

Chapter 260-75 WAC
SATELLITE LOCATIONS

Last Update: 3/13/08

WAC
260-75-020 Satellite locations applications.
260-75-030 Satellite location.
260-75-040 Enforcement and penalties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

260-75-010 Satellite locations daily fee. [Statutory Authority: RCW 67.16.040. WSR 91-15-036, § 260-75-010, filed 7/16/91, effective 8/16/91.] Repealed by WSR 01-22-074, filed 11/2/01, effective 12/3/01. Statutory Authority: RCW 67.16.040.

WAC 260-75-020 Satellite locations applications. Each application for a satellite location from a class 1 racing association must be submitted on the satellite application form. The application form must be completed in every respect, containing all the information and attachments requested. The application includes an association satellite application, satellite location application and a satellite location application—personal history statement.

(1) The association satellite application is to be completed by the sponsoring association.

(2) The satellite location application is to be completed by the proposed satellite location. The application will be signed under oath by an individual attesting that the information set forth in the application and any accompanying materials is true, accurate and complete. The following person(s) must sign the application:

(a) The highest ranking officer/official of a charitable, non-profit or profit seeking corporation;

(b) The principal owner of a sole proprietorship;

(c) All partners of a partnership or general partner of a limited partnership; and

(d) The executive secretary may also require the following persons to sign the application:

(i) The chairman of the board of directors or trustees;

(ii) The person in charge of financial records; and/or

(iii) Persons with a substantial interest in the applicant business or charitable/nonprofit organization.

(3) The satellite location application—personal history statement is to be completed by each individual owner and spouse or each officer of a charitable, nonprofit or profit seeking corporation and any stockholder having ten percent or more corporate stock.

(4) The commission will consider only those applications that have been fully completed. The following reasons will cause an application to be incomplete:

(a) Failure to provide all information requested on the application form and/or attachments;

(b) Failure to provide supplemental information requested during the application investigation.

(5) The commission may disclose to the public or discuss at a public meeting all information set forth in the application and all supplemental information submitted subject to the exemptions in chapter 42.56 RCW and other applicable laws including, but not limited to, chapter 10.97 RCW: Provided, That consistent with chapter 10.97 RCW, the commission may disclose conviction data of an applicant or licensee.

(6) In addition to other information required by the executive secretary, each applicant will provide the following information on or attached to the application:

(a) Copy of corporate applicants' articles of incorporation and bylaws; or, if not a corporation, a copy of any bylaws and other documents which set out the organizational structure and purposes of the organization;

(b) A copy of a nonprofit or charitable applicant's Internal Revenue Service tax exemption letter if one has been obtained;

(c) Details and copies of all lease or rental arrangements, whether oral or written, between the applicant and the owner of premises upon which the satellite activity will be conducted, if such premises are leased or rented.

(7) Before each race meet, the association will submit a list of all satellite locations in their renewal application.

(8) An association will immediately inform the executive secretary if ownership or management information provided in the original or renewal application changes.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-07-039, § 260-75-020, filed 3/13/08, effective 4/13/08. Statutory Authority: RCW 67.16.020. WSR 04-19-045, § 260-75-020, filed 9/13/04, effective 10/14/04. Statutory Authority: RCW 67.16.040. WSR 00-07-040, § 260-75-020, filed 3/6/00, effective 4/6/00.]

WAC 260-75-030 Satellite location. (1) Each satellite location shall have a location manager designated by the host racing association.

(2) All location managers and mutuel clerks shall be licensed by the commission. The host association shall not activate any terminal for any person that is not currently licensed or approved by the commission.

(3) The location managers shall be responsible to ensure the satellite location is in compliance with WAC 260-12-250.

(4) All satellite locations shall be open to inspection without advance notice by the commission or its designee.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-09-010, § 260-75-030, filed 4/10/06, effective 5/11/06; WSR 05-05-042, § 260-75-030, filed 2/14/05, effective 3/17/05. Statutory Authority: RCW 67.16.020. WSR 04-19-045, § 260-75-030, filed 9/13/04, effective 10/14/04. Statutory Authority: RCW 67.16.040. WSR 00-07-040, § 260-75-030, filed 3/6/00, effective 4/6/00.]

WAC 260-75-040 Enforcement and penalties. (1) Any violations of this chapter will be referred to the executive secretary. The executive secretary has sole authority to ensure compliance with these rules, conduct hearings on violations, and determine penalties for violations.

(2) The approval to operate a satellite location and/or the license of location managers and mutuel clerks may be suspended or revoked and/or fines may be imposed, if the executive secretary finds violations of any of the requirements of chapter 67.16 RCW or Title 260 WAC or failure to comply with any conditions on the operation of the satellite location imposed by the commission.

(3) If the executive secretary denies, suspends or revokes approval of a satellite location or of a license, or imposes a fine, the applicant or licensee may request a hearing before the commission. If the executive secretary makes a determination that an agreement between the association and the satellite location should not be approved, or previous approval withdrawn, the class 1 racing association may request a hearing before the commission.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-07-039, § 260-75-040, filed 3/13/08, effective 4/13/08; WSR 05-05-042, § 260-75-040, filed 2/14/05, effective 3/17/05.]