



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Horse Racing Commission

- | | |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 12-23-029 ; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) WAC 260-48 Mutuels

Hearing location(s):
 Auburn City Council Chambers
 25 W. Main
 Auburn, WA 98002

Date: February 14, 2014 Time: 9:30 a.m.

Date of intended adoption: February 14, 2014
 (Note: This is NOT the effective date)

Submit written comments to:
 Name: Douglas L Moore
 Address: 6326 Martin Way Suite 209
 Olympia, WA 98516-5578
 e-mail doug.moore@whrc.state.wa.us
 fax (360) 459-6461 by (date) February 11, 2014

Assistance for persons with disabilities: Contact
 Patty Sorby by February 11, 2014
 TTY (360) 459-6462 or () _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Defines what a self-service device is and to change the definition of a cash voucher from a document to a record to include electronic documents.

Reasons supporting proposal: Stakeholder requested and supported.

Statutory authority for adoption: RCW 67.16.020

Statute being implemented:

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE
12/16/2013

NAME (type or print)
Douglas L Moore

SIGNATURE *Douglas L Moore*

TITLE
Executive Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 16, 2013

TIME: 9:33 AM

WSR 14-01-070

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Douglas L Moore	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Implementation.... Douglas L Moore	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Enforcement..... Douglas L Moore	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared. Not applicable

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: Not applicable

AMENDATORY SECTION (Amending WSR 08-17-049, filed 8/14/08, effective 9/14/08)

WAC 260-48-490 Definitions. (1) "Common pool wagering." The inclusion of wagers placed at guest association locations and secondary parimutuel organizations (SPMO) into a common parimutuel pool for the purpose of display of wagering information and calculation of payoffs on winning wagers.

(2) "Guest association." An association approved to offer simulcast races and parimutuel wagering on races conducted at other race-tracks.

(3) "Host association." An association where live racing and parimutuel wagering are conducted and on which parimutuel wagering is conducted by guest associations or satellite locations.

(4) "Parimutuel system." The hardware, software and communications equipment used to record wagers, calculate payouts for winning wagers, and transmit wagering transactions and parimutuel pool data for display to patrons and to communicate with other parimutuel systems linked to facilitate common pool wagering.

(5) "Parimutuel wagering." A form of wagering on the outcome of a horse race in which all wagers are pooled and held by a parimutuel pool host for distribution of the total amount, less the deductions authorized by law, to holders of tickets on the winning contestants.

(6) "Parimutuel voucher." A record of a parimutuel wager in either paper or electronic form.

(7) "Secondary parimutuel organization (SPMO)." An entity other than a licensed association that offers and accepts parimutuel wagers. This may include a satellite location (off-track wagering) or an advance deposit wagering service provider.

~~((7))~~ (8) "Self-service device." A computerized wagering device that allows the patron, only while on the grounds of a licensed Class 1 racing association, to wager by use of portable electronic device. The self-service device allows the patron to place wagers only. The patron must contact a mutuel clerk to cash in any winnings.

(9) "Self-service terminal." A computerized wagering device that allows the patron to wager by use of a touch activated screen using account cards, vouchers, winning tickets and cash.

~~((8))~~ (10) "Simulcast." Live video and audio transmission of a race and parimutuel information for the purpose of parimutuel wagering at locations other than a host association.

(11) "Stored value instrument." A self-service device or self-service terminal.

AMENDATORY SECTION (Amending WSR 08-17-049, filed 8/14/08, effective 9/14/08)

WAC 260-48-520 Parimutuel tickets. A parimutuel ticket is evidence of a wager into the parimutuel pool operated by the association and is evidence of the association's obligation to pay to the holder a portion of the distributable amount of the parimutuel pool that is represented by a valid parimutuel ticket. The association must cash all valid winning parimutuel tickets when they are presented for payment.

(1) To be deemed a valid parimutuel ticket, the ticket must have been issued by a parimutuel ticket machine, self-service terminal operated by the association, or self-service device and recorded as a ticket entitled to a share of the parimutuel pool. The parimutuel ticket must also contain the following:

- (a) The name of the association operating the meeting;
- (b) A unique identifying number or code;
- (c) The terminal (~~(at which)~~) or device where the ticket was issued;
- (d) The date that the wagering transaction was issued;
- (e) The race number;
- (f) The type or types of wager(s);
- (g) The number or numbers representing the betting interests; and
- (h) The amount or amounts of the wagers into the parimutuel pool or pools for which the ticket is evidence.

(2) No parimutuel ticket recorded or reported as paid, (~~cancel-~~~~led~~) canceled, or nonexistent will be considered a valid parimutuel ticket.

(3) The association must maintain a record of all winning parimutuel tickets, not presented for payment. A record of these tickets when cashed must be retained for a period of twenty-four months from the date cashed. This record will be made available for inspection by the commission or its authorized representative when requested.

AMENDATORY SECTION (Amending WSR 08-17-049, filed 8/14/08, effective 9/14/08)

WAC 260-48-680 Parimutuel (~~cash~~) vouchers. (1) A parimutuel (~~cash~~) voucher is a (~~document~~) record or card produced by a parimutuel system device on which a stored cash value is represented and the value is recorded in and redeemed through the parimutuel system. Parimutuel (~~cash~~) vouchers may be offered by an association that issues parimutuel tickets. The stored value on a voucher may be redeemed in the same manner as a value of a winning parimutuel ticket for wagers placed at a parimutuel window, a self-service device, or a self-service terminal, and may be redeemed for their cash value at any time.

(2) An association may, with the prior approval of the commission, issue special parimutuel cash vouchers as incentives or promotional prizes, and may restrict the use of those vouchers to the purchase of parimutuel wagers.

(3) The tote system transaction record for all parimutuel vouchers will include the following:

(a) The voucher identification number in subsequent parimutuel transactions;

(b) Any parimutuel wagers made from a voucher will identify the voucher by identification number.

WAC 260-48-690 Other stored value instruments and systems. (1)

An association may not, without the prior approval of the commission, utilize any form of stored value instrument or system other than a parimutuel voucher for the purpose of making or cashing parimutuel wagers.

(2) Any request for approval of a stored value instrument or system will include a detailed description of the standards utilized:

(a) To identify the specific stored value instrument or account in the parimutuel system wagering transaction record;

(b) To verify the identity and business address of the person(s) obtaining, holding, and using the stored value instrument or system; and

(c) To record and maintain records of deposits, credits, debits, transaction numbers, and account balances involving the stored value instruments or accounts.

(3) A stored value instrument or system will prevent wagering transactions in the event such transactions would create a negative balance in an account, and will not automatically transfer funds into a stored value instrument or account without the direct authorization of the person holding the instrument or account.

(4) A stored value instrument while being used to place a wager may only send and receive the signal within the association's property.

(5) Any request for approval of a stored value instrument or system will include all records and reports relating to all transactions, account records, and customer identification and verification in hard copy or in an electronic format approved by the commission. All records will be retained for a period of not less than three years.