

(2) Classified employees working twelve-month schedules or cyclic year position employees who work full monthly schedules throughout their work year shall receive the number of holidays for which they qualify during their scheduled work year as set forth in this section. Qualification is determined by being in pay status on the work day preceding the holiday(s).

(3) Cyclic year position employees scheduled to work less than full monthly schedules throughout their work year qualify for holiday compensation if they work or are in pay status on their last regularly scheduled working day preceding the holiday(s) in that month.

(4) Part-time classified employees shall be entitled to the number of paid hours on a holiday that their monthly schedule bears to a full time schedule.

(5) Full-time alternate work schedule employees shall receive eight hours of regular holiday pay per holiday. Any differences between the scheduled shift for the day and eight hours may be adjusted by use of vacation leave, use or accumulation of compensatory time as appropriate, or leave without pay.

(6) When a holiday falls on an employee's regularly scheduled day off, he/she shall receive a day of compensatory time off.

(7) Holiday time worked shall be compensated as provided in WAC 251-09-035.

(8) Whenever a holiday falls on Sunday, the following Monday shall be considered a nonworking or legal holiday. When a holiday falls on Saturday, the preceding Friday shall be considered a nonworking or legal holiday.

(9) Employees terminating immediately prior to a holiday do not qualify for holidays occurring after termination.

(10) Employees shall be entitled to one paid personal holiday per calendar year in addition to those specified in this section as provided in WAC 251-22-045.

[Statutory Authority: RCW 41.06.150, 95-19-099, § 251-22-040, filed 9/20/95, effective 11/1/95. Statutory Authority: RCW 28B.16.100, 87-02-036 (Order 154), § 251-22-040, filed 1/2/87, effective 2/1/87; 86-08-037 (Order 146), § 251-22-040, filed 3/26/86, effective 5/1/86; 85-16-038 (Order 134), § 251-22-040, filed 7/31/85, effective 9/1/85; 83-20-020 (Order 108), § 251-22-040, filed 9/23/83, effective 10/24/83; 83-10-029 (Order 105), § 251-22-040, filed 4/29/83, effective 6/1/83; Order 61, § 251-22-040, filed 8/30/77, effective 10/1/77; Order 60, § 251-22-040, filed 7/18/77; Order 55, § 251-22-040, filed 6/1/76; Order 42, § 251-22-040, filed 5/23/75; Order 41, § 251-22-040, filed 3/17/75; Order 29, § 251-22-040, filed 1/22/74; Order 8, § 251-22-040, filed 6/17/71, effective 7/19/71; Order 3, § 251-22-040, filed 1/15/71.]

Title 253 WAC

HIGHER EDUCATION FACILITIES AUTHORITY

Chapters

- 253-02 Organization, operations and procedures.
253-16 Procedures and fees for preparation and processing of applications for authority assistance.

Chapter 253-02 WAC

ORGANIZATION, OPERATIONS AND PROCEDURES

WAC

253-02-050 Operations and procedures.

WAC 253-02-050 Operations and procedures. (1) Uniform procedure rules: Practice and procedure in and before the authority are governed by the uniform procedural rules codified in the Washington Administrative Code, WAC 1-08-005 through 1-08-590, as now or hereafter amended, which rules the authority adopts as its own, subject to any additional rules the authority may add from time to time. The authority reserves the right to make whatever determination is fair and equitable should any question not covered by its rules come before the authority, said determination to be in accordance with the spirit and intent of the law.

(2) Authority meetings: The meetings of the authority shall all be "regular" or "special meetings" as those designations are applied in chapter 42.30 RCW. They may be called at any time and place by the chairman or a majority of the members of the authority. Notice of all special meetings shall be given by delivering personally or by mail to each member a written notice specifying the time and place of the meeting and a copy of the agenda prepared by the executive director in consultation with the chairman, and by giving such notice to the public as may be required by law. If an emergency is deemed to exist, the chairman may shorten the notice period to not less than twenty-four hours. An executive session may be called by the chairman or by a majority of all members of the authority to consider the appointment, employment or dismissal of an officer or employee, and such other matters as are permitted by RCW 42.30.110.

(3) Quorum: Four members shall constitute a quorum, and the act of a majority of the members present at any meeting, if there is a quorum, shall be deemed the act of the authority except as specified hereafter in subsection (7) of this section.

(4) Chairperson's or secretary's voting rights: The chairperson or the chairperson's designee and the secretary shall have the right to vote on all matters before the authority, just as any other authority member.

(5) Minutes of meetings: Minutes shall be kept of the proceedings of the authority.

(6) Rules of order: The authority shall generally follow *Robert's Rules of Order*, newly revised, in conducting its business meetings.

(7) Form of authority action: The authority may act on the basis of a motion except when authorizing issuance of bonds pursuant to WAC 253-16-070 and when otherwise taking official and formal action with respect to the creation of special funds and the issuance and sale of bonds for a project of a participant, in which case the authority shall act by resolution. Such resolutions shall be adopted upon the affirmative vote of a majority of the members of the authority and shall be signed by a majority of the members of the authority. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting. All bonds and coupons shall bear either the manual

or the facsimile signatures of the governor and executive director.

(8) Public participation. The presiding officer may grant permission to any person or organization to make a presentation at any of the authority's public meetings. The presiding officer may limit any remarks addressed to the authority.

[Statutory Authority: RCW 28B.07.040. 95-19-025, § 253-02-050, filed 9/11/95, effective 10/12/95; 84-24-012 (Order 3), § 253-02-050, filed 11/27/84.]

Chapter 253-16 WAC

PROCEDURES AND FEES FOR PREPARATION AND PROCESSING OF APPLICATIONS FOR AUTHORITY ASSISTANCE

WAC

253-16-010	Purpose.
253-16-030	Applications for financial assistance.
253-16-090	Selection of investment banking firms as underwriters.
253-16-100	Selection of bond counsel.

WAC 253-16-010 Purpose. The purpose of this chapter shall be to establish fees for the authority's operations and to set forth procedures relating to the financing process and the designation of underwriters and bond counsel.

[Statutory Authority: RCW 28B.07.040. 95-19-025, § 253-16-010, filed 9/11/95, effective 10/12/95; 84-24-012 (Order 3), § 253-16-010, filed 11/27/84.]

WAC 253-16-030 Applications for financial assistance. Authority staff will notify applicants of what information they should provide. Applicants who have questions about the application process should contact authority staff.

[Statutory Authority: RCW 28B.07.040. 95-19-025, § 253-16-030, filed 9/11/95, effective 10/12/95; 84-24-012 (Order 3), § 253-16-030, filed 11/27/84.]

WAC 253-16-090 Selection of investment banking firms as underwriters. (1) The authority shall create and maintain a roster of underwriters who the authority believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing the authority's bonds at the lowest possible costs in Washington state as well as nationally.

(2) Any underwriter may apply to have its name placed on the roster. Each underwriter placed on the roster must be able to demonstrate current competence and experience in the structuring and sale of higher educational facility bond financing. In addition, the underwriter must meet the following minimum standards:

(a) The firm must have a minimum equity capital of five million dollars; and

(b) The firm must currently possess the competence and ability to underwrite a higher education facility bond issue by demonstrating, among other things, that the firm or its key underwriting personnel have either managed or coman-

aged two higher educational facility bond issues within the last three calendar years; or

(c) The firm has served as a credit facility for a higher education facility within the past three years; or

(d) The firm meets other criteria as the authority may adopt from time to time which establish a firm's ability to prepare for issuance, underwrite and market bonds to be issued by the authority.

(3)(a) Whenever the authority decides that it needs the services of an underwriter, it shall provide all underwriters on the roster with a notice of its intentions and shall invite each of them to submit to the authority an itemization of its fees and other charges for providing underwriting services on the issue. The authority shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the authority shall consider the underwriter's fees and other charges and the public interest in achieving issuance of bonds on terms most favorable to the authority.

(b) The applicant may, at its option, exercise the notice and selection procedures regarding underwriters set forth in (a) of this subsection. In such circumstances the applicant shall supply the authority with written verification that it has complied with the provisions of (a) of this subsection and the applicant shall obtain the authority's prior approval of the actual selection of the underwriter.

(4)(a) To provide balanced management knowledge and sale distribution and to assure the most realistic bond terms and interest, the authority reserves the right to name investment banking firms as comanagers of any authority bond issue(s) in the same manner that a senior manager is selected.

(5) For private placements the applicants may select a firm as placement agent for its proposed financing, subject to review and approval by the authority. In every instance, the placement agent selected must be able to demonstrate a familiarity with, and competence and experience in, the structuring and sale of higher education facility bonds. The applicant shall notify the authority in writing of its proposed placement agent selection fifteen days prior to the date it intends to enter into a formal contractual agreement. The authority will notify the applicant of its acceptance or rejection of the applicant's placement agent selection no later than ten days after receipt of the applicant's notification. If rejected, the authority will set forth the reasons for rejection, and the applicant will then propose another placement agent subject to authority approval in the same manner. The authority shall, in its discretion, make the final determination whether an issue is a private placement.

[Statutory Authority: RCW 28B.07.040. 95-19-025, § 253-16-090, filed 9/11/95, effective 10/12/95. Statutory Authority: Chapter 28B.07 RCW. 95-01-007, § 253-16-090, filed 12/8/94, effective 1/8/95. Statutory Authority: RCW 28B.07.040. 87-01-035 (Order 1), § 253-16-090, filed 12/12/86; 84-24-012 (Order 3), § 253-16-090, filed 11/27/84.]

WAC 253-16-100 Selection of bond counsel. The authority will establish a roster of bond counsels whom the authority believes possess the requisite special expertise and professional standing to provide bond counsel opinions which would be accepted by the underwriters, bond holders, rating agencies and other members of the financial community, and which would be in furtherance of the public interest

in obtaining the lowest possible interest rates on bonds issued by the authority.

Law firms or attorneys may submit to the authority at any time the request to be included on the roster of approved bond counsel.

At least once every two calendar years, the authority shall select anew an attorney or attorneys to serve as bond counsel. However, the authority may retain an attorney for longer than two years when necessary to complete work on a particular bond issue. An attorney previously selected may be selected again, but the authority will provide other attorneys or bond counsel on the roster with an opportunity to be selected prior to this action being taken. The authority also reserves the right to appoint bond counsel with respect to only a particular bond issue or issues.

[Statutory Authority: RCW 28B.07.040. 95-19-025, § 253-16-100, filed 9/11/95, effective 10/12/95; 87-01-035 (Order 1), § 253-16-100, filed 12/12/86; 84-24-012 (Order 3), § 253-16-100, filed 11/27/84.]

Title 260 WAC HORSE RACING COMMISSION

Chapters

- 260-12** General rules.
260-40 Entries, starts, declarations and scratches.
260-48 Mutuels.

Chapter 260-12 WAC GENERAL RULES

WAC

260-12-250 Problem gambling information sign must be posted.

WAC 260-12-250 Problem gambling information sign must be posted. The legislature recognizes that some individuals in Washington State are problem or compulsive gamblers. Because the state promotes and regulates gambling through the activities of the lottery commission, gambling commission and horse racing commission, the state has the responsibility to continue to provide resources for the support of services for problem and compulsive gamblers. RCW 9.46.071 requires that the lottery commission, gambling commission and horse racing commission shall jointly develop informational signs concerning problem and compulsive gambling, and that signs shall be placed in establishments of horse racing licensees, gambling licensees and lottery retailers.

All Class A, B and C licensees shall post problem and compulsive gambling informational signs in locations of their establishments, including satellite locations, which are clearly visible in patron traffic areas. The informational signs will be provided to the licensee by the horse racing commission and will contain a toll-free hot line number for problem and compulsive gamblers.

If a licensee fails to post the problem and compulsive gambling informational signs in its establishment or satellite locations, it shall be fined \$50.00 for the first violation, \$100.00 for the second violation and \$200.00 for each violation noted thereafter.

[Statutory Authority: RCW 67.16.040. 95-07-142, § 260-12-250, filed 3/22/95, effective 4/22/95.]

Chapter 260-40 WAC ENTRIES, STARTS, DECLARATIONS AND SCRATCHES

WAC

260-40-100 Performance records.

WAC 260-40-100 Performance records. It is the intent of the commission that the public be provided with all relevant information regarding a horse's recent racing and workout record; Therefore: (1) A horse which during the past calendar year, has started in a race which is not reported in the daily racing form and/or equibase shall not be entered at a Washington track unless and until the owner or trainer shall have furnished to the racing secretary, at entry time, performance records as hereinafter designated. Such performance records shall show where and when said horse raced; the distance; the weight carried; amount earned; said horse's finishing position and time.

(2) In a maiden race, a horse which at any time, has started in a race which is not reported in the daily racing form and/or equibase shall not be entered at a Washington track unless and until the owner or trainer shall have furnished to the racing secretary at entry time, complete performance records as hereinafter designated. Such performance records shall show where and when said horse raced; the distance; the weight carried; amount earned; said horse's finishing position and time.

(3) Performance records for races which are not reported in the daily racing form and/or equibase shall be published in the official program of the racing association or posted and announced no later than the time that wagering opens for that day's racing. No horse may be permitted to enter in a race whose recent workouts have not been properly recorded with the commission.

(4) For thoroughbreds, all races at Class C racing association meets in the state of Washington shall not be counted in considering eligibility of horses running at Class A and Class B racing association meets. However, the maiden allowance shall be lost by the winning of any race at a track whose complete official results are carried by the daily racing form and/or equibase. For all other breeds, all wins, including maiden wins, shall be counted in considering eligibility at all racing association meets in the state of Washington if the win is recognized by the arabian jockey club, the American quarter horse association, the appaloosa horse club, or other breed performance registry as authorized by the commission.

(5) All wins shall be considered in eligibility requirements of horses running at Class C racing association meets.

[Statutory Authority: RCW 67.16.040. 95-18-016, § 260-40-100, filed 8/24/95, effective 9/24/95. Statutory Authority: RCW 67.16.020 and