, the following shall apply:

3.7.2 Verification is required to show that the amount of the commission, the amount in breakage, and the amount in payoffs is equal to the total gross pool. If the amount of the pool is more than the amount used to calculate the payoff, the underpayment shall be added to the corresponding pool of the next contest. If underpayments are discovered after the close of the meeting, the underpayment shall

be held in an interest-bearing account approved by the Commission until being added, together with accrued interest, to the corresponding pool of the next meet.

3.7.3 Any claim not filed with the association within 30 days, inclusive of the date on which the underpayment was publicly announced, shall be deemed waived; and the association shall have no further liability therefore.

3.7.4 In the event the error results in an overpayment to winning wagers, the association shall be responsible for such payment.

3.8 Betting Explanation

3.8.1 A summary explanation of pari-mutuel wagering and each type of betting pool offered shall be published in the program for every wagering performance. The rules of racing relative to each type of pari-mutuel pool offered must be prominently displayed on association grounds and available upon request through association representatives.

3.9 Display of Betting Information

3.9.1 Approximate odds for Win pool betting shall be posted on display devices within view of the wagering public and updated at intervals of not more than 90 seconds.

3.9.2 The probable payoff or amounts wagered, in total and on each betting interest, for other pools may be displayed to the wagering public at intervals and in a manner approved by the Commission.

3.9.3 Official results and payoffs must be displayed upon each contest being declared official.

3.10 Canceled Contests

3.10.1 If a contest is canceled or declared "no contest", refunds shall be granted on valid wagers in accordance with these rules.

3.11 Refunds

3.11.1 Notwithstanding other provisions of these rules, refunds of the entire pool shall be made on:

3.11.1.1 Win pools, Exacta pools, and first-half Double pools offered in contests in which the number of betting interests has been reduced to fewer than two (2).

3.11.1.2 Place pools, Quinella pools, Trifecta pools, first-half Quinella Double pools, first-half Twin Quinella pools, first-half Twin Trifecta pools, and first-half Tri-Superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than three (3).

3.11.1.3 Show pools, Superfecta pools, and first-half Twin Superfecta pools offered in contests in which the number of betting interests has been reduced to less than four (4).

3.11.2 Authorized refunds shall be paid upon presentation and surrender of the affected pari-mutuel ticket.

3.12 Coupled Entries and Mutuel Fields

3.12.1 Contestants coupled in wagering as a coupled entry or mutuel field shall be considered part of a single betting interest for the purpose of price calculations and distribution of pools. Should any contestant in a coupled entry or mutuel field be officially withdrawn or scratched, the remaining contestants in that coupled entry or mutuel field shall remain valid betting interests and no refunds will be granted. If all contestants within a coupled entry or mutuel field are scratched, then tickets on such betting interests shall be refunded, notwithstanding other provisions of these rules.

3.12.2 For the purpose of price calculations only, coupled entries and mutuel fields shall be calculated as a single finisher, using the finishing position of the leading contestant in that coupled entry or mutuel field to determine order of placing. This rule shall apply to all circumstances, including situations involving a dead heat, except as otherwise provided by these rules.

3.13 Pools Dependent Upon Betting Interests

3.13.1 Unless the Commission otherwise provides, at the time the pools are opened for wagering, the association:

3.13.1.1 may offer win, place, and show wagering on all contests with six (6) or more betting interests.

3.13.1.2 may be allowed to prohibit show wagering on any contest with five (5) or fewer betting interests scheduled to

start.

3.13.1.3 may be allowed to prohibit place wagering on any contest with four (4) or fewer betting interests scheduled to start.

3.13.1.4 may be allowed to prohibit Quinella wagering on any contest with three (3) or fewer betting interests scheduled to start.

3.13.1.5 may be allowed to prohibit Quinella Double wagering on any contests with three (3) or fewer betting interests scheduled to start.

3.13.1.6 may be allowed to prohibit Exacta wagering on any contest with three (3) or fewer betting interests scheduled to start.

3.13.1.7 may prohibit Trifecta wagering on any contest with seven (7) or fewer betting interests scheduled to start.

3.13.1.8 may prohibit Superfecta wagering on any contest with seven (7) or fewer betting interests scheduled to start.

3.13.1.9 may be allowed to prohibit Twin Quinella wagering on any contests with three (3) or fewer betting interests scheduled to start.

3.13.1.10 may prohibit Twin Trifecta wagering on any contests with seven (7) or fewer betting interests scheduled to start.

3.13.1.11 may prohibit Tri-Superfecta wagering on any contests with of seven (7) or fewer betting interests scheduled to start.

3.13.1.12 may prohibit Twin Superfecta wagering on any contests with seven (7) or fewer betting interests scheduled to start.

3.14 Prior Approval Required For Betting Pools

3.14.1 An association that desires to offer new forms of wagering must apply in writing to the Commission and receive written approval prior to implementing the new betting pool.

3.14.2 The association may suspend previously-approved forms

for wagering with the prior approval of the Commission. Any carryover shall be held until the suspended form of wagering is reinstated. An association may request approval of a form of wagering or separate wagering pool for specific performances.

3.15 Closing of Wagering in a Contest

3.15.1 A Commission representative shall close wagering for each contest after which time no pari-mutuel tickets shall be sold for that contest.

3.15.2 The association shall maintain, in good order, a system approved by the Commission for closing wagering.

3.16 Complaints Pertaining to Pari-Mutuel Operations

3.16.1 When a patron makes a complaint regarding the pari-mutuel department to an association, the association shall immediately issue a complaint report, setting out:

3.16.1.1 the name of the complainant;

3.16.1.2 the nature of the complaint;

3.16.1.3 the name of the persons, if any, against whom the complaint was made;

3.16.1.4 the date of the complaint;

3.16.1.5 the action taken or proposed to be taken, if any, by the association.

3.16.2 The association shall submit every complaint report to the Commission within 48 hours after the complaint was made.

3.17 Licensed Employees

3.17.1 All licensees shall report any known irregularities or wrong doings by any person involving pari-mutuel wagering immediately to the Commission and cooperate in subsequent investigations.

3.18 Unrestricted Access

3.18.1 The association shall permit the Commission unrestricted access at all times to its facilities and equipment and

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to all books, ledgers, accounts, documents and records of the association that relate to pari-mutuel wagering.

3.19 Emergency Situations

3.19.1 In the event of an emergency in connection with the pari-mutuel department not covered in these rules, the pari-mutuel manager representing the association shall report the problem to the stewards and the association and the stewards shall render a full report to the Commission within 48 hours.

§ 178-5-4. Totalisator System.

4.1. No association shall be licensed to hold a race meet by the Commission until a totalisator, approved by the Commission, has been installed to handle the pari-mutuel wagering. The cycle of frequency of change on the totalisator board shall not be more than sixty (60) seconds.

4.1.1 All totalisator operators shall inform the Racing Commission of planned totalisator program modifications by completing the formal modification form which is supplied by the Racing Commission and sending such form to the Racing Commission at least two (2) weeks in advance of performing a software modification or change. In emergency situations, where programs are modified in response to operational problems, the form shall be prepared and forwarded to the Racing Commission immediately after the modification has been made. This form, too, would be applicable when planning or making hardware or peripheral equipment changes.

Totalisator operators shall undertake appropriate procedures in the presence of Racing Commission and association personnel to test software modifications and make available to the Racing Commission, upon request, documentation of testing procedures and results including production of all affected reports. The Racing Commission reserves the right to review such test procedures and results prior to installation of a new version of a totalisator system within the State, upon the modification of existing systems or at any other time or under any other circumstances desired.

4.1.2 All totalisator operators shall provide the Racing Commission with a list of its representatives authorized to have access to the totalisator room.

4.1.3 All totalisator operators shall maintain, in conjunction with the association, a control log of keys to the

totalisator room and to whom each is assigned. When an employee possessing a key to the totalisator room is no longer employed, the key shall be collected upon termination; alternatively, locks to the totalisator room shall be changed and new keys distributed. All keys providing entry to the totalisator room shall be non-duplicable.

4.1.4 All associations shall authorize with Racing Commission approval specific individuals to have access to the room/facility housing totalisator computers. Further, a list of such authorized individuals, including their duties in the room shall be maintained and provided to Racing Commission representatives. Racing Commission representatives, as authorized by Racing Commission, shall be included among such authorized individuals.

4.1.5 Associations must maintain appropriate facilities and enforce adequate procedures to insure the security of paper stock used for producing mutuel tickets. Specifically:

4.1.5.1 Locked storage facilities shall be maintained for all ticket paper storage.

4.1.6 All totalisator systems shall maintain at least two (2) independent sets of pool totals for comparison. In the event that a difference in final pool totals is encountered and it cannot be ascertained which pool is correct, the higher pool total shall be used in all calculations, including pay-off, commissions, etc. Any waiver provided hereto shall be considered only after a written request is made by the totalisator company to the Racing Commission detailing all the facts and circumstances for exemption of this rule. In any event, final approval and/or disapproval shall rest with the Racing Commission in granting or not granting a waiver.

4.1.7 The sell/cash totalisator system shall have the capability to produce, upon request of the Racing Commission, a listing of the daily cashed tickets and "outs" tickets cashed by a seller-cashier, sorted by unique ticket number or time of cashing for each performance.

4.1.7.1 The association, upon request of the Racing Commission, shall produce by the unique ticket number:

4.1.7.1.a The corresponding daily cashed ticket requested by the Racing Commission.

4.1.7.1.b The corresponding cashed "outs" ticket requested by the Racing Commission.

4.1.7.2 Issued tickets may be cancelled only under the following conditions:

4.1.7.2.a Error on the part of the seller or when a patron claims that a ticket issued was not the one requested and such claim is made before the patron leaves the seller's window or subsequently when such claim is approved by the association mutuel manager or his designee; and

4.1.7.2.b Ticket issuing machine have not been locked by issue of the "stop betting" command; and

4.1.7.2.c The race for which the ticket was purchased has not officially started.

4.1.8 The seller-cashier shall retain and account for all cashed, refunded and cancelled tickets. These cashed, refunded and cancelled tickets shall be retained by the association for a period of three (3) years from the date of filing of the outs ledger at the end of the ninety (90) days outs period with the Racing Commission or until all audit tests have been completed and a letter from the Racing Commission has been issued allowing for their disposal, whichever occurs first. The retention period for cashed, refunded and cancelled tickets shall also be applicable to used computer printouts as well as all other hard copy information described in any of these pari-mutuel rules as well as any other data generated by the computers and terminals that are related directly or indirectly to the pari-mutuel process.

4.1.8.1 In the event a cashed ticket cannot be produced by the association prior to the date when disposal of the ticket is allowed, then the association shall pay to the Racing Commission the money equal to the amount of the ticket's winnings. The Racing Commission shall treat the payment as if it were money represented by the unclaimed, uncashed or abandoned ticket pursuant to section thirteen, article twenty-three, chapter nineteen of the West Virginia Code.

4.1.8.2 In the event a refunded or cancelled ticket is not available for inspection, then sufficient supporting documentation, e.g., a ticket cancellation report or seller-cashier history, shall be made available upon request. In no event will a refunded or cancelled ticket which has been removed from the sell/cash totalisator system by a key board entry be accepted for credit unless the actual hard copy ticket is presented during the audit.

4.1.9 Usage and storage of modem.

4.1.9.1 The modem shall be secured in a locked cabinet under the dual control of representatives of the totalisator company and the association.

4.1.9.2 An unpublished telephone line shall also be obtained for the exclusive use of modem sessions and the number shall be changed on a periodic basis. The timing, frequency and changing of the numbers shall be at the sole discretion and direction of the Racing Commission.

4.1.10 Physical security of the computer room:

4.1.10.1 Fire extinguisher specifically designed for electronic data processing equipment shall be installed at various key locations.

4.1.10.2 Glass windows permitting public viewing of computer room operations shall be composed of shatterproof glass.

4.1.10.3 Backup tapes for production data and program files shall be stored in a protected area that is fireproof and secure.

4.1.11 Maintenance of emergency electrical generator.

4.1.11.1 The backup electrical generator shall be started and tested at least weekly to insure its reliability in the event of a power failure.

4.1.11.2 Such testing shall be logged in a record to be maintained by the association and be made available to the Racing Commission upon request.

4.2 Each racing association must in all cases of pari-mutuel pool distribute not less than two dollars and twenty cents (\$2.20) on each winning two dollar (\$2.00) wager.

4.3 If more than five (5) separate interests are declared official starters by the board of stewards, there must be win, place and show wagering in the pari-mutuels. If more than four (4) separate interests are declared official starters by the board of stewards, there must be at least win and place wagering in the pari-mutuels.

4.4 The result of every race is determined insofar as the mutuel pay off is affected when it is posted as "Official" and, an immediate

distribution of the respective pools is required, no subsequent change in the order of finish shall involve the mutuel department.

4.5 All contestants in the name of the same owner and/or under the care of the same trainer shall, when entered to race, be coupled as an "Entry"; a wager on any one of them being a wager on all; the entry running as one (1) contestant. If a contestant of either an "Entry" or "The Field" are scratched or excused and there remains at least one (1) contestant in the entry or field, all wagers made on the entry or field stand and no refund is to be made. In all simulcast races conducted in West Virginia, the provisions of Section 60.7 of these rules shall be in full force and effect.

4.6 If the stewards or the veterinarian excuse a contestant and order the contestant scratched, before they are locked in the gate, and such action reduces the number of contestants in separate interests actually engaged in the race below the number required for show or place betting, refunds may be made of the place and show pools, either or both, to bring the number of contestants in separate interests within the required minimum of contestants necessary for such pools.

4.7 If any contestant should be excused by the stewards after the horses shall have left the paddock for the post, the money bet on any contestants so excused shall be deducted from the pool and refunded to the purchaser or purchasers of tickets on the contestants so excused: Provided, That after the start, there shall be no refund.

4.8 All payments to holders of tickets entitled to share in the distribution of the respective pools shall be in proportion to their investment in the contestants sharing in the distribution from these pools; reference to payments out of pools, meaning the distributable portion thereof; but refunds when made include all the money in the pool or pools to which they apply.

4.9 Should there be any error in calculation where the public is underpaid, the amount of the underpay shall be added to the same pool on the next race. If such an error should result in the public being overpaid, the amount of the overpay will be chargeable against the funds of the racing association.

4.10 No association shall recognize either during the course of a race meeting or thereafter, any claim on pari-mutuel tickets unless a valid pari-mutuel ticket is presented. To be deemed a valid pari-mutuel ticket such ticket should have been issued by a pari-mutuel ticket machine operated by the association and recorded as a ticket entitled to a share of the pari-mutuel pool and contain imprinted

information as to:

- 4.10.1 The name of the association operating the meeting.
- 4.10.2 The date of the wagering transaction.
- 4.10.3 A unique identifying number or code.
- 4.10.4 The race number for which the pool is conducted.
- 4.10.5 The type or types of wager represented.
- 4.10.6 The number or numbers representing the wagering interests for which the wager is recorded.
- 4.10.7 The amount or amounts of the contributions to the pari-mutuel pool for which the ticket is evidence.
- 4.10.8 No mutilated ticket may be paid by the association if the following is missing.
 - 4.10.8.1 A unique identifying number or code.

No pari-mutuel ticket recorded or reported as previously paid, cancelled or non-existent shall be deemed a valid pari-mutuel ticket by the association.

4.11 If two (2) contestants run a dead heat for first place, the money in the "Straight" mutuel pool is divided the same as in the "Place" pool calculation.

4.12 If two (2) contestants run a dead heat for second place, the division is as follows: The winner of the race receives his full share of one half of the "Place" money, and the two (2) dead heaters receive one-half each of the balance or one-fourth each of the whole.

4.13 If a contestant should run second upon which no "place" ticket has been sold, all the "place" pool is apportioned to the "place" tickets sold on the contestant that finished first, there being only one (1) participating ticket and not two (2) as usual, the calculation being the same as in a "straight" pool.

4.14 If a contestant should finish third upon which no "show" ticket has been sold, all of the "show" pool is divided between the "show" tickets sold on the contestants that finished first and second, there being but two (2) participating tickets and not three (3) as

usual the calculation being the same as in the "place" pool.

4.15 If only one (1) contestant finished in a race, all money in the "place" and "show" pools goes to the holders of "place" and "show" tickets on this one (1) contestants, the money being distributed as in a "straight" pool. If only two (2) contestants finish in a race, all money in the "show" pool goes to the holders of "show" tickets on these two (2) contestants, the money being distributed as in a "place" pool.

4.16 If no contestant finishes, all money shall be refunded.

4.17 The state steward shall close and lock all mutuel machines at the scheduled post time as shown on the field mutuel board.

4.18 Each association shall maintain suitable electric apparatus for locking the totalisator windows. It shall be operated from the steward's stand by one (1) of the stewards designated for this duty.

4.19 While the betting is in progress, there shall be frequent posting of the approximate odds on the contestants taking part in the race, "entries" being listed on the odds board as one (1) contestant, and, likewise, the "field" when either or both are a part of the race.

4.20 Suitable apparatus must be provided whereby notice is given to the mutuel department (1) that the contestants that are to run are on the track after leaving the paddock; (2) that they are parading; (3) that the lead contestant has just reached the starting gate; and (4) that the contestants are off.

4.21 Totalisator adjustments will be summarized at the close of each meeting, and, if the net result is a credit to the company operating the totalisator, then the auditor of pari-mutuels will obtain a check from the company for the amount of the net credit, made payable to the West Virginia Racing Commission, which said Commission will deposit with the State Treasurer.

4.22 Daily double rules shall be as follows:

4.22.1 The daily double is not a parlay and has no connections with or relation to the mutuel betting. All tickets on the daily double will be calculated in an entirely separate pool. All tickets will be to win (straight) only. No "entry" or "field" shall be permitted in any race involved in the daily double.

4.22.2 If no ticket is sold combining the two (2) winners, the daily double pool then shall be apportioned equally between those

having tickets including the winner in the first race and those having tickets including the winner in the second race, in the same manner in which a "place" pool is calculated and distributed.

4.22.3 If no ticket is sold including the winner of the first race, the entire pool will be paid to holders of tickets which include the winner of the second race of the daily double.

4.22.4 Likewise, if no ticket is sold including the winner of the second race, then the entire pool will be paid to holders of tickets which include the winner of the first race of the daily double.

4.22.5 If no ticket is sold including the winner of either race, then the pool shall be paid to the holders of tickets which include the contestants finishing second in the two (2) races of the daily double.

4.22.6 If no ticket is sold which would require distribution of the daily double pool, the association shall make a complete and full refund of the pool.

4.22.7 If, for any reason, the first race of the daily double is canceled and declared "No Race," full and complete refund will be made of the daily double pool. If, for any reason, the second race of a daily double is canceled and declared "No Race," the daily double pool shall be distributed to the holders of the daily double tickets on the winner of the first race in the same manner as the straight pool of the first race is distributed, except as to the amount of distribution which shall be controlled by the amount bet in the daily double pool.

4.22.8 If after the first half of the daily double has been run and declared "Official" a contestant is excused or scratched in the second half of the daily double then a consolation pay-off shall be made to holders of the daily double to the excused or scratched contestant of the second half of the daily double computed in the following manner:

The net daily double pool (gross pool less commission) shall be divided by the total number of tickets sold combining the winner of the first half, the quotient thus obtained shall constitute the consolation pay off, to be paid to holders of each ticket combining the winner of the first half and the scratched or excused horse in the second half. The entire consolation pool (number of eligible tickets times the consolation price), and not the breakage, shall be deducted from the net daily double pool. The remaining pool is the new net pool for the

daily double.

4.22.9 If holder of tickets loses the first race of the daily double and the contestant is scratched in the second race, no money shall be refunded.

4.22.10 Rescinded.

4.22.11 Before the running of the second half of the daily double, the pay off prices of each combination coupled with the first winner shall be prominently posted, unless the first race of the daily double has resulted in a dead heat in which case the prices will not be posted and an announcement to this effect will be made over the loud speaker.

4.23 No association holding a race meeting under a license issued by the West Virginia Racing Commission shall permit bets to be made on the grounds of said association on any race run outside of said grounds and no foreign book or gambling device of any kind shall be permitted on said grounds.

4.24 Such rules for pari-mutuel betting as may be specified by the Commission shall be printed in the daily racing programs sold to the public within the premises of racing association.

§ 178-5-5. ACCOUNT WAGERING

5.1 General

The association may offer a system of account wagering to its patrons whereby wagers are debited and payoffs credited to a sum of money, deposited in an account by the patron, that is held by the association. The association shall notify the patron, at the time of opening the account, of any rules the association has made concerning deposits, withdrawals, average daily balance, user fees, interest payments and any other aspect of the operation of the account. The association shall notify the patron whenever the rules governing the account are changed, such notification occurring before the new rules are applied to the account and including the opportunity for the patron to close or cash-in the account. The patron shall be deemed to have accepted the rules of account operation upon opening or not closing the account. The association shall request authorization from the Commission before a system of account wagering is offered.

5.2 Account Opening

5.2.1 The association may offer to open for its patrons:

5.2.1.1 short-term accounts that are operational only for the performance during which they were opened and only at the site where they were opened, whereby wagers are placed by the account holder at a self-service terminal;

5.2.1.2 long-term accounts that are operational for any performance offered by the association, whereby wagers are placed by the account holder at a self-service terminal or by telephone; and

5.2.1.3 voucher accounts that are operational for any performance offered by the association, whereby wagers are placed by the account holder at any ticket issuing terminal operated by the association. The patron may choose to credit winning payoffs in cash and may choose to close or cash-in the account at any time.

5.3 Refusals

5.3.1 The association may reserve the right at any time to refuse to open an account, to accept a wager, or to accept a deposit.

5.4 Patron Information

5.4.1 Each short-term or long-term account holder shall provide such personal information as the association and the Commission require, including an address to which communications are to be delivered. The association shall provide, for each short-term or long-term account holder, a confidential account number and password to be used by the patron to confirm validity of every account transaction.

5.5 Deposits

5.5.1 Deposits may be made in cash or by check, whereby the proceeds of the check may first need banker's clearance. Holding periods will be determined by the association and advised to the account holder. A receipt for the deposit must be issued to the account holder, but does not need to reflect the current account balance.

5.6 Sufficient Account Balance

5.6.1 Each account holder shall be deemed to be aware of the status of that account at all times. Wagers will not be accepted which would exceed the available balance of that account. Any account not

updated when a transaction is completed shall be inoperable until the transaction is posted and the account balance updated.

5.7 Account Credits

5.7.1 When an account is entitled to a payoff or refund, said monies will be credited to the respective accounts, thus increasing the credit balance. It is the responsibility of the account holder to verify proper credits and, if in doubt, notify the association within the agreed upon time-frame for consideration. Unresolved disputes may be forwarded to the Commission by the association or the account holder. No claim will be considered by the Commission unless submitted in writing and accompanied by supporting evidence.

5.8 Account Operation

5.8.1 The association must maintain complete records of every deposit, withdrawal, wager and winning payoff for each short- and long-term account. Voucher accounts shall be recorded in a manner similar to a ticket. These records shall be made available to the Commission upon request.

5.8.2 For wagers made for an account by telephone, the association shall make a voice recording of the entire transaction and shall not accept any such wager if the voice recording system is inoperable.

5.8.3 Any account wagering system must provide for the account holder's review and finalization of a wager before it is accepted by the association. Neither the account holder nor the association shall change a wager after the account holder has reviewed and finalized the wager. In the case of a wager made by telephone, the voice recording of the transaction shall be deemed to be the actual wager, regardless of what was recorded by the pari-mutuel system.

5.9 Account Closure

5.9.1 The association may close any account when the holder thereof attempts to operate with an insufficient balance or when the account is dormant for a period approved by the Commission. In either case, the association shall refund the remaining balance of the account.

§ 178-5-6 SIMULCAST WAGERING

6.1 Duties of Simulcast Host

6.1.1 Every host association simulcasting its performance, if requested, may contract with an authorized receiver for the purpose of providing authorized users its simulcast.

6.1.2 A host association is responsible for content of the simulcast and shall use all reasonable effort to present a simulcast which offers the viewers an exemplary depiction of each performance.

6.1.3 Unless otherwise permitted by the Commission, every simulcast will contain in its video content a digital display of actual time of day, the name of the host facility from where it emanates, the number of the contest being displayed, and any other relevant information available to patrons at the host facility.

6.1.4 The host association shall maintain such security controls including encryption over its uplink and communications systems as directed or approved by the Commission.

6.2 Duties of Authorized Receiver

6.2.1 An authorized receiver conducts and operates a pari-mutuel wagering system on the results of contests being held or conducted and simulcast from the enclosures of one or more host associations and with the approval of the Commission.

6.2.2 An authorized receiver shall provide:

6.2.2.1 adequate transmitting and receiving equipment of acceptable broadcast quality, which shall not interfere with the closed circuit TV system of the host association for providing any host facility patron information.

6.2.2.2 pari-mutuel terminals, pari-mutuel odds displays, modems and switching units enabling pari-mutuel data transmissions, and data communications between the host and guest associations.

6.2.2.3 a voice communication system between each guest association and the host association providing timely voice contact among the Commission designees, placing judges and pari-mutuel departments.

6.2.3 The guest association and all authorized receivers shall conduct pari-mutuel wagering pursuant to the applicable

Commission rules.

6.2.4 The Commission may appoint at least one designee to supervise all approved simulcast facilities and may require additional designees as is reasonably necessary for the protection of the public interest.

6.2.5 Not less than 30 minutes prior to the commencement of transmission of the performance of pari-mutuel contests for each day or night, the guest association shall initiate a test program of its transmitter, encryption and decoding, and data communication to assure proper operation of the system.

6.2.6 The guest association shall, in conjunction with the host association or associations for which it operates pari-mutuel wagering, provide the Commission with a certified report of its pari-mutuel operations as directed by the Commission.

6.2.7 Every authorized receiver shall file with the Commission an annual report of its simulcast operations and an audited financial statement.

§ 178-5-7 INTERSTATE COMMON POOL WAGERING

7.1 General

7.1.1 All contracts governing participation in interstate common pools shall be submitted to the Commission for approval.

7.1.2 Individual wagering transactions are made at the point of sale in the state where placed. Pari-mutuel pools are combined for computing odds and calculating payoffs and breakage, but will be held separate for auditing and all other purposes.

7.1.3 Any surcharges or withholdings in addition to the takeout shall only be applied in the jurisdiction otherwise imposing such surcharges or withholdings.

7.1.4 In determining whether to approve an interstate common pool which does not include the host track or which includes contests from more than one association, the Commission shall consider and may approve use of a bet type which is not utilized at the host track, application of a takeout rate not in effect at the host track, or other factors which are presented to the Commission.

7.1.5 The content and format of the visual display of racing

and wagering information at facilities in other jurisdictions where wagering is permitted in the interstate common pool need not be identical to the similar information permitted or required to be displayed under these rules.

7.2 Guest State Participation in Interstate Common Pools

7.2.1 With the prior approval of the Commission, pari-mutuel wagering pools may be combined with corresponding wagering pools in the host state, or with corresponding pools established by one or more other jurisdictions.

7.2.2 The Commission may permit adjustment of the takeout from the pari-mutuel pool so that the takeout rate in this jurisdiction is identical to that at the host track, or identical to that of other jurisdictions participating in a merged pool.

7.2.3 Where takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

7.2.4 Rules established in the state of the host association designated for a pari-mutuel pool shall apply.

7.2.5 The commission shall approve agreements made between the association and other participants in interstate common pools governing the distribution of breakage between the jurisdictions.

7.2.6 If, for any reason, it becomes impossible to successfully merge the bets placed into the interstate common pool, the association shall make payoffs in accordance with payoff prices that would have been in effect if prices for the pool of bets were calculated without regard to wagers placed elsewhere; except that, with permission of the Commission, the association may alternatively determine to either pay winning tickets at the payoff prices at the host track, or declare such accepted bets void and make refunds in accordance with the applicable rules.

7.3 Host State Participation in Merged Pools

7.3.1 With the prior approval of the Commission, an association licensed to conduct pari-mutuel wagering may determine that one or more of its contests be utilized for pari-mutuel wagering at guest facilities in other states, and may also determine that pari-mutuel pools in guest states be combined with corresponding wagering pools established by it as the host track or comparable

wagering pools established by two or more states.

7.3.2 Where takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

7.3.3 Rules of racing established for races held in this state shall also apply to interstate common pools unless the Commission shall have specifically otherwise determined.

7.3.4 The Commission shall approve agreements made between the association and other participants in interstate common pools governing the distribution of breakage between the jurisdictions.

7.3.5 Any contract for interstate common pools entered into by the association shall contain a provision to the effect that if, for any reason, it becomes impossible to successfully merge the bets placed in another state into the interstate common pool formed by the association, or if, for any reason, the Commission's or the association's representative determines that attempting to effect transfer of pool data from the guest state may endanger the association's wagering pool, the association shall have no liability for any measures taken which may result in the guest's wagers not being accepted into the pool.

7.4 Takeout Rates in Interstate Common Pools

7.4.1 With the prior approval of the Commission, an association wishing to participate in an interstate common pool may change its takeout rate (within the limits permitted by state law) so as to achieve a common takeout rate with all other participants in the interstate common pool.

7.4.2 An association wishing to participate in an interstate common pool may request that the Commission approve a methodology whereby host and guest states with different takeout rates for corresponding pari-mutuel pools may effectively and equitably combine wagers from the different states into an interstate common pool.

§ 178-5-8 CALCULATION OF PAYOFFS AND DISTRIBUTION OF POOLS

8.1 General

8.1.1 All permitted pari-mutuel wagering pools shall be separately and independently calculated and distributed. Takeout shall be deducted from each gross pool as stipulated by law. The remainder

of the monies in the pool shall constitute the net pool for distribution as payoff on winning wagers.

8.1.2 For each wagering pool, the amount wagered on the winning betting interest or betting combinations is deducted from the net pool to determine the profit; the profit is then divided by the amount wagered on the winning betting interest or combinations, such quotient being the profit per dollar.

8.1.3 Either the standard or net price calculation procedure may be used to calculate single commission pools, while the net price calculation procedure must be used to calculate multi-commission pools.

8.1.3.1 Standard Price Calculation Procedure

SINGLE PRICE POOL (WIN POOL)

gross pool	=sum of wagers on all betting interests - refunds
takeout	=gross pool x percent takeout
net pool	=gross pool - takeout
profit	=net pool - gross amount bet on winner
profit per dollar	=profit / gross amount bet on winner
\$1 unbroken price	=profit per dollar + \$1
\$1 broken price	=\$1 unbroken price rounded down to the break point
total payout	=\$1 broken price x gross amount bet on winner
total breakage	=net pool-total payout

PROFIT SPLIT (PLACE POOL)

Profit is net pool less gross amount bet on all place finishers. Finishers split profit 1/2 and 1/2 (place profit), then divide by gross amount bet on each place finisher for two unique prices.

PROFIT SPLIT (SHOW POOL)

Profit is net pool less gross amount bet on all show finishers. Finishers split profit 1/3 and 1/2 (place profit), then divide by gross amount bet on each show finisher for three unique prices.

8.1.3.2 Net Price Calculation Procedure

SINGLE PRICE POOL (WIN POOL)

gross pool	=sum of wagers on all betting interests -
	refunds
takeout	=gross pool x percent takeout

* for each source:

net pool =gross pool - takeout
net bet on winner =gross amount bet on winner x (1 - percent
takeout)
total net pool =sum of all sources net pools
total net bet on winner =sum of all sources net bet on winner
total profit =total net pool - total net bet on winner
profit per dollar =total profit / total net bet on winner
\$1 unbroken base price =profit per dollar + \$1

* for each source:

\$1 unbroken price =\$1 unbroken base price x (1 - percent takeout)
\$1 broken price =\$1 unbroken price rounded down to the break
point
total payout =\$1 broken price x gross amount bet on winner
total breakage =net pool - total payout

PROFIT SPLIT (PLACE POOL)

Total profit is the total net pool less the total net amount bet on all place finishers. Finishers split total profit 1/2 and 1/2 (place profit), then divide by total net amount bet on each place finisher for two unique unbroken base prices.

PROFIT SPLIT (SHOW POOL)

Total profit is the total net pool less the total net amount bet on all show finishers. Finishers split total profit 1/3 and 1/3 and 1/3 (show profit), then divide by total net amount bet on each show finisher for three unique unbroken base prices.

8.1.4 If a profit split results in only one covered winning betting interest or combinations it shall be calculated the same as a single price pool.

8.1.5 Minimum payoffs and the method used for calculating breakage shall be established by the Commission.

8.1.6 The individual pools outlined in these rules may be given alternative names by each association, provided prior approval is obtained from the Commission.

8.2 Win Pools

8.2.1 The amount wagered on the betting interest which finishes first is deducted from the net pool, the balance remaining

being the profit; the profit is divided by the amount wagered on the betting interest finishing first, such quotient being the profit per dollar wagered to Win on that betting interest.

8.2.2 The net Win pool shall be distributed as a single price pool to winning wagers in the following precedence, based upon the official order of finish:

8.2.2.1 To those whose selection finished first; but if there are no such wagers, then

8.2.2.2 To those whose selection finished second; but if there are no such wagers, then

8.2.2.3 To those whose selection finished third; but if there are no such wagers, then

8.2.2.4 The entire pool shall be refunded on Win wagers for that contest.

8.2.3 If there is a dead heat for first involving:

8.2.3.1 contestants representing the same betting interest, the Win pool shall be distributed as if no dead heat occurred.

8.2.3.2 contestants representing two or more betting interests, the Win pool shall be distributed as a profit split.

EXAMPLE: WIN POOL (Standard Price Calculation)

Sum of Wagers on All Betting Interests =	\$194,230.00
Refunds =	\$ 1,317.00
Gross Pool:	
Sum of Wagers on All Betting Interests - Refunds =	\$192,913.00
Percent Takeout =	18%
Takeout:	
Gross Pool x Percent Takeout =	\$ 34,724.34
Net Pool:	
Gross Pool - Takeout =	\$158,188.66
Gross Amount Bet on Winner =	\$ 23,872.00

Profit:
Net Pool - Gross Amount Bet on Winner = \$134,316.66

Profit Per Dollar:
Profit / Gross Amount Bet on Winner = \$ 5.6265357

\$1 Unbroken Price:
Profit Per Dollar + \$1 = \$ 6.6265357

8.3 Place Pools

8.3.1 The amounts wagered to Place on the first two betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into two equal portions, one being assigned to each winning betting interest and divided by the amount wagered to Place on that betting interest, the resulting quotient is the profit per dollar wagered to Place on that betting interest.

8.3.2 The net Place pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.3.2.1 If contestants of a coupled entry or mutuel field finished in the first two places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise

8.3.2.2 As a profit split to those whose selection is included within the first two finishers; but if there are no such wagers on one of those two finishers, then

8.3.2.3 As a single price pool to those who selected the one covered betting interest included within the first two finishers; but if there are no such wagers, then

8.3.2.4 As a single price pool to those who selected the third-place finisher; but if there are no such wagers, then

8.3.2.5 The entire pool shall be refunded on Place wagers for that contest.

8.3.3 If there is a dead heat for first involving:

8.3.3.1 contestants representing the same betting interest, the Place pool shall be distributed as a single price pool.

8.3.3.2 contestants representing two or more betting interests, the Place pool shall be distributed as a profit split.

8.3.4 If there is a dead heat for second involving:

8.3.4.1 contestants representing the same betting interest, the Place pool shall be distributed as if no dead heat occurred.

8.3.4.2 contestants representing two or more betting interests, the Place pool is divided with one half (1/2) of the profit distributed to Place wagers on the betting interest finishing first and the remainder is distributed equally amongst Place wagers on those betting interests involved in the dead heat for second.

Table 2: PLACE POOL
(Standard Price Calculation)

Sum of Wagers on All Betting Interests =	\$194,230.00
Refunds =	\$ 1,317.00
Gross Pool:	
Sum of Wagers on All Betting Interests - Refunds =	\$192,913.00
Percent Takeout =	18%
Takeout:	
Gross Pool x Percent Takeout =	\$ 34,724.34
Net Pool:	
Gross Pool - Takeout =	\$158,188.66
Gross Amount Bet on 1st place finisher =	\$ 23,872.00
Gross amount Bet on 2nd place finisher =	\$ 12,500.00
Profit:	
Net Pool - Gross Amount Bet on 1st place finisher	
- Gross Amount Bet on 2nd place finisher =	\$121,816.66
Place Profit:	
Profit / 2 =	\$ 60,908.33
Profit Per Dollar for 1st place:	
Place Profit / Gross Amount Bet on 1st place finisher =	\$ 2.5514548

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\$1 Unbroken Price for 1st place:
Profit Per Dollar for 1st place + \$1 = \$ 3.5514548

Profit Per Dollar for 2nd place:
Place Profit / Gross Amount Bet on 2nd place finisher= \$ 4.8726664

\$1 Unbroken Price for 2nd place:
Profit Per Dollar for 2nd place + \$1 = \$ 5.8726664

8.4 Show Pools

8.4.1 The amounts wagered to Show on the first three betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into three equal portions, one being assigned to each winning betting interest and divided by the amount wagered to Show on that betting interest, the resulting quotient being the profit per dollar wagered to Show on that betting interest.

8.4.2 The net Show pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.4.2.1 If contestants of a coupled entry or mutuel field finished in the first three places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise

8.4.2.2 If contestants of a coupled entry or mutuel field finished as two of the first three finishers, the profit is divided with two-thirds (2/3) distributed to those who selected the coupled entry or mutuel field and one-third (1/3) distributed to those who selected the other betting interest included within the first three finishers; otherwise

8.4.2.3 As a profit split to those whose selection is included within the first three finishers; but if there are no such wagers on one of those three finishers, then

8.4.2.4 As a profit split to those who selected one of the two covered betting interests included within the first three finishers; but if there are no such wagers on two of those three finishers, then

8.4.2.5 As a single price pool to those who selected the one covered betting interest included within the first three finishers; but if there are no such wagers, then

8.4.2.6 As a single price pool to those who selected the fourth-place finisher; but if there are no such wagers, then

8.4.2.7 The entire pool shall be refunded on Show wagers for that contest.

8.4.3 If there is a dead heat for first involving:

8.4.3.1 two contestants representing the same betting interest, the profit is divided with two-thirds (2/3) distributed to those who selected the first-place finishers and one-third (1/3) distributed to those who selected the betting interest finishing third.

8.4.3.2 three contestants representing a single betting interest, the Show pool shall be distributed as a single price pool.

8.4.3.3 contestants representing two or more betting interests, the Show pool shall be distributed as a profit split.

8.4.4 If there is a dead heat for second involving:

8.4.4.1 contestants representing the same betting interest, the profit is divided with one-third (1/3) distributed to those who selected the betting interest finishing first and two-thirds (2/3) distributed to those who selected the second-place finishers.

8.4.4.2 contestants representing two betting interests, the Show pool shall be distributed as a profit split.

8.4.4.3 contestants representing three betting interests, the Show pool is divided with one-third (1/3) of the profit distributed to Show wagers on the betting interest finishing first and the remainder is distributed equally amongst Show wagers on those betting interests involved in the dead heat for second.

8.4.5 If there is a dead heat for third involving:

8.4.5.1 contestants representing the same betting interest, the Show pool shall be distributed as if no dead heat occurred.

8.4.5.2 contestants representing two or more betting interests, the Show pool is divided with two-thirds (2/3) of the profit distributed to Show wagers on the betting interests finishing first and second and the remainder is distributed equally amongst Show wagers on those betting interests involved in the dead heat for third.

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Table 3: SHOW POOL
 (Standard Price Calculation)

Sum of Wagers on All Betting Interests =	\$194,230.00
Refunds =	\$ 1,317.00
Gross Pool:	
Sum of Wagers on All Betting Interests - Refunds =	\$192,913.00
Percent Takeout =	18%
Takeout:	
Gross Pool x Percent Takeout=	\$ 34,724.34
Net Pool:	
Gross Pool - Takeout =	\$158,188.66
Gross Amount Bet on 1st place finisher =	\$ 23,872.00
Gross Amount Bet on 2nd place finisher =	\$ 12,500.00
Gross Amount Bet on 3rd place finisher =	\$ 4,408.00
Profit:	
Net Pool - Gross Amount Bet on 1st place finisher	
- Gross Amount Bet on 2nd place finisher	
- Gross Amount Bet on 3rd place finisher =	\$117,408.66
Show Profit:	
Profit / 3 =	\$ 39,136.22
Profit Per Dollar for 1st place:	
Show Profit / Gross Amount Bet on 1st place finisher=	\$ 1.6394194
\$1 Unbroken Price for 1st place:	
Profit Per Dollar for 1st place + \$1 =	\$ 2.6394194
Profit Per Dollar for 2nd place:	
Show Profit / Gross Amount Bet on 2nd place finisher=	\$ 3.1308976
\$1 Unbroken Price for 2nd place:	
Profit Per Dollar for 2nd place + \$1 =	\$ 4.1308976
Pro fit Per Dollar for 3rd place:	
Show Profit / Gross Amount Bet on 3rd place finisher=	\$ 8.8784528

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\$1 Unbroken Price for 3rd place:
 Profit Per Dollar for 3rd place + \$1 = \$9.8784528

Table 4: SHOW
 POOL
 Single Takeout Rate & Single Betting Source
 (Net Price
 Calculation)

Sum of Wagers on All Betting Interests =	\$194,230.00
Refunds =	\$ 1,317.00
Gross Pool:	
Sum of Wagers on All Betting Interests - Refunds =	\$192,913.00
Percent Takeout =	18%
Takeout:	
Gross Pool x Percent Takeout=	\$ 34,724.34
Total Net Pool:	
Gross Pool -Takeout =	\$158,188.66
Gross Amount Bet on 1st place finisher =	\$ 23,872.00
Net Amount Bet on 1st place finisher =	\$ 19,575.04
Gross Amount Bet on 2nd place finisher =	\$ 12,500.00
Net Amount bet on 2nd place finisher =	\$ 10,250.00
Gross Amount Bet on 3rd place finisher =	\$ 4,408.00
Net Amount Bet on 3rd place finisher =	\$ 3,614.56
Total Net Bet on Winners:	
Net Amount Bet on 1st place finisher +	
Net Amount Bet on 2nd place finisher +	
Net Amount Bet on 3rd place finisher =	\$ 33,439.60
Total Profit:	
Total Net Pool - Total Net Bet on Winners =	\$124,749.06
Show Profit:	
Total Profit / 3 =	\$ 41,583.02

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Profit Per Dollar for 1st place:
Show Profit / Net Amount Bet on 1st place finisher = \$ 2.1242879

\$1 Unbroken Base Price for 1st place:
Profit Per Dollar for 1st place + \$1 = \$ 3.1242879

\$1 Unbroken Price for 1st place:
\$1 Unbroken Base Price for 1st place x (1-percent takeout) = \$ 2.5619161

Profit Per Dollar for 2nd place:
Show Profit / Net Amount Bet on 2nd place finisher = \$ 4.0568800

\$1 Unbroken Base Price for 2nd place:
Profit Per Dollar for 2nd place + \$1 = \$ 5.0568800

\$1 Unbroken Price for 2nd place:
\$1 Unbroken Base Price for 2nd place x (1-percent takeout) = \$ 4.1466416

Profit Per Dollar for 3rd place:
Show Profit / Net Amount Bet on 3rd place finisher = \$11.504310

\$1 Unbroken Base Price for 3rd place:
Profit Per Dollar for 3rd place + \$1 = \$12.504310

Unbroken Price for 3rd place:
\$1 Unbroken Base Price for 3rd place x (1-percent takeout) = \$10.253534

8.5 Double Pools

8.5.1 The Double requires selection of the first-place finisher in each of two specified contests.

8.5.2 The net Double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.5.2.1 As a single price pool to those whose selection finished first in each of the two contests; but if there are no such wagers, then

8.5.2.2 As a profit split to those who selected the first-place finisher in either of the two contests; but if there are no such wagers, then

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8.5.2.3 As a single price pool to those who selected the one covered first-place finisher in either contest; but if there are no such wagers, then

8.5.2.4 As a single price pool to those whose selection finished second in each of the two contests; but if there are no such wagers, then

8.5.2.5 The entire pool shall be refunded on Double wagers for those contests.

8.5.3 If there is a dead heat for first in either of the two contests involving:

8.5.3.1 contestants representing the same betting interest, the Double pool shall be distributed as if no dead heat occurred.

8.5.3.2 contestants representing two or more betting interests, the Double pool shall be distributed as a profit split if there is more than one covered winning combination.

8.5.4 Should a betting interest in the first-half of the Double be scratched prior to the first Double contest being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the Double pool and refunded.

8.5.5 Should a betting interest in the second-half of the Double be scratched prior to the close of wagering on the first Double contest, all money wagered on combinations including the scratched betting interest shall be deducted from the Double pool and refunded.

8.5.6 Should a betting interest in the second-half of the Double be scratched after the close of wagering on the first Double contest, all wagers combining the winner of the first contest with the scratched betting interest in the second contest shall be allocated a consolation payoff. In calculating the consolation payoff the net Double pool shall be divided by the total amount wagered on the winner of the first contest and an unbroken consolation price obtained. The broken consolation price is multiplied by the dollar value of wagers on the winner of the first contest combined with the scratched betting interest to obtain the consolation payoff. Breakage is not declared in this calculation. The consolation payoff is deducted from the net Double pool before calculation and distribution of the winning Double payoff. Dead heats including separate betting interests in the first contest shall result in a consolation payoff calculated as a profit

split.

8.5.7 If either of the Double contests are canceled prior to the first Double contest, or the first Double contest is declared "no contest", the entire Double pool shall be refunded on Double wagers for those contests.

8.5.8 If the second Double contest is canceled or declared "no contest" after the conclusion of the first Double contest, the net Double pool shall be distributed as a single price pool to wagers selecting the winner of the first Double contest. In the event of a dead heat involving separate betting interests, the net Double pool shall be distributed as a profit split.

Table 5:
 DOUBLE POOL
 (Standard Price Calculation)

Sum of Wagers on All Betting Interests =	\$194,230.00
Refunds =	\$ 1,317.00
Gross Pool:	
Sum of Wagers on All Betting Interests - Refunds =	\$192,913.00
Percent Takeout =	18%
Takeout:	
Gross Pool x Percent Takeout=	\$ 34,724.34
Net Pool:	
Gross Pool - Takeout =	\$158,188.66
Gross Amount Bet on Winning Combination =	\$ 23,872.00
Profit:	
Net Pool-Gross Amount Bet on Winning Combination =	\$134,316.66
Profit Per Dollar:	
Profit / Gross Amount Bet on Winning Combination =	\$ 5.6265357
\$1 Unbroken Price:	
Profit Per Dollar + \$1 =	\$ 6.6265357

Table 6: DOUBLE POOL
 CONSOLATION PRICING

split.

8.5.7 If either of the Double contests are canceled prior to the first Double contest, or the first Double contest is declared "no contest", the entire Double pool shall be refunded on Double wagers for those contests.

8.5.8 If the second Double contest is canceled or declared "no contest" after the conclusion of the first Double contest, the net Double pool shall be distributed as a single price pool to wagers selecting the winner of the first Double contest. In the event of a dead heat involving separate betting interests, the net Double pool shall be distributed as a profit split.

Table 5:
 DOUBLE POOL
 (Standard Price Calculation)

Sum of Wagers on All Betting Interests =	\$194,230.00
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Net Pool:	
Gross Pool - Takeout =	\$158,188.66
Gross Amount Bet on Winning Combination =	\$ 23,872.00
Profit:	
Net Pool-Gross Amount Bet on Winning Combination =	\$134,316.66
Profit Per Dollar:	
Profit / Gross Amount Bet on Winning Combination =	\$ 5.6265357
\$1 Unbroken Price:	
Profit Per Dollar + \$1 =	\$ 6.6265357

Table 6: DOUBLE POOL
 CONSOLATION PRICING

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Sum of Wagers on All Betting Interests =	\$194,230.00
Refunds =	\$ 1,317.00
Gross Pool:	
Sum of Wagers on All Betting Interests - Refunds =	\$192,913.00
Percent Takeout =	18%
Takeout:	
Gross Pool x Percent Takeout=	\$ 34,724.34
Net Pool:	
Gross Pool -Takeout =	\$158,188.66
Consolation Pool:	
Sum Total Amount Bet on winner of the first contest with all second contest betting interests =	\$ 43,321.00
\$1 Consolation Unbroken Consolation Price:	
Net Pool / Consolation Pool =	\$ 3.6515468
\$1 Consolation Broken Price =	\$ 3.65
Amount Bet on winner of the first contest with scratched betting interests:	\$ 1,234.00
Consolation Liability:	
\$1 Consolation Broken Price x (Amount Bet on the winner of the first contest with scratched betting interests) =	\$ 4,504.10
Adjusted Net Pool:	
Net Pool - Consolation Liability =	\$153,684.56
Gross Amount Bet on the Winning Combination =	\$ 23,872.00
Profit:	
Adjusted Net Pool - Gross Amount Bet on the Winning Combination =	\$129,812.56
Profit Per Dollar:	
Profit / Gross Amount Bet on the Winning Combination=	\$ 5.4378586
\$1 Unbroken Price:	
Profit Per Dollar + \$1 =	\$ 6.4378586

8.6 Pick Three Pools

8.6.1 The Pick Three requires selection of the first-place finisher in each of three specified contests.

8.6.2 The net Pick Three pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.6.2.1 As a single price pool to those whose selection finished first in each of the three contests; but if there are no such wagers, then

8.6.2.2 As a single price pool to those who selected the first-place finisher in any two of the three contests; but if there are no such wagers, then

8.6.2.3 As a single price pool to those who selected the first-place finisher in any one of the three contests; but if there are no such wagers, then

8.6.2.4 The entire pool shall be refunded on Pick Three wagers for those contests.

8.6.3 If there is a dead heat for first in any of the three contests involving:

8.6.3.1 contestants representing the same betting interest, the Pick Three pool shall be distributed as if no dead heat occurred.

8.6.3.2 contestants representing two or more betting interests, the Pick Three pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

8.6.4 Should a betting interest in any of the three Pick Three contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

8.6.5 If all three Pick Three contests are canceled or declared "no contest", the entire pool shall be refunded on Pick Three wagers for those contests.

8.6.6 If one or two of the Pick Three contests are canceled or declared "no contest", the Pick Three pool will remain valid and shall be distributed in accordance with subsection 2 of this rule.

8.7 Pick (n) Pools

8.7.1 The Pick (n) requires selection of the first-place finisher in each of a designated number of contests. The association must obtain written approval from the Commission concerning the scheduling of Pick (n) contests, the designation of one of the methods prescribed in Part (2), and the amount of any cap to be set on the carryover. Any changes to the approved Pick (n) format require prior approval from the Commission.

8.7.2 The Pick (n) pool shall be apportioned under one of the following methods:

8.7.2.1 Method 1, Pick (n) with Carryover: The net Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests; and the remainder shall be added to the carryover.

8.7.2.2 Method 2, Pick (n) with Minor Pool and Carryover: The major share of the net Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests; and the major share shall be added to the carryover.

8.7.2.3 Method 3, Pick (n) with No Minor Pool and No Carryover: The net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the

greatest number of Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

8.7.2.4 Method 4, Pick (n) with Minor Pool and No Carryover: The major share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If the greatest number of first-place finishers selected is one (1), the major and minor shares are combined for distribution as single price pool. If there are no winning wagers, the pool is refunded.

8.7.2.5 Method 5, Pick (n) with Minor Pool and No Carryover: The major share of net Pick (n) pool shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (n) contests, the entire net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests. If there are no winning wagers, the pool is refunded.

8.7.3 If there is a dead heat for first in any of the Pick (n) contests involving:

8.7.3.1 contestants representing the same betting interest, the Pick (n) pool shall be distributed as if no dead heat occurred.

8.7.3.2 contestants representing two or more betting interests, the Pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

8.7.4 Should a betting interest in any of the Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win Pool at the host association for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interest which became winners as a result of the substitution, in addition to the normal wining combinations.

8.7.5 The Pick (n) pool shall be canceled and all Pick (n) wagers for the individual performance shall be refunded if:

8.7.5.1 at least two contests included as part of a Pick 3 are canceled or declared "no contest".

8.7.5.2 at least three contests included as part of a Pick 4, Pick 5 or Pick 6 are canceled or declared "no contest".

8.7.5.3 at least four contests included as part of a Pick 7, Pick 8 or Pick 9 are canceled or declared "no contest".

8.7.5.4 at least five contests included as part of a Pick 10 are canceled or declared "no contest".

8.7.6 If at least one contest included as part of a Pick (n) is canceled or declared "no contest", but not more than the number specified in subsection 5 of this rule, the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances.

8.7.7 The Pick (n) carryover may be capped at a designated level approved by the Commission so that is, at the close of any performance, the amount in the Pick (n) carryover equals or exceeds the designated cap, the Pick (n) carryover will be frozen until it is won or distributed under other provisions of this rule. After the Pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of Pick (n) contests for that performance.

8.7.8 A written request for permission to distribute the

Pick (n) carryover on a specific performances may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

8.7.9 Should the Pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first-place finisher in each of the Pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests. The Pick (n) carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

8.7.9.1 Upon written approval from the Commission as provided in subsection 8 of this rule.

8.7.9.2 Upon written approval from the Commission when there is a change in the carryover cap, a change from one type of Pick (n) wagering to another, or when the Pick (n) is discontinued.

8.7.9.3 On the closing performance of the meet or split meet.

8.7.10 If, for any reason, the Pick (n) carryover must be held over to the corresponding Pick (n) pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Pick (n) carryover plus accrued interest shall then be added to the net Pick (n) pool of the following meet on a date and performance so designated by the Commission.

8.7.11 With the written approval of the Commission, the association may contribute to the Pick (n) carryover a sum of money up to the amount of any designated cap.

8.7.12 Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

8.7.13 The association may suspend previously-approved Pick (n) wagering with the prior approval of the Commission. Any carryover shall be held until the suspended Pick (n) wagering is reinstated. An association may request approval of a Pick (n) wager or separate

wagering pool for specific performances.

8.7.14 PLACE PICK (N) POOLS

8.7.14.1 The Place Pick (n) requires selection of the first or second-place finisher in each of a designated number of contests. The association must obtain written approval from the Commission concerning the scheduling of Place Pick (n) contest, the designation of one of the methods prescribed in Part (2), the distinctive name identifying the pool and the amount of any cap to be set on the carryover. Any changes to the approved Place Pick (n) format require prior approval from the Commission.

8.7.14.2 The Place Pick (n) pool shall be apportioned under one of the following methods:

8.7.14.2.a Method 1, Place Pick (n) with Carryover: The net Place Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first or second-place finisher in each of the Place Pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first or second-place finisher in the greatest number of Place Pick (n) contests; and the remainder shall be added to the carryover.

8.7.14.2.b Method 2, Place Pick (n) with Minor Pool and Carryover: The major share of the net Place Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first or second-place finisher in each of the Place Pick (n) contests, based upon the official order of finish. The minor share of the net Place Pick (n) pool shall be distributed to those who selected the first or second-place finisher in the second greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first or second-place finisher of all Place Pick (n) contests, the minor share of the net Place Pick (n) pool shall be distributed as a single price pool to those who selected the first or second-place finisher in the greatest number of Place Pick (n) contests; and the major share shall be added to the carryover.

8.7.14.2.c Method 3, Place Pick (n) with No Minor Pool and No Carryover: The net Place Pick (n) pool shall be distributed as a single price pool to those who selected the first or second-place finisher in the greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

8.7.14.2.d Method 4, Place Pick (n) with Minor Pool and No Carryover: The major share of the net Place Pick (n) pool shall be distributed to those who selected the first or second-place finisher in the greatest number of Place Pick (n) contests, based upon the official order of finish. The minor share of the net Place Pick (n) pool shall be distributed to those who selected the first or second-place finisher in the second greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first or second-place finisher in a second greatest number of Place Pick (n) contests, the minor share of the net Place Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first or second-place finisher in the greatest number of Place Pick (n) contests. If the greatest number of first or second-place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

8.7.14.2.e Method 5, Place Pick (n) with Minor Pool and No Carryover: The major share of net Place Pick (n) pool shall be distributed to those who selected the first or second-place finisher in each of the Place Pick (n) contests, based upon the official order of finish. The minor share of the net Place Pick (n) pool shall be distributed to those who selected the first or second-place finisher in the second greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first or second-place finisher in all Place Pick (n) contests, the entire net Place Pick (n) pool shall be distributed as a single price pool to those who selected the first or second-place finisher in the greatest number of Place Pick (n) contests. If there are no wagers selecting the first or second-place finisher in a second greatest number of Place Pick (n) contests, the minor share of the net Place Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first or second-place finisher in each of the Place Pick (n) contests. If there are no winning wagers, the pool is refunded.

8.7.14.3 If there is a dead heat for first in any of the Place Pick (n) contests involving:

8.7.14.3.a contestants representing the same betting interest, the Place Pick (n) pool shall be distributed as if no dead heat occurred.

8.7.14.3.b contestants representing two or more betting interests, the Place Pick (n) pool shall be distributed as a

single price pool with a winning wager including each betting interest participating in the dead heat.

8.7.14.4 If there is a dead heat for second in any of the Place Pick (n) contests involving:

8.7.14.4.a Contestants representing the same betting interest, the Place Pick (n) pool shall be distributed as if no dead heat occurred.

8.7.14.4.b contestants representing two or more betting interests, the Place Pick (n) pool shall be distributed as a single price pool with a winning wager including the betting interest which finished first or any betting interest involved in the dead heat for second.

8.7.14.5 Should a betting interest in any of the Place Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the host association for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

8.7.14.6 The Place Pick (n) pool shall be canceled and all Place Pick (n) wagers for the individual performance shall be refunded if:

8.7.14.6.a at least two contests included as part of a Place Pick 3 are canceled or declared "no contest".

8.7.14.6.b at least three contests included as part of a Place Pick 4, Place Pick 5 or Place Pick 6 are canceled or declare "no contest".

8.7.14.6.c at least four contests included as part of a Place Pick 7, Place Pick 8 or Place Pick 9 are canceled or declared "no contest".

8.7.14.6.d at least five contests included as part of a Place Pick 10 are canceled or declared "no contest".

8.7.14.7 If at least one contest included as part of a Place Pick (n) is canceled or declared "no contest", but not more than the number specified in subsection 6 of this rule, the net pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of Place Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Place Pick (n) carryover but not the carryover from previous performances.

8.7.14.8 The Place Pick (n) carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Place Pick (n) carryover equals or exceeds the designated cap, the Place Pick (n) carryover will be frozen until it is won or distributed under other provisions of this rule. After the Place Pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Place Pick (n) carryover, shall be distributed to those whose selection finished first or second in the greatest number of Place Pick (n) contests for that performance.

8.7.14.9 A written request for permission to distribute the Place Pick (n) carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

8.7.14.10 Should the Place Pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selection the first or second-place finisher in each of the Place Pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of Place Pick (n) contests. The Place Pick (n) carryover shall be designated for distribution on a specified date and performance under any of the following circumstances:

8.7.14.10.a Upon written approval from the Commission as provided in subsection 9 of the rule.

8.7.14.10.b Upon written approval from the Commission when there is a change in the carryover cap, a change from one type of Place Pick (n) wagering to another, or when the Place Pick (n) is discontinued.

8.7.14.10.c On the closing performance of the meet or split meet.

8.7.14.11 If, for any reason, the Place Pick (n) carryover must be held over to the corresponding Place Pick (n) pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Place Pick (n) carryover plus accrued interest shall then be added to the net Place Pick (n) pool of the following meet on a date and performance so designated by the Commission.

8.7.14.12 With the written approval of the Commission, the association may contribute to the Place Pick (n) carryover a sum of money up to the amount of any designated cap.

8.7.14.13 Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing pool data.

8.7.14.14 The association may suspend previously-approved Place Pick (n) wagering with the prior approval of the Commission. Any carryover shall be held until the suspended Place Pick (n) wagering is reinstated. An association may request approval of a Place Pick (n) wager or separate wagering pool for specific performances.

Table 7: PICK 7 POOL

Multiple Takeout Rates & Multiple Betting Sources
 (Net Price Calculation)

	Percent Takeout	Gross Pool	Gross Amt. Bet on Win.	Net Pool	Net Amt. Bet on Win.
Source 1:	16%	\$190,000.00	\$ 44.00	\$159,600.00	\$ 36.96
Source 2:	18.5%	\$ 10,000.00	\$ 18.00	\$ 8,150.00	\$ 14.67
Source 3:	21%	\$ 525,730.00	\$ 124.00	\$415,326.70	\$ 97.96
TOTALS:		\$ 725,730.00	\$ 186.00	\$583,076.70	\$149.59

Total Profit:

Total Net Pool-Total Net Bet on the Winning Combination = \$582,927.11

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Profit Per Dollar:

Total Profit/Total Net Bet on the Winning Combination = \$ 3,896.8321

\$1 Unbroken Base Price:
Profit Per Dollar + \$1 = \$ 3,897.8321

\$1 Unbroken Price for Source 1:
\$1 Unbroken Base Price x (1 - Percent Takeout) = \$ 3,274.1789

\$1 Unbroken Price for Source 2:
\$1 Unbroken Base Price x (1 - Percent Takeout) = \$ 3,176.7331

\$1 Unbroken Price for Source 3:
\$1 Unbroken Base Price x (1 - Percent Takeout) = \$ 3,079.2873

8.8 Quinella Pools

8.8.1 The Quinella requires selection of the first two finishers, irrespective of order, for a single contest.

8.8.2 The net Quinella pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.8.2.1 If contestants of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise

8.8.2.2 As a single price pool to those whose combination finished as the first two betting interests; but if there are no such wagers, then

8.8.2.3 As a profit split to those whose combination included either the first- or second-place finisher; but if there are no such wagers on one of the those two finishers, then

8.8.2.4 As a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

8.8.2.5 The entire pool shall be refunded on Quinella wagers for that contest.

8.8.3 If there is a dead heat for first involving:

8.8.3.1 contestants representing the same betting interest, the Quinella pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish.

8.8.3.2 contestants representing two betting interests, the Quinella pool shall be distributed as if no dead heat occurred.

8.8.3.3 contestants representing three or more betting interests, the Quinella pool shall be distributed as a profit split.

8.8.4 If there is a dead heat for second involving contestants representing the same betting interest, the Quinella pool shall be distributed as if no dead heat occurred.

8.8.5 If there is a dead heat for second involving contestants representing two or more betting interests, the Quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

8.8.5.1 As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

8.8.5.2 As a single price pool to those combining the winner with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

8.8.5.3 As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, then

8.8.5.4 As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second; but if there are no such wagers, then

8.8.5.5 The entire pool shall be refunded on Quinella wagers for that contest.

8.9 Quinella Double Pools

8.9.1 The Quinella Double requires selection of the first two finishers, irrespective of order, in each of two specified contests.

8.9.2 The net Quinella Double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.9.2.1 If a coupled entry or mutuel field finishes as the first two contestants in either contest, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest, as well as the first two finishers in the alternate Quinella Double contest; otherwise

8.9.2.2 As a single price pool to those who selected the first two finishers in each of the two Quinella Double contests; but if there are no such wagers, then

8.9.2.3 As a profit split to those who selected the first two finishers in either of the two Quinella Double contests; but if there are no such wagers on one of those contests, then

8.9.2.4 As a single price pool to those who selected the first two finishers in the one covered Quinella Double contest; but if there were no such wagers, then

8.9.2.5 The entire pool shall be refunded on Quinella Double wagers for those contests.

8.9.3 If there is a dead heat for first in either of the two Quinella Double contests involving:

8.9.3.1 contestants representing the same betting interest, the Quinella Double pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest.

8.8.3.2 contestants representing two betting interests, the Quinella Double pool shall be distributed as if no dead heat occurred.

8.9.3.3 contestants representing three or more betting interests, the Quinella Double pool shall be distributed as a profit split.

8.9.4 If there is a dead heat for second in either of the Quinella Double contests involving contestants representing the same betting interest, the Quinella Double pool shall be distributed as if no dead heat occurred.

8.9.5 If there is a dead heat for second in either of the Quinella Double contests involving contestants representing two or more betting interests, the Quinella Double pool shall be distributed as profit split.

8.9.6 Should a betting interest in the first-half of the Quinella Double be scratched prior to the first Quinella Double contest being declared official, all money wagered on combinations including the scratched betting interest shall deducted from the Quinella Double pool and refunded.

8.9.7 Should a betting interest in the second-half of the Quinella Double be scratched prior to the close of wagering on the first Quinella Double contest, all money wagered on combinations including the scratched betting interest shall be deducted from the Quinella Double pool and refunded.

8.9.8 Should a betting interest in the second-half of the Quinella Double be scratched after the close of wagering on the first Quinella Double contest, all wagers combining the winning combination in the first contest with a combination including the scratched betting interest in the second contest shall be allocated a consolation payoff. In calculating the consolation payoff the net Quinella Double pool shall be divided by the total amount wagered on the winning combination in the first contest and an unbroken consolation price obtained. The unbroken consolation price is multiplied by the dollar value of wagers on the winning combination in the first contest combined with a combination including the scratched betting interest in the second contest to obtain the consolation payoff. Breakage is not utilized in this calculation. The consolation payoff is deducted from the net Quinella Double pool before calculation and distribution of the winning Quinella Double payoff. In the event of a dead heat involving separate betting interests, the net Quinella Double pool shall be distributed as a profit split.

8.9.9 If either of the Quinella Double contests is canceled prior to the first Quinella Double contest, or the first Quinella Double contest is declared "no contest", the entire Quinella Double pool shall be refunded on Quinella Double wagers for those contests.

8.9.10 If the second Quinella Double contest is canceled or declared "no contest" after the conclusion of the first Quinella Double contest, the net Quinella Double pool shall be distributed as a single price pool to wagers selecting the winning combination in the first Quinella Double contest. If there are no wagers selecting the winning combination in the first Quinella Double contest, the entire Quinella

Double pool shall be refunded on Quinella Double wagers for those contests.

8.10 Exacta Pools

8.10.1 The Exacta requires selection of the first two finishers, in their exact order, for a single contest.

8.10.2 The net Exacta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.10.2.1 If contestants of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise

8.10.2.2 As a single price pool to those whose combination finished in correct sequence as the first two betting interests; but if there are no such wagers, then

8.10.2.3 As a profit split to those whose combination included either the first-place betting interest to finish first or the second-place betting interest to finish second; but if there are no such wagers on one of those two finishers, then

8.10.2.4 As a single price pool to those whose combination included the one covered betting interest to finish first or second in the correct sequence; but if there are no such wagers, then

8.10.2.5 The entire pool shall be refunded on Exacta wagers for that contest.

8.10.3 If there is a dead heat for first involving:

8.10.3.1 contestants representing the same betting interest, the Exacta pool shall be distributed as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish.

8.10.3.2 contestants representing two or more betting interests, the Exacta pool shall be distributed as a profit split.

8.10.4 If there is a dead heat for second involving

contestants representing the same betting interest, the Exacta pool shall be distributed as if no dead heat occurred.

8.10.5 If there is a dead heat for second involving contestants representing two or more betting interests, the Exacta pool shall be distributed to ticket holders in the following precedence, based upon the official order of finish:

8.10.5.1 As a profit split to those combining the first-place betting interest with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

8.10.5.2 As a single price pool to those combining the first-place betting interest with one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

8.10.5.3 As a profit split to those wagers correctly selecting the winner for first-place and those wagers selecting any of the dead-heated betting interests for second-place; but if there are no such wagers, then

8.10.5.4 The entire pool shall be refunded on Exacta wagers for that contest.

8.11 Trifecta Pools

8.11.1 The Trifecta requires selection of the first three finishers, in their exact order, for a single contest.

8.11.2 The net Trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.11.2.1 As a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

8.11.2.2 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.11.2.3 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.11.2.4 The entire pool shall be refunded on Trifecta wagers for that contest.

8.11.3 If less than three betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored.

8.11.4 If there is a dead heat for first involving:

8.11.4.1 contestants representing three or more betting interests, all of the wagering combinations selecting three betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

8.11.4.2 contestants representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place betting interest shall share in a profit split.

8.11.5 If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.

8.11.6 If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third shall share in a profit split.

8.11.7 Coupled entries and mutuel fields shall be prohibited in Trifecta contests.

8.12 Superfecta Pools

8.12.1 The Superfecta requires selection of the first four finishers, in their exact order, for a single contest.

8.12.2 The net Superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

8.12.2.1 As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then

8.12.2.2 As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then

8.12.2.3 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.12.2.4 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.12.2.5 The entire pool shall be refunded on Superfecta wagers for that contest.

8.12.3 If less than four betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored.

8.12.4 If there is a dead heat for first involving:

8.12.4.1 contestants representing four or more betting interests, all of the wagering combinations selecting four betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

8.12.4.2 contestants representing three betting interests, all of the wagering combinations selecting the three dead-heated betting interests, irrespective of order, along with the fourth-place betting interest shall share in a profit split.

8.12.4.3 contestants representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place and fourth-place betting interests shall share in a profit split.

8.12.5 If there is a dead heat for second involving:

8.12.5.1 contestants representing three or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three betting interests involved in the dead heat for second shall share in a profit split.

8.12.5.2 contestants representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated betting interests, irrespective of order, and the fourth-place betting interest shall share in a profit split.

8.12.6 If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any two of the betting interests involved in the dead heat for third shall share in a profit split.

8.12.7 If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fourth shall share in a profit split.

8.12.8 Coupled entries and mutuel fields shall be prohibited in Superfecta contests.

8.13 Twin Quinella Pools

8.13.1 The Twin Quinella requires selection of the first two finishers, irrespective of order, in each of two designated contests. Each winning ticket for the first Twin Quinella contest must be exchanged for a free ticket on the second Twin Quinella contest in order to remain eligible for the second-half Twin Quinella pool. Such tickets may be exchanged only at attended ticket windows prior to the second Twin Quinella contest. There will be no monetary reward for winning the first Twin Quinella contest. Both of the designated Twin Quinella contests shall be included in only one Twin Quinella pool.

8.13.2 In the first Twin Quinella contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first Twin Quinella contest:

8.13.2.1 If a coupled entry or mutuel field finishes as the first two finishers, those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish shall be winners;

8.13.2.2 Those whose combination finished as the first two betting interests shall be winners; but if there are no such wagers, then

8.13.2.3 Those whose combination included either the first- or second-place finisher shall be winners; but if there are no such wagers on one of those two finishers, then

8.13.2.4 Those whose combination included the one covered betting interest included within the first two finishers shall be winners; but if there are no such wagers, then

8.13.2.5 The entire pool shall be refunded on Twin Quinella wagers for that contest.

8.13.3 In the first Twin Quinella contest only, if there is a dead heat for first involving:

8.13.3.1 contestants representing the same betting interest, those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish shall be winners.

8.13.3.2 contestants representing two betting interests, the winning Twin Quinella wagers shall be determined as if no dead heat occurred.

8.13.3.3 contestants representing three or more betting interests, those whose combination included any two of the betting interests finishing in the dead heat shall be winners.

8.13.4 In the first Twin Quinella contest only, if there is a dead heat for second involving contestants representing two or more betting interests, the Twin Quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

8.13.4.1 As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

8.13.4.2 As a single price pool to those combining the winner with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

8.13.4.3 As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, then

8.13.4.4 As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second; but if there are no such wagers, then

8.13.4.5 The entire pool shall be refunded on Twin Quinella wagers for that contest.

8.13.5 In the second Twin Quinella contest only, the entire net Twin Quinella pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second Twin Quinella contest:

8.13.5.1 If a coupled entry or mutuel field finishes as the first two finishers, as a single price pool to those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise

8.13.5.2 As a single price pool to those whose combination finished as the first two betting interests; but if there are no such wagers, then

8.13.5.3 As a profit split to those whose combination included either the first- or second-place finisher; but if there are no such wagers on one of those two finishers, then

8.13.5.4 As a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

8.13.5.5 As a single price pool to all the exchange ticket holders for that contest; but if there are no such tickets, then

8.13.5.6 In accordance with subsection 2 of the Twin Quinella rules.

8.13.6 In the second Twin Quinella contest only, if there is a dead heat for first involving:

8.13.6.1 contestants representing the same betting interest, the net Twin Quinella pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish.

8.13.6.2 contestants representing two betting interests, the net Twin Quinella pool shall be distributed as if no dead heat occurred.

8.13.6.3 contestants representing three or more betting interests, the net Twin Quinella pool shall be distributed as a profit split to those whose combination included any two of the betting

interests finishing in the dead heat.

8.13.7 In the second Twin Quinella contest only, if there is a dead heat for second involving contestants representing two or more betting interests, the Twin Quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

8.13.7.1 As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

8.13.7.2 As a single price pool to those combining the winner with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

8.13.7.3 As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, then

8.13.7.4 As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second, then

8.13.7.5 As a single price pool to all the exchange ticket holders for that contest; but if there are no such tickets, then

8.13.7.6 In accordance with subsection 2 of the Twin Quinella rules.

8.13.8 If a winning ticket for the first-half of the Twin Quinella is not presented for exchange prior to the close of betting on the second-half Twin Quinella contest, the ticket holder forfeits all rights to any distribution of the Twin Quinella pool resulting from the outcome of the second contest.

8.13.9 Should a betting interest in the first-half of the Twin Quinella be scratched, those Twin Quinella wagers including the scratched betting interest shall be refunded.

8.13.10 Should a betting interest in the second-half of the Twin Quinella be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the

second Twin Quinella contest, the ticket holder forfeits all rights to the Twin Quinella pool.

8.13.11 If either of the Twin Quinella contests is canceled prior to the first Twin Quinella contest, or the first Twin Quinella contest is declared "no contest", the entire Twin Quinella pool shall be refunded on Twin Quinella wagers for that contest.

8.13.12 If the second-half Twin Quinella contest is canceled or declared "no contest" after the conclusion of the first Twin Quinella contest, the net Twin Quinella pool shall be distributed as a single price pool to wagers selecting the winning combination in the first Twin Quinella contest and all valid exchange tickets. If there is no such wagers, the net Twin Quinella pool shall be distributed as described in subsection 2 of the Twin Quinella rules.

8.14 Twin Trifecta Pools

8.14.1 The Twin Trifecta requires selection of the first three finishers, in their exact order, in each of two designated contests. Each winning ticket for the first Twin Trifecta contest must be exchanged for a free ticket on the second Twin Trifecta contest in order to remain eligible for the second-half Twin Trifecta pool. Such tickets may be exchanged only at attended ticket windows prior to the second Twin Trifecta contest. Winning first-half Twin Trifecta wagers will receive both an exchange and a monetary payoff. Both of the designated Twin Trifecta contests shall be included in only one Twin Trifecta pool.

8.14.2 After wagering closes for the first-half of the Twin Trifecta and commissions have been deducted from the pool, the net pool shall then be divided into separate pools: the first-half Twin Trifecta pool and the second-half Twin Trifecta pool.

8.14.3 In the first Twin Trifecta contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first Twin Trifecta contest:

8.14.3.1 As a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

8.14.3.2 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

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8.14.3.3 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.14.3.4 The entire Twin Trifecta pool shall be refunded on Twin Trifecta wagers for that contest and the second-half shall be canceled.

8.14.4 If no first-half Twin Trifecta ticket selects the first three finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half Twin Trifecta pool. In such case, the second-half Twin Trifecta pool shall be retained and added to any existing Twin Trifecta carryover pool.

8.14.5 Winning tickets from the first-half of the Twin Trifecta shall be exchanged for tickets selecting the first three finishers of the second-half of the Twin Trifecta. The second-half Twin Trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second Twin Trifecta contest:

8.14.5.1 As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first three betting interests; but if there are no such tickets, then

8.14.5.2 The entire second-half Twin Trifecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half Twin Trifecta pool of the next consecutive performance.

8.14.6 If a winning first-half Twin Trifecta ticket is not presented for cashing and exchange prior to the second-half Twin Trifecta contest, the ticket holder may still collect the monetary value associated with the first-half Twin Trifecta pool but forfeits all rights to any distribution of the second-half Twin Trifecta pool.

8.14.7 Coupled entries and mutuel fields shall be prohibited in Twin Trifecta contests.

8.14.8 Should a betting interest in the first-half of the Twin Trifecta be scratched, those Twin Trifecta wagers including the scratched betting interest shall be refunded.

8.14.9 Should a betting interest in the second-half of the Twin Trifecta be scratched, an announcement concerning the scratch

shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second Twin Trifecta contest, the ticket holder forfeits all rights to the second-half Twin Trifecta pool.

8.14.10 If, due to a late scratch, the number of betting interests in the second-half of the Twin Trifecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half Twin Trifecta pool for that contest as a single price pool, but not the Twin Trifecta carryover.

8.14.11 If there is a dead heat or multiple dead heats in either the first- or second-half of the Twin Trifecta, all Twin Trifecta wagers selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

8.14.11.1 the first-half of the Twin Trifecta, the payoff shall be calculated as a profit split.

8.14.11.2 the second-half of the Twin Trifecta, the payoff shall be calculated as a single price pool.

8.14.12 If either of the Twin Trifecta contests are canceled prior to the first Twin Trifecta contest, or the first Twin Trifecta contest is declared "no contest", the entire Twin Trifecta pool shall be refunded on Twin Trifecta wagers for that contest and the second-half shall be canceled.

8.14.13 If the second-half Twin Trifecta contest is canceled or declared "no contest", all exchange tickets and outstanding first-half winning Twin Trifecta tickets shall be entitled to the net Twin Trifecta pool for that contest as a single price pool, but not Twin Trifecta carryover. If there are no such tickets, the net Twin Trifecta pool shall be distributed as described in subsection 3 of the Twin Trifecta rules.

8.14.14 The Twin Trifecta carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Twin Trifecta carryover equals or exceeds the designated cap, the Twin Trifecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the Twin Trifecta carryover is frozen, 100 percent of the

net Twin Trifecta pool for each individual contest shall be distributed to winners of the first-half of the Twin Trifecta pool.

8.14.15 A written request for permission to distribute the Twin-Trifecta carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

8.14.16 Should the Twin Trifecta carryover be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half of the Twin Trifecta after completion of the first-half of the Twin Trifecta:

8.14.16.1 As a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

8.14.16.2 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.14.16.3 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.14.16.4 As a single price pool to holders of valid exchange tickets

8.14.16.5 As a single price pool to holders of outstanding first-half winning tickets.

8.14.17 Contrary to subsection 4 of the Twin Trifecta rules, during a performance designated to distribute the Twin Trifecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the Twin Trifecta. If there are no wagers correctly selecting the first-, second-, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first- and second-place betting interests. If there are no wagers correctly selecting the first- and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first-half of the Twin

Trifecta, all first-half tickets will become winners and will receive 100 percent of that day's net Twin Trifecta pool and any existing Twin Trifecta carryover as a single price pool.

8.14.18 The Twin Trifecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

8.14.18.1 Upon written approval from the Commission as provided in subsection 15 of the Twin Trifecta rules.

8.14.18.2 Upon written approval from the Commission when there is a change in the carryover cap or when the Twin Trifecta is discontinued.

8.14.18.3 On the closing performance of the meet or split meet.

8.14.19 If, for any reason, the Twin-Trifecta carryover must be carried over to the corresponding Twin Trifecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Twin Trifecta carryover plus accrued interest shall then be added to the second-half Twin Trifecta pool of the following meet on a date and performance so designated by the Commission.

8.14.20 Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

8.14.21 The association must obtain written approval from the Commission concerning the scheduling of Twin Trifecta contests, the percentages of the net pool added to the first-half pool and second-half pool, and the amount of any cap to be set on the carryover. Any changes to the approved Twin Trifecta format require prior approval from the Commission.

8.15 Tri-Superfecta Pools

8.15.1 The Tri-Superfecta requires selection of the first three finishers, in their exact order, in the first of two designated contests and the first four finishers, in exact order, in the second of the two designated contests. Each winning ticket for the first Tri-Superfecta contest must be exchanged for a free ticket on the

second Tri-Superfecta contest in order to remain eligible for the second-half Tri-Superfecta pool. Such tickets may be exchanged only at attended ticket windows prior to the second Tri-Superfecta contest. Winning first-half Tri-Superfecta tickets will receive both an exchange and a monetary payoff. Both of the designated Tri-superfecta contests shall be included in only one Tri-Superfecta pool.

8.15.2 After wagering closes for the first-half of the Tri-Superfecta and commissions have been deducted from the pool, the net pool shall then be divided into two separate pools: the first-half Tri-Superfecta pool and the second-half Tri-Superfecta pool.

8.15.3 In the first Tri-Superfecta contest only, winning tickets shall be determined using the following precedence, based upon the official order of finish for the first Tri-Superfecta contest:

8.15.3.1 As a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

8.15.3.2 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.15.3.3 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.15.3.4 The entire Tri-Superfecta pool shall be refunded on Tri-Superfecta wagers for that contest and the second-half shall be canceled.

8.15.4 If no first-half Tri-Superfecta ticket selects the first three finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half Tri-Superfecta pool. In such case, the second-half Tri-superfecta pool shall be retained and added to any existing Tri-Superfecta carryover pool.

8.15.5 Winning tickets from the first-half of the Tri-Superfecta shall be exchanged for tickets selecting the first four finishers of the second-half of the Tri-Superfecta. The second-half Tri-Superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second Tri-Superfecta contest:

8.15.5.1 As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first four betting interests; but if there are no such tickets, then

8.15.5.2 The entire second-half Tri-Superfecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half Tri-Superfecta pool of the next performance.

8.15.6 If a winning first-half Tri-Superfecta ticket is not presented for cashing and exchange prior to the second-half Tri-Superfecta contest, the ticket holder may still collect the monetary value associated with the first-half Tri-Superfecta pool but forfeits all rights to any distribution of the second-half Tri-Superfecta pool.

8.15.7 Coupled entries and mutuel fields shall be prohibited in Tri-Superfecta contests.

8.15.8 Should a betting interest in the first-half of the Tri-Superfecta be scratched, those Tri-Superfecta tickets including the scratched betting interest shall be refunded.

8.15.9 Should a betting interest in the second-half of the Tri-Superfecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second Tri-Superfecta contest, the ticket holder forfeits all rights to the second-half Tri-Superfecta pool.

8.15.10 If, due to a late scratch, the number of betting interests in the second-half of the Tri-Superfecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half Tri-Superfecta pool for that contest as a single price pool, but not the Tri-Superfecta carryover.

8.15.11 If there is a dead heat or multiple dead heats in either the first- or second-half of the Tri-Superfecta, all Tri-Superfecta tickets selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

8.15.11.1 the first-half of the Tri-Superfecta, the payoff shall be calculated as a profit split.

8.15.11.2 the second-half of the Tri-Superfecta, the payoff shall be calculated as a single price pool.

8.15.12 If either of the Tri-Superfecta contests are canceled prior to the first Tri-Superfecta contest, or the first Tri-Superfecta contest is declared "no contest", the entire Tri-Superfecta pool shall be refunded on Tri-Superfecta wagers for that contest and the second-half shall be canceled.

8.15.13 If the second-half Tri-Superfecta contest is canceled or declared "no contest", all exchange tickets and outstanding first-half winning Tri-Superfecta tickets shall be entitled to the net Tri-Superfecta pool for that contest as a single price pool, but not the Tri-Superfecta carryover. If there are no such tickets, the net Tri-Superfecta pool shall be distributed as described in subsection 3 of the Tri-Superfecta rules.

8.15.14 The Tri-Superfecta carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Tri-Superfecta carryover equals or exceeds the designated cap, the Tri-Superfecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the second-half Tri-Superfecta carryover is frozen, 100 percent of the net Tri-Superfecta pool for each individual contest shall be distributed to winners of the first-half of the Tri-Superfecta pool.

8.15.15 A written request for permission to distribute the Tri-Superfecta carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

8.15.16 Should the Tri-Superfecta carryover be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half of the Tri-Superfecta after completion of the first-half of the Tri-Superfecta:

8.15.16.1 As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then

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8.15.16.2 As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then

8.15.16.3 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.15.16.4 As a single price pool to those whose combination included, in correct sequence, the first-place betting interest only; but if there are no such wagers, then

8.15.16.5 As a single price pool to holders of valid exchange tickets.

8.15.16.6 As a single price pool to holders of outstanding first-half winning tickets.

8.15.17 Contrary to subsection 4 of the Tri-Superfecta rules, during a performance designated to distribute the Tri-Superfecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the Tri-Superfecta. If there are no wagers correctly selecting the first-, second-, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first- and second-place betting interests. If there are no wagers correctly selecting the first- and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first-half of the Tri-Superfecta, all first-half tickets will become winners and will receive 100 percent of that day's net Tri-Superfecta pool and any existing Tri-Superfecta carryover as a single price pool.

8.15.18 The Tri-Superfecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

8.15.18.1 Upon written approval from the Commission as provided in subsection 15 of the Tri-Superfecta rules.

8.15.18.2 Upon written approval from the Commission when there is a change in the carryover cap or when the Tri-Superfecta is discontinued.

8.15.18.3 On the closing performance of the meet or split meet.

8.15.19 If, for any reason, the Tri-Superfecta carryover must be carried over to the corresponding Tri-Superfecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Tri-Superfecta carryover plus accrued interest shall then be added to the second-half Tri-superfecta pool of the following meet on a date and performance so designated by the Commission.

8.15.20 Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

8.15.21 The association must obtain written approval from the Commission concerning the scheduling of Tri-Superfecta contests, the percentages of the net pool added to the first-half pool and second-half pool, and the amount of any cap to be set on the carryover. Any changes to the approved Tri-Superfecta format require prior approval from the Commission.

8.16 Twin Superfecta Pools

8.16.1 The Twin Superfecta requires selection of the first four finishers, in their exact order, in each of two designated contests. Each winning ticket for the first Twin Superfecta contest must be exchanged for a free ticket on the second Twin Superfecta contest in order to remain eligible for the second-half Twin Superfecta pool. Such tickets may be exchanged only at attended ticket windows prior to the second Twin Superfecta contest. Winning first-half Twin Superfecta tickets will receive both an exchange and a monetary payoff. Both of the designated Twin Superfecta contests shall be included in only one Twin Superfecta pool.

8.16.2 After wagering closes for the first-half of the Twin Superfecta and commissions have been deducted from the pool, the net pool shall then be divided into two separate pools: the first-half Twin Superfecta pool and the second-half Twin Superfecta pool.

8.16.3 In the first Twin Superfecta contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first Twin Superfecta contest:

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8.16.3.1 As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then

8.16.3.2 As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then

8.16.3.3 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.16.3.4 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.16.3.5 The entire Twin Superfecta pool shall be refunded on Twin Superfecta wagers for that contest and the second-half shall be canceled.

8.16.4 If no first-half Twin Superfecta ticket selects the first four finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half Twin Superfecta pool. In such case, the second-half Twin Superfecta pool shall be retained and added to any existing Twin Superfecta carryover pool.

8.16.5 Winning tickets from the first-half of the Twin Superfecta shall be exchanged for tickets selecting the first four finishers of the second-half of the Twin Superfecta. The second-half Twin Superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second Twin Superfecta contest:

8.16.5.1 As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first four betting interests; but if there are no such tickets, then

8.16.5.2 The entire second-half Twin Trifecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half Twin Superfecta pool of the next performance.

8.16.6 If a winning first-half Twin Superfecta ticket is not presented for cashing and exchange prior to the second-half Twin

Superfecta contest, the ticket holder may still collect the monetary value associated with the first-half Twin Superfecta pool but forfeits all rights to any distribution of the second-half Twin Trifecta pool.

8.16.7 Coupled entries and mutuel fields shall be prohibited in Twin Superfecta contests.

8.16.8 Should a betting interest in the first-half of the Twin Superfecta be scratched, those Twin Superfecta tickets including the scratched betting interest shall be refunded.

8.16.9 Should a betting interest in the second-half of the Twin Superfecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second Twin Superfecta contest, the ticket holder forfeits all rights to the second-half Twin Superfecta pool.

8.16.10 If, due to a late scratch, the number of betting interests in the second-half of the Twin Superfecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half Twin Superfecta pool for that contest as a single price pool, but not the Twin Superfecta carryover.

8.16.11 If there is a dead heat or multiple dead heats in either the first- or second-half of the Twin Superfecta, all Twin Superfecta tickets selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

8.16.11.1 the first-half of the Twin Superfecta, the payoff shall be calculated as a profit split.

8.16.11.2 the second-half of the Twin Superfecta, the payoff shall be calculated as a single price pool.

8.16.12 If the either of the Twin Superfecta contests are canceled prior to the first Twin Superfecta contest, or the first Twin Superfecta contest is declared "no contest", the entire Twin Superfecta pool shall be refunded on Twin Superfecta wagers for that contest and the second-half shall be canceled.

8.16.13 If the second-half Twin Superfecta contest is

canceled or declared "no contest", all exchange tickets and outstanding first-half winning Twin Superfecta tickets shall be entitled to the net Twin Superfecta pool for that contest as a single price pool, but not the Twin Superfecta carryover. If there are no such tickets, the net Twin Superfecta pool shall be distributed as described in subsection 3 of the Twin Superfecta rules.

8.16.14 The Twin-Superfecta carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Twin-Superfecta carryover equals or exceeds the designated cap, the Twin-Superfecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the second-half Twin Superfecta carryover is frozen, 100 percent of the net Twin Superfecta pool for each individual contest shall be distributed to winners of the first-half of the Twin Superfecta pool.

8.16.15 A written request for permission to distribute the Twin Superfecta carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

8.16.16 Should the Twin Superfecta carryover be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half of the Twin Superfecta after completion of the first-half of the Twin Superfecta:

8.16.16.1 As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then

8.16.16.2 As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then

8.16.16.3 As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

8.16.16.4 As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

8.16.16.5 As a single price pool to holders of valid

exchange tickets.

8.16.16.6 As a single price pool to holders of outstanding first-half winning tickets.

8.16.17 Contrary to subsection 4 of the Twin Superfecta rules, during a performance designated to distribute the Twin Superfecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the Twin Superfecta. If there are no wagers correctly selecting the first-, second-, third-, and fourth-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-, second-, and third-place betting interests. If there are no wagers correctly selecting the first-, second-, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first- and second-place betting interests. If there are no wagers correctly selecting the first- and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first-half of the Twin Superfecta, all first-half tickets will become winners and will receive 100 percent of that day's net Twin Superfecta pool and any existing Twin Superfecta carryover as a single price pool.

8.16.18 The Twin Superfecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

8.16.18.1 Upon written approval from the Commission as provided in subsection 15 of the Twin Superfecta rules.

8.16.18.2 Upon written approval from the Commission when there is a change in the carryover cap or when the Twin Superfecta is discontinued.

8.16.18.3 On the closing performance of the meet or split meet.

8.16.19 If, for any reason, the Twin Superfecta carryover must be held over to the corresponding Twin Superfecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Twin Superfecta carryover plus accrued interest shall then be added to the second-half Twin Superfecta pool of the following meet on a date and

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performance so designated by the Commission.

8.16.20 Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

8.16.21 The association must obtain written approval from the Commission concerning the scheduling of Twin Superfecta contests, the percentages of the net pool added to the first-half pool and second-half pool, and the amount of any cap to be set on the carryover. Any changes to the Twin Superfecta format require prior approval from the Commission.

SENATE BILL NO. 208

(By Senator Manchin)

[Introduced March 1, 1993; referred to the
Committee on the Judiciary.

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9
10 A BILL to amend and reenact section five, article seven, chapter
11 sixty-four of the code of West Virginia, one thousand nine
12 hundred thirty-one, as amended, relating to authorizing the
13 racing commission to promulgate legislative rules relating to
14 pari-mutuel wagering.

15 Be it enacted by the Legislature of West Virginia:

16 That section five, article seven, chapter sixty-four of the
17 code of West Virginia, one thousand nine hundred thirty-one, as
18 amended, be amended and reenacted, to read as follows:

19 ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF TAX AND REVENUE TO
20 PROMULGATE LEGISLATIVE RULES.

21 §64-7-5. Racing commission.

22 (a) The legislative rules filed in the state register on the
23 twenty-third day of April, one thousand nine hundred eighty-two,

1 relating to the West Virginia racing commission (Rule 795), are
2 authorized.

3 (b) The legislative rules filed in the state register on the
4 twenty-third day of April, one thousand nine hundred eighty-two,
5 relating to the West Virginia racing commission (Rule 819), are
6 authorized.

7 (c) The legislative rules filed in the state register on the
8 twenty-third day of April, one thousand nine hundred eighty-two,
9 relating to the West Virginia racing commission (Rule 107), are
10 authorized.

11 (d) The legislative rules filed with the legislative
12 rule-making review committee on the tenth day of January, one
13 thousand nine hundred eighty-three, relating to the West Virginia
14 racing commission (Rule 471), are authorized.

15 (e) The legislative rules filed in the state register on the
16 tenth day of January, one thousand nine hundred eighty-three,
17 relating to the West Virginia racing commission (Rule 526), are
18 authorized.

19 (f) The legislative rules filed in the state register on the
20 twentieth day of September, one thousand nine hundred
21 eighty-three, relating to the West Virginia racing commission
22 (Rule 107) greyhound racing, are authorized.

23 (g) The legislative rules filed in the state register on the
24 twentieth day of September, one thousand nine hundred
25 eighty-three, relating to the West Virginia racing commission

1 (Rule 108) greyhound racing, are authorized with the amendment
2 set forth below:

3 Following the word "Association" insert a period and strike
4 the remainder of the sentence.

5 (h) The legislative rules filed in the state register on the
6 twentieth day of September, one thousand nine hundred
7 eighty-three, relating to the West Virginia racing commission
8 (Rule 108) thoroughbred racing, are authorized with the amendment
9 set forth below:

10 Following the word "Association" insert a period and strike
11 the remainder of the sentence.

12 (i) The legislative rules filed in the state register on the
13 twentieth day of September, one thousand nine hundred
14 eighty-three, relating to the West Virginia racing commission
15 (Rule 392) greyhound racing, are authorized.

16 (j) The legislative rules filed in the state register on the
17 twentieth day of September, one thousand nine hundred
18 eighty-three, relating to the West Virginia racing commission
19 (Rule 455) greyhound racing, are authorized.

20 (k) The legislative rules filed in the state register on the
21 twentieth day of September, one thousand nine hundred
22 eighty-three, relating to the West Virginia racing commission
23 (Rule 609A) greyhound racing, are authorized.

24 (l) The legislative rules filed in the state register on the
25 twentieth day of September, one thousand nine hundred

1 eighty-three, relating to the West Virginia racing commission
2 (Rule 627) greyhound racing, are authorized.

3 (m) The legislative rules filed in the state register on the
4 twentieth day of September, one thousand nine hundred
5 eighty-three, relating to the West Virginia racing commission
6 (Rule 845) thoroughbred racing, are authorized.

7 (n) The legislative rules filed in the state register on the
8 ninth day of November, one thousand nine hundred eighty-four,
9 relating to the West Virginia racing commission (greyhound racing
10 -- Rule 628), are authorized.

11 (o) The legislative rules filed in the state register on the
12 twenty-fifth day of September, one thousand nine hundred
13 eighty-four, relating to the West Virginia racing commission
14 (greyhound racing -- Rule 672), are authorized.

15 (p) The legislative rules filed in the state register on the
16 ninth day of November, one thousand nine hundred eighty-four,
17 relating to the West Virginia racing commission (thoroughbred
18 racing -- Rule 808), are authorized.

19 (q) The legislative rules filed in the state register on the
20 twenty-fifth day of September, one thousand nine hundred
21 eighty-four, relating to the West Virginia racing commission
22 (thoroughbred racing -- Rule 843), are authorized.

23 (r) The legislative rules filed in the state register on the
24 sixth day of August, one thousand nine hundred eighty-four,

1 relating to the West Virginia racing commission (greyhound racing
2 -- Rule 845-I), are authorized.

3 (s) The legislative rules filed in the state register on the
4 third day of September, one thousand nine hundred eighty-seven,
5 modified by the West Virginia racing commission to meet the
6 objections of the legislative rule-making review committee and
7 refiled in the state register on the twenty-first day of
8 December, one thousand nine hundred eighty-seven, relating to the
9 West Virginia racing commission (greyhound racing), are
10 authorized.

11 (t) The legislative rules filed in the state register on the
12 thirty-first day of July, one thousand nine hundred eighty-seven,
13 modified by the West Virginia racing commission to meet the
14 objections of the legislative rule-making review committee and
15 refiled in the state register on the eighteenth day of December,
16 one thousand nine hundred eighty-seven, relating to the West
17 Virginia racing commission (thoroughbred racing), are authorized
18 with the amendment set forth below:

19 On page fifty-five, Section 61.3(f), by striking all of
20 subsection (f) and inserting in lieu thereof the existing
21 provisions of subsection (f) as contained in 178 CSR 1, which
22 reads as follows:

23 "All moneys held by any licensee for the payment of
24 outstanding and unredeemed pari-mutuel tickets, if not claimed
25 within ninety (90) days after the close of the horse race meeting

1 in connection with which the tickets were issued, shall be turned
2 over by the licensee to the Racing Commission within fifteen (15)
3 days after the expiration of such ninety (90) day period and the
4 licensee shall give such information as the Racing Commission may
5 require concerning such outstanding and unredeemed tickets; viz.
6 The outs ledger enumerating all outstanding tickets at the close
7 of each meeting, to contain a record of all tickets redeemed in
8 the ninety (90) day period following, together with all redeemed
9 tickets which shall bear the stamp of the cashier(s) making
10 redemption: A stamp indicating "Outs Ticket". In addition, a
11 statement to accompany said ledger and tickets, setting forth the
12 quantity and amount of each denomination redeemed in the ninety
13 (90) day period, with a grand total indicating the sum paid in
14 "Outs". This sum subtracted from the outs on the closing day to
15 equal the remittance of the Association in settlement of the
16 "Out" account for the meeting."

17 (u) The legislative rules filed in the state register on the
18 ninth day of September, one thousand nine hundred eighty-eight,
19 relating to the West Virginia racing commission (thoroughbred
20 racing), are authorized.

21 (v) The legislative rules filed in the state register on the
22 eighteenth day of January, one thousand nine hundred eighty-nine,
23 modified by the West Virginia racing commission to meet the
24 objections of the legislative rule-making review committee and
25 refiled in the state register on the twentieth day of February,

1 one thousand nine hundred eighty-nine, relating to the West
2 Virginia racing commission (greyhound racing), are authorized.

3 (w) The legislative rules filed in the state register on the
4 fourth day of March, one thousand nine hundred eighty-nine,
5 modified by the West Virginia racing commission to meet the
6 objections of the legislative rule-making review committee and
7 refiled in the state register on the first day of June, one
8 thousand nine hundred eighty-nine, relating to the West Virginia
9 racing commission (thoroughbred racing), are authorized.

10 (x) The legislative rules filed in the state register on the
11 twenty-second day of June, one thousand nine hundred eighty-nine,
12 relating to the West Virginia racing commission (greyhound
13 racing), are authorized.

14 (y) The legislative rules filed in the state register on the
15 tenth day of August, one thousand nine hundred ninety, modified
16 by the West Virginia racing commission to meet the objections of
17 the legislative rule-making review committee and refiled in the
18 state register on the fourteenth day of January, one thousand
19 nine hundred ninety-one, relating to the West Virginia racing
20 commission (thoroughbred racing), are authorized.

21 (z) The legislative rules filed in the state register on the
22 twenty-ninth day of October, one thousand nine hundred ninety,
23 modified by the West Virginia racing commission to meet the
24 objections of the legislative rule-making review committee and
25 refiled in the state register on the fourteenth day of January,

1 one thousand nine hundred ninety-one, relating to the West
2 Virginia racing commission (greyhound racing), are authorized
3 with the amendment set forth below:

4 On pages seventy-four-a through seventy-eight, section
5 forty-five, by striking out all of subsection 45.38.

6 (aa) The legislative rules filed in the state register on the
7 twenty-ninth day of July, one thousand nine hundred ninety-one,
8 modified by the racing commission to meet the objections of the
9 legislative rule-making review committee and refiled in the state
10 register on the twentieth day of September, one thousand nine
11 hundred ninety-one, relating to the racing commission
12 (thoroughbred racing), are authorized.

13 (bb) The legislative rules filed in the state register on the
14 fifteenth day of August, one thousand nine hundred ninety-one,
15 relating to the West Virginia racing commission (greyhound
16 racing), are authorized.

17 (cc) The legislative rules filed in the state register on the
18 eighteenth day of September, one thousand nine hundred ninety-
19 two, relating to the racing commission (pari-mutuel wagering),
20 are authorized.

21

22 --NOTE: The purpose of this bill is to authorize the Racing
23 Commission to promulgate legislative rules relating to pari-
24 mutuel wagering.

25

26 Strike-throughs indicate language that would be stricken from
27 the present law, and underscoring indicates new language that
28 would be added.

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
Corporations: (304) 558-8000



STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

May 28, 1993

Lois Graham, Ex Sec
Racing Commission
P.O. Box 3327
Charleston, WV 25333-3327

HB 100 authorizing, **Title 178, Series 5, Pari-Mutuel Wagering**, passed the Legislature on **May 26, 1993**. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs HB 100, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office. Authorization for your legislative rule is cited in **HB 100** section **64-7-5(cc)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A COMPUTER SYSTEM THAT USES A 3 1/2" OR 5 1/4" DISK, PLEASE SUBMIT A CLEAN COPY, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL MAKE IT QUICKER FOR US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You
Administrative Law Division