

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
4-15-16 10:58 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Oregon Racing Commission  
Agency and Division  
Karen Parkman  
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Oregon Racing Commission, 800 NE Oregon St., Suite 310, Portland, OR 97232  
Address

462  
Administrative Rules Chapter Number  
(971) 673-0208  
Telephone

**RULE CAPTION**

Rules to govern Racing Roulette Win Pools and Jackpot Pick (n) wagers.  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
5-19-16	12:00 p.m.	PSOB 800 NE Oregon St., Portland, OR 97232 Room 1A	Charles Williamson

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

462-200-0560 Racing Roulette Win Pool  
462-200-0570 Racing Roulette Jackpot Pick (n)

**AMEND:**

N/A

**REPEAL:**

N/A

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

N/A

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

N/A

**Statutory Authority:**

ORS 462-270 (3)

**Other Authority:**

N/A

**Statutes Implemented:**

ORS 462-270 (3)

**RULE SUMMARY**

462-200-0560

The Racing Roulette Win Pool is a type of wager which in each race three groups are designated with a win payoff for bettors selecting the group that contains the winning betting interest.

462-200-0570

The Racing Roulette Jackpot Pick (n) is a type of wager requiring selection of the first place finisher in each of a designated number of contests using the winning betting interest from Racing Roulette Win pool.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

05-19-2016 12:00 p.m.

Karen Parkman

karen.parkman@state.or.us

Last Day (m/d/yyyy) and Time  
for public comment

Rules Coordinator Name

Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
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4-15-16 10:58 AM  
ARCHIVES DIVISION  
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Oregon Racing Commission  
Agency and Division

462  
Administrative Rules Chapter Number

Rules to govern Racing Roulette Win Pools and Jackpot Pick (n) wagers.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

462-200-0560 Racing Roulette and  
462-200-0570 Racing Roulette Jackpot Pick (n)

**Statutory Authority:**

ORS 462-270 (3)

**Other Authority:**

N/A

**Statutes Implemented:**

ORS 462-270 (3)

**Need for the Rule(s):**

Provides regulatory framework for new wager requested by licensee.

**Documents Relied Upon, and where they are available:**

1. Historical Racing Technologies. Documentation can be found in the Administrative Office of the Oregon Racing Commission located at 800 NE Oregon St. Suite 310, Portland, OR 97232.

**Fiscal and Economic Impact:**

None

**Statement of Cost of Compliance:**

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

None

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

No additional costs.

c. Equipment, supplies, labor and increased administration required for compliance:

None

How were small businesses involved in the development of this rule?

No

Administrative Rule Advisory Committee consulted?: No

If not, why?:

Not Needed

05-19-2016 12:00 p.m. Karen Parkman karen.parkman@state.or.us  
Last Day (m/d/yyyy) and Time Printed Name Email Address  
for public comment

**462-200-0560**

**Racing Roulette Win Pool Rules**

(1) Racing Roulette is a form of pari-mutuel wagering and is a separate win pool from the standard win pool in every race in which it is offered. Racing Roulette is a bet to win on every participant in the selected group.

(2) In each race, the association shall designate each runner as a member of one of three groups, Betting Interest #1 also known as Red, Betting Interest #2 also known as Black, or Betting Interest #3 also known as Green.

(3) In each race in which Racing Roulette is offered, there shall be a win payoff for bettors selecting the group that contains the winning betting interest.

(4) The identity of the members of Red, Black, and Green shall be disseminated in the track program (when possible), by the track announcer, on television monitors and, where applicable, internet wagering websites.

(5) The minimum bet for Racing Roulette is the same as the minimum bet to win.

(6) The payout for a winning Racing Roulette wager shall be the same regardless of which member of the group is the race winner. The probable and actual payoff for a winning bet on Red, Black, or Green shall be displayed in a similar manner as the probable and actual payout for a standard win bet.

(7) In the event that all of the members of any group are scratched or declared non-starters, Racing Roulette betting shall cease and all wagers shall be refunded.

(8) In the event of a dead heat to win involving two or more members of the same group, the Racing Roulette win payout shall be calculated in the same manner as if there was one winner of the race and such winner was a member of such group. In the event of a dead heat to win involving one or more members of different groups, the Racing Roulette win payout shall be determined in the same manner as the calculation of the win payoff, i.e. by dividing the net pool.

(9) Should circumstances occur which are not addressed by these rules, questions arising thereby shall be resolved in accordance with general pari-mutuel practice. Decisions regarding Racing Roulette made by the Stewards shall be final.

Stat. Auth.: ORS 462.270(3)

Stats. Implemented: ORS 462.270(3)

Hist.: RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

**Racing Roulette Jackpot Pick (n)**

(1) The Racing Roulette Jackpot Pick (n) requires selection of the first-place finisher in each of a designated number of contests utilizing the winning betting interest from the Racing Roulette Win pool. The race meet licensee must obtain written approval from the commission concerning the scheduling of Racing Roulette Jackpot 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 Racing Roulette Jackpot Pick (n) format require prior approval from the commission.

(2) The Racing Roulette Jackpot Pick (n) pool shall be apportioned under one of the following methods:

(a) Method 1, Pick (n) with Carryover: The net Racing Roulette Jackpot 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 Racing Roulette Jackpot 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 Racing Roulette Jackpot Pick (n) contests; and the remainder shall be added to the carryover.

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

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

(d) Method 4, Racing Roulette Jackpot Pick (n) with Minor Pool and No Carryover: The major share of the net Racing Roulette Jackpot 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 Racing Roulette Jackpot Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Racing Roulette Jackpot 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 Racing Roulette Jackpot Pick (n) contests, the minor share of the net Racing Roulette Jackpot 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 Racing Roulette Jackpot 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 a single price pool. If there are no winning wagers, the pool is refunded.

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

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 Racing Roulette Jackpot Pick (n) contests. If there are no winning wagers, the pool is refunded.

(3) If there is a dead heat for first in any of the Racing Roulette Jackpot Pick (n) contests involving:

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

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

(4) Should a betting interest in any of the Racing Roulette Jackpot Pick (n) contests be scratched, that leg shall be considered as an ALL for the purposes of the payout.

(5) The Racing Roulette Jackpot Pick (n) pool shall be cancelled and all Racing Roulette Jackpot Pick (n) wagers for the individual performance shall be refunded if:

(a) At least two contests included as part of a Pick 3 are cancelled or declared "no contest."

(b) At least three contests included as part of a Racing Roulette Jackpot Pick 4, Racing Roulette Jackpot Pick 5 or Racing Roulette Jackpot Pick 6 are cancelled or declared "no contest."

(c) At least four contests included as part of a Racing Roulette Jackpot Pick 7, RACING ROULETTE Jackpot Pick 8 or Racing Roulette Jackpot Pick 9 are cancelled or declared "no contest."

(d) At least five contests included as part of a Racing Roulette Jackpot Pick 10 are cancelled or declared "no contest."

(6) If at least one contest included as part of a Racing Roulette Jackpot Pick (n) is cancelled 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 Racing Roulette Jackpot Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Racing Roulette Jackpot Pick (n) carryover but not the carryover from previous performances.

(7) The Racing Roulette Jackpot 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 Racing Roulette Jackpot Pick (n) carryover equals or exceeds the designated cap, the Racing Roulette Jackpot Pick (n) carryover will be frozen until it is won or distributed under other provisions of this rule. After the Racing Roulette Jackpot Pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Racing Roulette Jackpot Pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of Racing Roulette Jackpot Pick (n) contests for that performance.

(8) A written request for permission to distribute the Racing Roulette Jackpot 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.

(9) Should the Racing Roulette Jackpot 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 Racing Roulette Jackpot 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 Racing Roulette Jackpot Pick (n) contests. The Racing Roulette Jackpot Pick (n) carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the commission as provided in subsection 8 of this rule.

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

(c) On the closing performance of the meet or split meet.

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

(11) With the written approval of the commission, the race meet licensee may contribute to the Racing Roulette Jackpot Pick (n) carryover a sum of money up to the amount of any designated cap.

(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 totalizator and pari-mutuel department employees for processing of pool data.

(13) The race meet licensee may suspend previously approved Racing Roulette Jackpot Pick (n) wagering with the prior approval of the commission. Any carryover shall be held until the suspended Racing Roulette Jackpot Pick (n) wagering is reinstated. Any race meet licensee may request approval of a Racing Roulette Jackpot Pick (n) wager or separate wagering pool for specific performances. **Table 7.** [Table not included. See ED. NOTE]

[ED. NOTE: The table referenced in this rule is not printed in the OAR compilation. Copies are available from the agency.]

Stat. Auth.: ORS 462.270(3)

Stats. Implemented: ORS 462.270(3)

Hist.: RC 3-2000, f. 3-27-00, cert. ef. 5-1-00