



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Washington Horse Racing Commission

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Raises license fees 4% to cover the rising cost of the licensing program as required by RCW 67.16.020 (1). The WHRC is authorized by HB 1244 Section 147 to raise license fees during the 2009-2011 biennium.

Citation of existing rules affected by this order:

Repealed:
Amended: WAC 260-36-085
Suspended:

Statutory authority for adoption: RCW 67.16.020

Other authority : HB 1244, Sec. 147

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 10-18-091 on September 1, 2010.
Describe any changes other than editing from proposed to adopted version:

The proposed amendments in the CR102 represented a 5% increase in license fees. The amendments adopted represent a 4% increase in license fees.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: October 14, 2010

NAME (TYPE OR PRINT)
Douglas L Moore

SIGNATURE

TITLE
Deputy Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 14, 2010

TIME: 1:19 PM

WSR 10-21-055

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	<u>1</u>	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 09-21-014, filed 10/9/09, effective 11/9/09)

WAC 260-36-085 License and fingerprint fees. The following are the license fees for any person actively participating in racing activities:

Apprentice jockey	\$(80.00) <u>83.00</u>
Assistant trainer	\$(38.00) <u>40.00</u>
Association employee--management	\$(26.00) <u>27.00</u>
Association employee--hourly/seasonal	\$(16.00) <u>17.00</u>
Association volunteer nonpaid	No fee
Authorized agent	\$(26.00) <u>27.00</u>
Clocker	\$(26.00) <u>27.00</u>
Exercise rider	\$(80.00) <u>83.00</u>
Groom	\$(26.00) <u>27.00</u>
Honorary licensee	\$(16.00) <u>17.00</u>
Jockey agent	\$(80.00) <u>83.00</u>
Jockey	\$(80.00) <u>83.00</u>
Other	\$(26.00) <u>27.00</u>
Owner	\$(80.00) <u>83.00</u>
Pony rider	\$(80.00) <u>83.00</u>
Service employee	\$(26.00) <u>27.00</u>
Spouse groom	\$(26.00) <u>27.00</u>
Stable license	\$(49.00) <u>51.00</u>
Trainer	\$(80.00) <u>83.00</u>
Vendor	\$(122.00) <u>127.00</u>

Veterinarian

~~\$(122.00)~~
127.00

The license fee for multiple licenses may not exceed ~~\$(122.00)~~ 127.00, except persons applying for owner, veterinarian or vendor license must pay the license fee established for each of these licenses.

The following are examples of how this section applies:

Example one - A person applies for the following licenses: Trainer (~~\$(80.00)~~ 83.00), exercise rider (~~\$(80.00)~~ 83.00), and pony rider (~~\$(80.00)~~ 83.00). The total license fee for these multiple licenses would only be ~~\$(122.00)~~ 127.00.

Example two - A person applies for the following licenses: Owner (~~\$(80.00)~~ 83.00), trainer (~~\$(80.00)~~ 83.00) and exercise rider (~~\$(80.00)~~ 83.00). The total cost of the trainer and exercise rider license would be ~~\$(122.00)~~ 127.00. The cost of the owner license (~~\$(80.00)~~ 83.00) would be added to the maximum cost of multiple licenses (~~\$(122.00)~~ 127.00) for a total license fee of ~~\$(202.00)~~ 210.00.

Example three - A person applies for the following licenses: Owner (~~\$(80.00)~~ 83.00), vendor (~~\$(122.00)~~ 127.00), and exercise rider (~~\$(80.00)~~ 83.00). The license fees for owner (~~\$(80.00)~~ 83.00) and vendor (~~\$(122.00)~~ 127.00) are both added to the license fee for exercise rider (~~\$(80.00)~~ 83.00) for a total license fee of ~~\$(282.00)~~ 293.00.

In addition to the above fees, except for association volunteers (nonpaid) at Class C race meets, a \$10.00 fee will be added to cover the costs of conducting a fingerprint-based background check. The background check fee will be assessed only once annually per person regardless of whether the person applies for more than one type of license in that year.

The commission will review license and fingerprint fees annually to determine if they need to be adjusted to comply with RCW 67.16.020.