

(11) The criteria by which the institution may provide employees the opportunity to attend class instruction in academic session during regular working hours;

(12) The institution's policy regarding release time during work hours for training course attendance;

(13) Provision for access to in-house training and development programs for former permanent employees returning from separation as set forth in WAC 251-10-070.

[Statutory Authority: RCW 41.06.150. 99-19-115, § 251-24-030, filed 9/21/99, effective 11/1/99; 99-05-042, § 251-24-030, filed 2/12/99, effective 4/1/99; 98-19-035, § 251-24-030, filed 9/10/98, effective 10/12/98. Statutory Authority: RCW 28B.16.100. 91-10-001, § 251-24-030, filed 4/18/91, effective 6/1/91; 89-13-075 (Order 180), § 251-24-030, filed 6/21/89, effective 8/1/89; 89-08-003 (Order 176), § 251-24-030, filed 3/23/89, effective 5/1/89; Order 61, § 251-24-030, filed 8/30/77, effective 10/1/77; Order 29, § 251-24-030, filed 1/22/74.]

Title 260 WAC

HORSE RACING COMMISSION

Chapters

260-24	Association officials and employees.
260-44	Weights and equipment.
260-48	Mutuels.
260-52	The race—Paddock to finish.

Chapter 260-24 WAC

ASSOCIATION OFFICIALS AND EMPLOYEES

WAC

260-24-560 Horse identifier.

WAC 260-24-560 Horse identifier. The horse identifier shall:

(1) When required, ensure the safekeeping of registration certificates and racing permits for horses stabled and/or racing on association grounds;

(2) Inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting;

(3) Examine every starter in the paddock, or other designated location approved by the commission, for sex, color, markings and lip tattoo or other identification method approved by the appropriate breed registry and the commission for comparison with its registration certificate to verify the horse's identity; and

(4) Supervise the tattooing, branding or other method of identification approved by the appropriate breed registry and the commission for identification of any horse located on association grounds.

(5) The horse identifier shall report to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

[Statutory Authority: RCW 67.16.040. 99-05-048, § 260-24-560, filed 2/12/99, effective 3/15/99; 98-01-145, § 260-24-560, filed 12/19/97, effective 1/19/98.]

Chapter 260-44 WAC

WEIGHTS AND EQUIPMENT

WAC

260-44-110

260-44-120

Weighing in—Procedure.

Weighing in—Weigh in/weigh out—Tolerances—Penalties.

WAC 260-44-110 Weighing in—Procedure. (1) After a race has been run and after the jockey has pulled up the horse he or she has ridden, the jockey shall ride promptly to the winner's circle and there dismount, after obtaining permission from the judges and present himself to the clerk of the scales to be weighed in accordance with a method approved by the commission. If a jockey is prevented from riding his mount to the judge's stand because of an accident or of illness either to himself or his horse, he may walk or be carried to the scales, or he may be excused by the stewards from weighing.

(2) Except by permission of the stewards, every jockey must, upon returning to the placing judge's stand, unsaddle the horse he has ridden, and no person shall touch the jockey or the horse except by his bridle, nor cover the horse in any manner until the jockey has removed the equipment to be weighed.

(3) No person shall assist a jockey in removing from his horse the equipment that is to be included in the jockey weight, except by permission of the stewards.

(4) Each jockey shall, in weighing in, carry over to the scales all pieces of equipment with which he weighed out. Thereafter he may hand it to his attendant.

[Statutory Authority: RCW 67.16.040. 99-05-049, § 260-44-110, filed 2/12/99, effective 3/15/99; Rules of racing, §§ 309 through 312, filed 4/21/61.]

WAC 260-44-120 Weighing in—Weigh in/weigh out—Tolerances—Penalties. (1) Each jockey shall weigh in at the same weight as that at which he weighed out, and if short of it by more than two pounds his mount shall be disqualified. Should a weight discrepancy arise after a race has been declared official, a change in the order of finish will not affect the parimutuel payoffs.

(2) If any jockey weighs in at more than two pounds over his proper or declared weight, he shall be fined or suspended or ruled off at the discretion of the stewards, who shall have regard for any excess weight caused by rain or mud, and the case shall be reported to the commission for such action as it may deem proper to take.

[Statutory Authority: RCW 67.16.040. 99-05-049, § 260-44-120, filed 2/12/99, effective 3/15/99; Rules of racing, §§ 313, 314, filed 4/21/61.]

Chapter 260-48 WAC

MUTUELS

WAC

260-48-600

260-48-620

260-48-700

260-48-710

260-48-720

260-48-910

Refunds.

Pools dependent upon betting interests.

Inter-jurisdictional common pool wagering.

Participation in common pools as guest.

Participation in common pools as host.

Superfecta pools.

WAC 260-48-600 Refunds. (1) Notwithstanding other provisions of these rules, refunds of the entire pool shall be made on:

(a) Win pools, exacta pools, and first-half double pools, offered in races in which the number of betting interests has been reduced to fewer than two.

(b) Place pools and quinella pools, offered in races in which the number of betting interests has been reduced to fewer than three.

(c) Show pools, in races in which the number of betting interests has been reduced to fewer than four.

(d) Superfecta pools, trifecta pools and first half twin trifecta pools, offered in races in which the number of betting interests has been reduced to fewer than six.

(2) Authorized refunds shall be paid upon presentation and surrender of the affected parimutuel ticket.

[Statutory Authority: RCW 67.16.040, 99-06-026, § 260-48-600, filed 2/23/99, effective 3/26/99; 96-10-014, § 260-48-600, filed 4/19/96, effective 6/11/96.]

WAC 260-48-620 Pools dependent upon betting interests. Unless the commission otherwise provides, at the time the pools are opened for wagering, the association:

(1) Shall offer win, place, and show wagering on all races with five or more betting interests.

(2) May be allowed to prohibit show wagering on any race with four or fewer betting interests.

(3) May be allowed to prohibit place wagering on any race with three or fewer betting interests.

(4) May be allowed to prohibit quinella wagering on any race with three or fewer betting interests.

(5) May be allowed to prohibit exacta wagering on any race with three or fewer betting interests.

(6) Shall prohibit trifecta wagering on any race with seven or fewer betting interests scheduled to start one hour prior to the first scheduled post time of the day.

(7) Shall prohibit twin trifecta wagering on any race with seven or fewer betting interests scheduled to start one hour prior to the first scheduled post time of the day.

(8) Shall prohibit superfecta wagering on any race with seven or fewer betting interests scheduled to start one hour prior to the first scheduled post time of the day.

[Statutory Authority: RCW 67.16.040, 99-06-026, § 260-48-620, filed 2/23/99, effective 3/26/99; 96-10-014, § 260-48-620, filed 4/19/96, effective 6/11/96.]

WAC 260-48-700 Inter-jurisdictional common pool wagering. (1) DEFINITIONS

(a) The host association is the association conducting a licensed parimutuel meeting from which authorized contests or entire performances are simulcast.

(b) The guest association is the association that offers licensed parimutuel wagering on contests conducted by the host association.

(2)(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 7 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.

(3) A Class 1 association shall not be allowed to 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 monies 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 breeders awards fund. This statement shall be filed with the commission no later than ten days after the end of each month.

(4) 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.

(5) In determining whether to approve an inter-jurisdiction common pool which does not include the host track or which includes contests from more than one association, the commission shall 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.

(6) No Class 1 racing association shall 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.

(7) The mutuel manager or the mutuel manager's designee shall be present on association grounds at all times that the association is accepting wagers on simulcast races. He/she shall be responsible for communicating all errors or omissions regarding simulcast wagering to the board of stewards or the commissions on duty mutuel inspector.

(8) There shall 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 shall not require routing through the switchboard.

(9) Every Class 1 racing association shall file with the commission an annual report of its simulcast operations including financial data as specified by the commission.

(10) Not less than 30 minutes prior to the commencement of transmission of the performance of parimutuel contests for each day or night, the guest association shall initiate a test program of its transmitter, encryption and decoding, and data communication to assure proper operation of the system.

(11) The audio or the video signals must be present at the start of a wagering event in order for wagering to begin and shall continue to be displayed to the public during the entire wagering card.

(12) In the event of the loss of both the audio and video signals the Class 1 association mutuel manager shall ensure that wagering and racing information is provided through the public address system or totalisator information screens.

(13) If a guest association is unable to establish or to maintain the audio or video signal from the host association, the guest association may continue to accept wagers while attempting to establish the signal provided:

(a) An announcement is made to the public informing them of the technical difficulties;

(b) The totalisator system licensee transmits the odds on the affected race to the video department to be displayed to the patrons; and

(c) The totalisator system licensee locks all wagering on the affected race at zero minutes to post to ensure the integrity and transfer of the wagering pools.

(14) Wagering may not take place without the presence of both the audio and the video signals on a performance day following a performance day in which either the audio or the video was missing.

(15) If the host association loses the ability to transmit the audio or video signal, the host association:

(a) Shall notify all receiving locations of the technical difficulties being experienced;

(b) May continue to accept wagers from the receiving location on that days races; and

(c) May not accept wagers from the receiving locations for subsequent race days until the technical difficulties have been corrected.

(16) The content and format of the visual display of racing and wagering information at facilities in other jurisdictions where wagering is permitted in the inter-jurisdiction common pool need not be identical to the similar information permitted or required to be displayed under these rules.

(17) Washington intratrack breakage and minus pools shall be prorated based on amounts wagered.

(18) 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

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

(20) 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.

(21) 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 67.16.040, 99-06-026, § 260-48-700, filed 2/23/99, effective 3/26/99.]

WAC 260-48-710 Participation in common pools as guest. (1) With the prior approval of the commission, parimutuel-wagering pools may be combined with corre-

sponding wagering pools in the host jurisdiction, or with corresponding pools established by one or more other jurisdictions.

(2) Rules established in the jurisdiction of the host association designated for a parimutuel pool shall apply.

(3) The guest association and all authorized receivers shall conduct parimutuel wagering pursuant to the applicable jurisdiction rules.

(4) Class 1 associations which import races and propose to offer types of wagers other than those currently defined in chapter 260-48 WAC, shall submit to the commission a copy of the host jurisdiction's rule governing the wager.

(5) If, after the close of wagering, it becomes impossible to successfully merge the bets placed into the interjurisdiction common pool, the association shall make payouts in accordance with payout prices that would have been in effect if prices for the pool of bets were calculated without regard to wagers placed elsewhere: In the event the host association has offered a wager not covered by chapter 260-48 WAC, the ARCI model rules regarding such wager shall govern. Information regarding this emergency procedure shall be posted throughout the Class 1 association facility and published in its racing program.

(6) An authorized Class 1 racing association when acting as a guest association shall provide:

(a) A voice communication system between each guest association and the host association, providing timely voice contact among the commission designees and parimutuel departments.

(b) Parimutuel terminals and odds displays, modems and equipment enabling parimutuel data transmissions, and data communications between the host and guest associations.

(c) Adequate transmitting and receiving equipment of acceptable broadcast quality, which shall not interfere with the closed circuit TV system of the host association for providing any host facility patron information.

[Statutory Authority: RCW 67.16.040, 99-06-026, § 260-48-710, filed 2/23/99, effective 3/26/99.]

WAC 260-48-720 Participation in common pools as host. (1) A host association is responsible for content of the simulcast and shall use all reasonable effort to present a simulcast that offers the viewers an exemplary depiction of each performance.

(2) Unless otherwise permitted by the commission, every simulcast will contain in its video content the date, a digital display of actual time of day, the host facility's name from where it emanates and the number of the contest being displayed.

(3) The host association shall maintain such security controls including encryption over its uplink and communications systems as directed or approved by the commission.

(4) Any contract of interjurisdiction common pools entered into by the association shall contain a provision to the effect that if, for any reason, it becomes impossible to successfully merge the bets placed in another jurisdiction into the interjurisdiction common pool formed by the Class 1 association, or if, for any reason, the commission's or the association's representative determines that attempting to effect transfer of pool data from the guest jurisdiction may

endanger the association's wagering pool, the association shall have no liability for any measures taken which may result in the guest's wagers not being accepted into the pool.

(5) If for any reason it becomes impossible to successfully merge pool data into the interjurisdiction common pool of the Class 1 association, or it is determined that attempting to effect transfer of pool data from the guest jurisdiction may endanger the Class 1 associations wagering pool, or cause an unreasonable delay of the racing program, the Class 1 association representative shall determine under the circumstances whether to manually merge guests pools, exclude guests pools or delay the Washington pools.

(6) Scratched horses must be communicated via facsimile machine, telephone or other approved method by the host mutuel manager to all guest mutuel managers except when the operating totalisator protocol performs these functions automatically or when the information is disseminated to the wagering network via satellite or video display. The host mutuel manager must communicate program changes to all guest sites via facsimile machine, telephone or other approved method.

[Statutory Authority: RCW 67.16.040, 99-06-026, § 260-48-720, filed 2/23/99, effective 3/26/99.]

WAC 260-48-910 Superfecta pools. (1) The superfecta requires selection of the first four finishers, in their exact order, for a single race.

(2) The net superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then

(c) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(d) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(e) The entire pool shall be refunded on superfecta wagers for that race.

(3) If less than four betting interests finish and the race is declared official, payoffs will be made based upon the order of finish of those betting interests completing the race. The balance of any selection beyond the number of betting interests completing the race shall be ignored.

(4) If there is a dead heat for first involving:

(a) Horses representing four or more betting interests, all of the wagering combinations selecting four betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

(b) Horses representing three betting interests, all of the wagering combinations selecting the three dead-heated betting interests, irrespective of order, along with the fourth-place betting interest shall share in a profit split.

(c) Horses representing two betting interests, both of the wagering combinations selecting the two dead-heated betting

interests, irrespective of order, along with the third-place and fourth-place betting interests shall share in a profit split.

(5) If there is a dead heat for second involving:

(a) Horses representing three or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three betting interests involved in the dead heat for second shall share in a profit split.

(b) Horses representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated betting interests, irrespective of order, and the fourth-place betting interest shall share in a profit split.

(6) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any two of the betting interests involved in the dead heat for third shall share in a profit split.

(7) If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fourth shall share in a profit split.

(8) There shall be only one instance of two horses having common ties through a trainer in any superfecta race, stakes races are excepted with permission of the stewards.

[Statutory Authority: RCW 67.16.040, 99-06-026, § 260-48-910, filed 2/23/99, effective 3/26/99.]

Chapter 260-52 WAC

THE RACE—PADDOCK TO FINISH

WAC

260-52-070 Declaring race "official."

WAC 260-52-070 Declaring race "official." (1) The clerk of the scales shall weigh in all jockeys after each race, and after weighing, shall notify the stewards if the weights are correct. The stewards may then declare the race official. However, the commission may authorize a racing association to employ a "fast official" method of declaring a race official when a written request is received from the racing association at least 45 days prior to the opening of the race meeting. When using the "fast official" jockeys shall claim foul immediately following the running of the race, while still mounted on the race track. The association will be responsible for having an outrider or other individual situated on the race track and equipped with a communication device for relaying any objections to the stewards. Owners and trainers must claim foul directly to the stewards via telephones assigned by the association for that purpose and situated throughout the facility. No claim of foul will be considered by the stewards after a race has been declared official:

(2) Nothing in these rules shall be construed to prevent the placing judges, with the approval of the stewards, from correcting an error before the display of the sign "official" or from recalling the sign, "official" in case it has been displayed through error.

[Statutory Authority: RCW 67.16.040, 99-05-047, § 260-52-070, filed 2/12/99, effective 3/15/99; Rules 205 and 206, filed 4/21/61.]