



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Horse Racing Commission

- Preproposal Statement of Inquiry was filed as WSR 12-17-065 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) WAC 260-20-090 Association security

Hearing location(s):
 Auburn City Council Chambers
 25 W. Main
 Auburn, WA 98002

Date: March 8, 2013 Time: 9:30 a.m.

Date of intended adoption: March 8, 2013
 (Note: This is NOT the effective date)

Submit written comments to:

Name: Douglas L Moore
 Address: 6326 Martin Way Suite 209
 Olympia, WA 98516-5578
 e-mail doug.moore@whrc.state.wa.us
 fax (360) 459-6461 by (date) March 6, 2013

Assistance for persons with disabilities: Contact
 Patty Sorby by March 6, 2013
 TTY (360) 459-6462 or () _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Requires association security to record a log of individual entering the stable area during late night hours, (midnight to 4:00 a.m.)

Reasons supporting proposal: To protect the horses and ensure only authorized individuals have access to the stable area during those times. Also complies with ARCI model rules.

Statutory authority for adoption: RCW 67.16.020

Statute being implemented:

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
2/1/2013

NAME (type or print)
Douglas L Moore

SIGNATURE *Douglas L Moore*

TITLE
Deputy Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: February 01, 2013

TIME: 8:30 AM

WSR 13-04-051

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Douglas L Moore	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Implementation.... Robert J Lopez	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Enforcement..... Robert J Lopez	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared. Not applicable

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: Not applicable

AMENDATORY SECTION (Amending WSR 12-23-015, filed 11/9/12, effective 12/10/12)

WAC 260-20-090 Association security. (1) A racing association conducting a race meet must maintain security controls over its grounds.

(2) An association will prevent access to, and will remove or cause to be removed from its restricted areas any person who is unlicensed, or who has not been issued a visitor's pass or other identifying credential, or whose presence in such restricted area is unauthorized.

(3) Class A or B racing associations must provide continuous security in the stable area during all times that horses are stabled on the grounds. An association will require any person entering the stable area to display a valid license or credential issued by the commission or a pass issued by the association.

(4) Class A or B racing associations must keep a written record, on a form approved by the commission, of all horses admitted to or leaving the stable areas. For horses admitted to the stable areas the log must contain the date, time, names of horses, and barn or name of trainer they are being delivered to. For horses leaving the stable areas the log must contain the date, time, name of horses, and barn or name of trainer they are leaving from. A copy of the completed form(s) must be provided to the commission on a weekly basis. The original log is subject to inspection at any time by the commission.

(5) All persons and businesses transporting horses on and off the grounds of a racing association are responsible to provide association security, and if applicable, the commission with the names of any horses delivered to or leaving the grounds and the trainer responsible.

(6) Class A or B racing associations must keep a written record of all individuals admitted to the stable area between the hours of 12:00 midnight and 4:00 a.m. At a minimum the record shall contain the name of the person admitted, the person's license numbers and the time admitted.

(7) Class A or B racing associations must provide fencing around the stable area in a manner that is approved by the commission.

~~((7))~~ (8) Not later than twenty-four hours after an incident occurs requiring the attention of security personnel, the chief of security must deliver to commission security a written report describing the incident, which may be forwarded to the stewards for disciplinary action. The report must include the name of each individual involved in the incident and the circumstances of the incident.