

7873.0196 PICK (N) WAGERS.

Subpart 1. **Scope.** Pick (n) wagers requires selection of the first place finisher in each of a designated number of contests ranging from as few as three contests to as many as 16 contests. All contests subject to a specific Pick (n) wager must be held on a single racing day.

Subp. 2. **Price of tickets.** Pick (n) wager tickets must be sold singly in not less than ten cent denominations.

Subp. 3. **Ticket is evidence of binding contract.** A Pick (n) wager ticket shall be evidence of a binding contract between the holder of the ticket and the racing association and the ticket shall constitute an acceptance of the Pick (n) wager provisions and rules.

Subp. 4. **Pick (n) wagers may be given a specific name.** Any Pick (n) wager may be given a distinctive name to be selected by the association conducting these races, subject to the approval of the commission.

Subp. 5. **Specific requirements for commission approval.** In order to be considered for approval, the association must specifically outline each type of Pick (n) wager to be offered within its pari-mutuel pools request. The pari-mutuel pools request must contain each of the following for every Pick (n) wager that association desires to offer:

- A. the number of contests the Pick (n) wager will comprise;
- B. any specific name the association wishes to give the wager as allowed in subpart 3; and
- C. a designation of one of the methods of payment outlined within subpart 5, including a description of relevant percentages chosen by the association that are specific to the chosen method of calculation.

Subp. 6. **Pick (n) pool payout methods.** Pick (n) pools shall be paid under one of the following methods.

A. 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, 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.

B. Method 2, Pick (n) with 100 percent 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, 100 percent of that day's pool shall be added to the carryover.

C. Method 3, 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.

D. Method 4, 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.

E. Method 5, 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 the 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, the major and minor shares are combined for distribution as a single-price pool. If there are no winning wagers, the pool is refunded.

F. Method 6, 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 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 the 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.

G. Method 7, Pick (n) with carryover and "unique winning ticket" provision: The net Pick (n) pool and carryover, if any, shall be distributed to the holder of a unique winning ticket that selected the first place finisher in each of the Pick (n) contests, based upon the official order of finish. If there is no unique ticket selecting the first place finisher in each of the Pick (n) contests, or if there are no wagers selecting the first place finisher of all Pick (n) contests, the major 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 remainder shall be added to the carryover. Associations may suspend previously approved unique winning ticket wagering with the prior approval of the commission. Any carryover shall be held until the suspended unique winning ticket wagering is reinstated. Where there is no correct selection of the first place finisher in at least one of the Pick (n) contests, based upon the official order of finish, the day's net pool shall be refunded and the previous carryover pool amount, if any, shall be carried over to the next scheduled corresponding pool. In obtaining authorization for operating the Pick (n) pool under this

subpart, associations must clearly identify which definition under subpart 7a, item B, will be relied upon for determining the existence of a unique winning ticket.

Subp. 7. **Mandatory payouts.** On each respective final Pick (n) of the meet, all pools and carryovers shall be paid out in full as prescribed in subpart 6, item E. For purposes of mandatory payouts, jackpot pools and jackpot carryovers shall be considered part of the major pool.

Subp. 7a. **Unique winning tickets.** As it relates to any distribution under Method 7 which contains a unique winning ticket provision:

A. a written request for permission to distribute the Pick (n) unique winning ticket carryover on a specific race day must be submitted to the commission's director, deputy director, or director of pari-mutuels at least three days prior to the race day. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended race day for the distribution. Should the Pick (n) unique winning ticket net pool and any applicable carryover be designated for distribution on a specified race day in which there is no unique winning ticket, the entire 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

B. associations must clearly identify for the public which selection under subitems (1) and (2) will be relied upon for determining the existence of a unique winning ticket:

(1) there is one and only one winning ticket that correctly selected the first place finisher in each of the Pick (n) contests, based upon the official order of finish, to be verified by the unique serial number assigned by the tote company that issued the winning ticket; or

(2) the total amount wagered on one and only one winning combination selecting the first place finisher in each of the Pick (n) contests, based upon the official order of finish, is equal to the minimum allowable wager.

Subp. 8. **Cancellation of the final Pick (n) of the meet.** If, for any reason, the final day of racing is canceled or any Pick (n) pool or carryover has not been distributed at the close of the meet, the pool or carryover shall be escrowed by the association, and the pool, as well as all accrued interest, shall be carried over and included in the appropriate Pick (n) pool for the next succeeding racing date as an additional net amount to be distributed.

Subp. 9. **Cancellation of races comprising Pick (n).** The Pick (n) pool shall be canceled and all Pick (n) wagers for the individual performance shall be refunded if:

A. at least two contests included as part of Pick 3 are canceled and declared "no contest";

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

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

D. at least five contests included as part of a Pick 10, Pick 11, Pick 12, Pick 13, Pick 14, Pick 15, or Pick 16 are canceled or declared "no contest."

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 within this subpart, the net pool shall be distributed as a single-price pool to those whose selections finished first in the greatest number of Pick (n) contests for that performance. The distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances.

Subp. 10. **Actual favorite substituted for scratched horse.** In the event a Pick (n) ticket designates a selection in any one or more of the races comprising the Pick (n) and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.

The association may refund Pick (n) tickets that include the scratched selection prior to the beginning of wagering for the first race comprising the Pick 3 races.

Subp. 11. **Dead heats.** In the event of a dead heat for win between two or more horses in any Pick (n) race, all the horses in the dead heat for win shall be considered winning horses in the race for the purpose of calculating the pool.

Subp. 12. **Change of surface after Pick (n) sequence begins.** If the condition of the course warrants a change of racing surface in any of the legs of the Pick (n) races, and the change was not known to the public before the close of wagering for the Pick (n) pool, the stewards shall declare the changed legs an "All-Win" for Pick (n) wagering purposes only.

Subp. 13. **Association may contribute or guarantee pools.** With the approval of the commission, the association may guarantee a pool in any Pick (n) race. If the total pool doesn't meet the guaranteed sum, the association must add the difference to the guaranteed pool.

Subp. 14. **No Pick (n) ticket to be exchanged or canceled.** No pari-mutuel ticket for a Pick (n) pool shall be sold, exchanged, or canceled after the time of the closing of wagering in the first of the races comprising that Pick (n), except for refunds on Pick (n) tickets as required by subpart 6.

Subp. 15. **Announcement of payoff prices.** After the second to last race comprising the Pick (n) has been declared official, an association may post possible payoff prices to the public before the start of the final race of the Pick (n).

Subp. 16. **Suspension of Pick (n) pool or separate Pick (n) pool.** 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.

Statutory Authority: *MS s 240.03; 240.13; 240.23*

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