

## Chapter Game 8

### PARI-MUTUEL OPERATIONS

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**Note:** Chapter RACE 8 was renumbered chapter WGC 8 and corrections made under s. 13.93 (2m) (b) 1. and 6., Stats., Register, March, 1995, No. 471.

**Note:** Chapter WGC 8 was renumbered chapter Game 8 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register November 2003 No. 575.

**Game 8.01 Purpose.** The purpose of this chapter is to establish the rules governing pari-mutuel operations at Wisconsin racetracks.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.02 Definitions. (1)** “Outs liability account” means unclaimed winnings which are summarized and stored in the totalizator system computer.

**(2)** “Racetrack enclosure” means all the buildings, structures, and grounds utilized in connection with the operation of a race meeting.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.03 Association pari-mutuel operations. (1)** GENERAL REPORTS SUBMITTED BY ASSOCIATIONS. (a) The association shall file admission reports daily with the division stewards. The association shall file monthly and end of race meet admission reports to the administrator. All daily admission reports shall include:

1. The beginning turnstyle reading number;
2. The ending turnstyle reading number;
3. The total turnstyle reading number;
4. All locations that individuals entered the facility; or
5. Comparable information provided by such other monitoring device as may be approved by the division.

(b) At the close of each race meeting the association shall remove its outs liability account from the totalizator system computer and deliver to the division a report of its outstanding ticket liability, the outs book, and a copy of the magnetic tape used to generate the outs book. Such records shall include the date of the race, the winning numbers, the denominations of the outstanding tickets and the payouts.

1. The association shall deliver to the division no later than 91 days after the last performance of each race meet a check representing the value of all outstanding tickets payable to the division.

2. No outs liability account may be removed by any person from the totalizator system unless the division auditor is present. The totalizator licensee shall print only 2 sets of outs books at the time the outs liability account is removed from the computer system. No subsequent sets of the outs book may be printed by any person without written approval by the division. The outs book shall include:

- a. The date of the race;

- b. The denomination of each outstanding ticket;
- c. The payouts; and
- d. The unique serial number of each outstanding ticket as required by s. Game 10.07 (12).

3. An association may keep its outs liability account in the totalizator system computer if the totalizator system is operating at a racetrack where a race meeting is in progress. If an association elects to keep the outs liability account in the computer system beyond 10 days after the close of a race meeting, that association, within 10 days after the close of the meeting, must file a letter with the division which shall:

- a. State the dollar amount of the outstanding tickets at the close of the race meeting;
- b. State that the outs liability account will remain in the computer system;
- c. State the name of the racetrack where the account will be open for cashing of winning tickets by members of the public;
- d. State the name of the person who will be responsible for maintaining the integrity of the outs account and for maintaining the daily record of the account for reporting to the division;
- e. Indicate the approximate date when the account will be removed from the computer system; and
- f. Maintain and protect all tickets until the removal of the outs liability account.

(c) The association shall file with the administrator within 48 hours after the close of each race day all division approved recapitulation documents pertaining to pari-mutuel taxes, special program taxes, breakage, refunds, admissions taxes owed and minus pools resulting, and the reason for the minus pool. Associations shall bear the loss of all minus pools incurred from their share of the divisions.

(d) The association shall file with the administrator monthly reports computing the total amounts paid to the division, pursuant to s. 562.065 (3) (c), (d) and (e), Stats., within 5 days of the end of each month.

(e) The association shall file with the administrator annual statements under s. 562.065 (3) (c) 4., Stats., within 30 days after the end of the meet.

(f) The association shall file a report to the division auditor of all mutuel clerk overages and shortages on a weekly basis as well as any complaints made against them by patrons.

(g) The association shall deposit funds as prescribed by the administrator.

**(2) ASSOCIATION MUTUEL MANAGER-DUTIES AND RESPONSIBILITIES.** (a) Before the association posts the payout prices of any pool the mutuel manager shall review the calculating sheets of such race and compare them to the prices on the display de-

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vices to ensure they agree. Such review shall show pay-breaks-commission which sets forth the payout to the public, breakage and retained commission, and added together, show they equal total pool. Calculating sheets are to be verified as to winners and prices. Displayed prices are to be rechecked by the association before the end of the performance and any irregularities shall be reported to the division.

(b) The mutuel manager shall ensure that no wagers are accepted after the off-bell.

(c) Should any emergency arise in connection with the operation of the mutuel department not covered by these rules and an immediate decision is necessary, the mutuel manager, subject to the approval of the stewards, shall make the decision and render a report to the administrator within 24 hours concerning the incident.

(d) The association mutuel manager shall provide to the division auditor such information as the division auditor may request and cooperate with the division auditor in every way so that the division auditor may be certain that the mutuel department is being operated in strict accordance with the law and the rules of the division.

(e) The association mutuel manager shall require that mutuel clerks' windows remain open a reasonable length of time after the last race for patrons to cash winning tickets.

(f) The association mutuel manager shall employ only those persons licensed by the division prior to assumption of their duties as mutuel clerks.

(g) The association mutuel manager shall maintain complete records of all wagering so the division may upon review ascertain for any race the opening line, subsequent odds fluctuations, the amount and window at which wagers were placed on any wagering interest, and other information which may from time to time be required. A copy of wagering records shall be retained by each association and secured for a period not less than one year and may not be destroyed without written approval from the division.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. (2), Register, July, 1990, No. 415, eff. 8-1-90; correction in (1) (b) 2, made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471; CR 03-070: am. (1) (a) and (b) 1. Register November 2003 No. 575, eff. 12-1-03.

**Game 8.04 Totalizator.** Each association shall install and operate during its race meeting an electric totalizator approved by the division. The totalizator shall be tested daily by the totalizator licensee to ensure its proper working order and report any irregularities to the division stewards and division auditor:

(1) **ODDS BOARD CONTROL.** The controls necessary to operate the order of finish on the odds board shall be located in the steward's stand and controlled by the association steward.

(2) **ODDS BOARD UPDATE.** There shall be operated in connection with such totalizator one or more odds boards and designated display devices. Approximate odds on each wagering interest in the win pool shall be updated on the odds board and designated display devices at intervals of not more than 60 seconds.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.05 Pari-mutuel wagering.** Each association may permit wagering only on races conducted by that association, except on races pursuant to s. 562.057, Stats.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.06 Refunds.** (1) **SCRATCHES AND NON-STARTERS.** If after wagering has commenced an animal is scratched or declared a non-starter the wagering on the animal shall be refunded by the association unless otherwise prohibited by rule.

(2) **FAILURE OF STARTING BOX.** In a greyhound race, if the door in front of any starting box should fail to open thereby preventing an animal from obtaining a fair start, the stewards shall declare a "no race".

(3) **RACE CANCELLATION.** If for any reason a race is canceled or declared no race by the stewards after wagering has commenced on that race the association shall refund all wagers unless otherwise prohibited by rule.

(4) **TOTALIZATOR BREAKDOWN.** In the event of an irreparable breakdown of the totalizator during the wagering on a race the stewards shall declare no race and the association shall refund all wagers.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; cr. (2) (f), Register, July, 1990, No. 415, eff. 8-1-90; CR 03-070: am. (2) Register November 2003 No. 575, eff. 12-1-03.

**Game 8.07 Minimum ticket prices/payouts.** For all win, place and show wagers the minimum wager to be accepted by any association shall be \$2. The minimum payout by an association on a \$2 wager shall be \$2.20. The association may set the minimum wager for any wager other than win, place or show, as in a wheel or box, at \$1, provided that no ticket shall be sold for less than \$2.00. For purposes of pari-mutuel calculations the minimum payout for a \$1 wager shall be \$1.10. In cases where a minus pool occurs, the association shall be responsible for the payment of the minimum payout from their share of the pari-mutuel commission.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: am. Register November 2003 No. 575, eff. 12-1-03.

**Game 8.08 Minors barred.** No association may permit any minor to purchase or cash pari-mutuel tickets, nor permit any minor to be at a mutuel window at any time.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.09 Wagering explanations.** Each association shall cause to be published in the daily race program a general explanation of pari-mutuel wagering and an explanation of each type of wagering pool offered. The association shall also post the explanation in conspicuous places on the association grounds so as to adequately inform the public. This explanation shall be submitted by the association to the state steward prior to publication so as to insure an absence of conflict with these rules. The association shall post a copy of the division rules regarding the calculation and distribution of the wagering pools contained in ch. Game 9 in a conspicuous place.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; correction made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471.

**Game 8.10 Prior approval for wagering pools.** No association may conduct any wagering pool without prior approval of the division.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.11 Number of pools.** (1) If less than 6 wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit show and superfecta wagering on that race.

(2) If less than 5 wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit place, show and trifecta wagering on that race.

(3) If less than 4 wagering interests are scheduled to start in a race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit quiniela and perfecta wagering on that race.

(4) If less than 3 wagering interests are scheduled to start in a

race the mutuel manager, with the approval of the stewards, shall be permitted to prohibit wagering on that race.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.12 Sale of pari-mutuel tickets.** (1) TIME OF SALE. (a) Pari-mutuel tickets may not be sold on any race performance more than one hour before post time of the first pari-mutuel race of each performance unless prior approval is obtained from the division. All wagering shall be conducted only within the racetrack facility in which authorized wagering is permitted pursuant to a license issued under s. 562.05 (1), Stats.

(b) All pari-mutuel tickets shall be purchased with U.S. currency, totalizator generated vouchers, winning pari-mutuel tickets issued by the racetrack or refunded pari-mutuel tickets. No pari-mutuel facility shall extend credit, accept checks, or accept credit cards directly for payment of pari-mutuel tickets.

(c) No pari-mutuel facility shall allow wagers to be accepted over the telephone, computer or other device not approved by the division. All wagers shall be made in person at the racetrack.

(d) No pari-mutuel facilities shall discount pari-mutuel wagers, award rebates or offer any type of cash incentive as a premium for wagering.

(2) TICKET WINDOWS. No pari-mutuel tickets may be issued except through clerk windows clearly designated by number. The association shall prominently display this number to the wagering public. At mutuel windows where special or limited mutuel services are offered, the association shall properly designate those windows by signs. The association shall obtain prior division approval for any alternative method of selling pari-mutuel tickets.

(3) MUTUEL PLAN. No method and manner of selling pari-mutuel tickets shall be used unless approved by the division. Such approval shall include but not be limited to the number of windows, distribution of windows, the manner of denomination in which pari-mutuel tickets shall be sold and the mutuel staffing plan. The latter shall be filed by the association with the division 60 days prior to the opening of each race meet. Mutuel department and totalizator licensee employees shall be clearly identified as such, so that easy identification can be made by the public.

(4) ACKNOWLEDGEMENT OF MUTUEL TICKETS. Notwithstanding other division rules, the acceptance of a mutuel ticket by taking an issued ticket away from the window or terminal from which it is purchased shall constitute an acknowledgment by the purchaser of the correctness of the ticket, and each purchaser of a mutuel ticket agrees to be bound by the terms and provisions of this requirement. Neither the association, totalizator company, the division nor the state of Wisconsin shall be liable to any person for any ticket which is not a winning ticket in accordance with the provisions of this rule nor shall they be liable to any person for any mutuel ticket not delivered for any reason, including but not limited to, mechanical malfunction, electrical failure, machine locking, or other cause.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; CR 03-070: renum. (1)

to be (1) (a) and am., cr. (1) (b) to (d) and (4) Register November 2003 No. 575, eff. 12-1-03.

**Game 8.13 Official sign final.** Once the “official” sign has been posted, no changes may be made to the order of finish for purposes of mutuel payouts. Any ruling of the stewards regarding the award of purse money or order of finish for purposes of grading made after the “official” sign has been posted shall have no bearing on the mutuel payout.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.14 Errors in posting payouts.** If an error is made in posting the payout figures on the display devices, it shall be corrected by the association or totalizator system licensee. Only the correct amounts shall be used by the association in the payout regardless of the error on the display devices. If it is impossible to correct the posted payout because of equipment failure, the association shall cease all cashing of winning tickets and a statement shall be made by the association over the public address system stating the facts and corrections. The association shall be responsible for any overpayment or underpayment and shall be required to submit a report to the administrator within 48 hours after each occurrence. Any underpayment shall be remitted by the association to the division within 48 hours after the close of that race day.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90; am. Register, July, 1990, No. 415, eff. 8-1-90.

**Game 8.15 Lost tickets.** No claims for lost pari-mutuel tickets shall be considered.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.16 Mutilated or altered tickets.** No mutilated or altered pari-mutuel ticket that is not identifiable as being a valid ticket shall be accepted for payment.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.

**Game 8.17 Racing officials - duties and responsibilities.** (1) DIVISION AUDITOR. The administrator shall appoint for each race meeting a representative to be known as the division auditor to monitor the conduct of the mutuel department during each race meeting. The track operator and association shall grant the division auditor free access to all of the books, papers and records of the association, into any room or any enclosure of the association, at any and all times said access is necessary. The division auditor shall report to the administrator any failure of the association to comply with the act or any rules of the division.

(2) DUTIES OF DIVISION AUDITOR. The officers and employees of the association shall give the division auditor such information as may be requested. The division must be assured that the mutuel department of the association is being properly operated in strict accordance with the act and the rules of the division.

**History:** Cr. Register, March, 1990, No. 411, eff. 4-1-90.