

**WAC 260-48-700 Common pool wagering.** (1)(a) Except as otherwise authorized by the commission, a request for simulcasting must be filed on a form provided by the commission not later than seven business days before the first simulcast race covered by the request. The executive secretary may approve a request for simulcasting, subject to rescission of the approval by the commission at its next regular meeting.

(b) The application must include at a minimum:

(i) The simulcast agreement between the host and guest association;

(ii) The approval by the horsemen's association represented at the host and guest site;

(iii) The alternate jurisdiction approval;

(iv) When acting as the host site, approval also requires a list of all locations that will be receiving and/or wagering on the races under the guest site; and

(v) The executive secretary may require the association to submit additional information if the executive secretary determines the additional information is necessary to effectively evaluate the request.

(2) A class 1 racing association may not simulcast until the following are filed with the commission.

(a) A written agreement with the local horsemen's group.

(b) A description of how simulcast purse moneys are to be maintained.

(c) A description of how breeder awards are to be maintained.

(d) A monthly statement showing amounts contributed to and balance in the purse fund and the breeder's awards fund. This statement will be filed with the commission no later than fifteen days after the end of each month.

(3) The approval of any particular simulcasting or wagering on particular simulcast races or programs is not binding on the commission for other requests for approval of simulcasting or wagering on simulcast races or programs.

(4) In determining whether to approve a common pool which does not include the host track or which includes contests from more than one association, the commission will 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.

(5) No class 1 racing association will enter a contractual agreement that is in violation of, or may be construed as waiving any provision of chapter 67.16 RCW, Title 260 WAC and any federal, state or local law.

(6) The mutuel manager or the mutuel manager's designee must be present on association grounds at all times that the class 1 racing association is accepting wagers on simulcast races. He/she will be responsible for communicating all errors or omissions regarding simulcast wagering to the board of stewards or the executive secretary if errors or omissions occur during nonlive racing periods.

(7) There must be a facsimile machine located in each mutuel area or tote room and a direct, private telephone line to be located in the tote room. Phone access to the tote room will not require routing through the switchboard.

(8) When necessary prior to the commencement of transmission of the performance of parimutuel contests for each day or night, the guest association will initiate a test program of its transmitter, en-

ryption and decoding, and data communication to assure proper operation of the system.

(9) Washington intra-track breakage and minus pools will be prorated based on amounts wagered.

(10) The commission may permit adjustment of the takeout from the parimutuel pool so that the takeout rate in this jurisdiction is identical to that at the host jurisdiction, or identical to that of other jurisdictions participating in a merged pool.

(11) Any surcharges or withholdings in addition to the takeout will only be applied in the jurisdiction otherwise imposing such surcharges or withholdings.

(12) Where takeout rates in the merged pool are not identical, the net price calculation may be the method by which the differing takeout rates are applied.

(13) Parimutuel pools may be combined for computing odds and calculating payouts but will be held separate for auditing and all other purposes.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-17-049, § 260-48-700, filed 8/14/08, effective 9/14/08. Statutory Authority: RCW 67.16.020. WSR 04-21-053, § 260-48-700, filed 10/18/04, effective 11/18/04. Statutory Authority: RCW 67.16.040. WSR 99-06-026, § 260-48-700, filed 2/23/99, effective 3/26/99.]