



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Washington Horse Racing Commission

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 13-06-030 ; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or           | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).                  | <input type="checkbox"/> Continuance of WSR _____         |

**Title of rule and other identifying information:** (Describe Subject) WAC 260-28-095 Retirement of a horse WAC 260-40-145 Prohibited entry of certain horses

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

Date: June 14, 2013 Time: 9:30 a.m.

**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](mailto:doug.moore@whrc.state.wa.us)  
fax (360) 459-6461 by (date) June 11, 2013

**Assistance for persons with disabilities:** Contact  
Patty Sorby by June 11, 2013  
TTY (360) 459-6462 or ( ) \_\_\_\_\_

**Date of intended adoption:** June 14, 2013  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** To repeal the section dealing with retired horse.

**Reasons supporting proposal:** The Jockey Club has recently adopted new rules regarding re-issuing registration papers for thoroughbred that are sold for non-racing purposes which better address the issue from jurisdiction to jurisdiction.

**Statutory authority for adoption:** RCW 67.16.020

**Statute being implemented:**

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**DATE**  
4/19/2013

**NAME** (type or print)  
Douglas L Moore

**SIGNATURE** *Douglas L Moore*

**TITLE**  
Executive Secretary

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** April 19, 2013

**TIME:** 2:56 PM

**WSR 13-10-011**

**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.... Douglas L Moore	6326 Martin Way Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Enforcement..... Douglas L Moore	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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 260-28-095 Retirement of a horse.

AMENDATORY SECTION (Amending WSR 12-17-061, filed 8/10/12, effective 9/10/12)

**WAC 260-40-145 Prohibiting entry of certain horses.** (1) No horse will be allowed to enter or start if it has been fraudulently entered or raced in any jurisdiction under a different name, with an altered registration certificate or altered lip tattoo or other identification method approved by the appropriate breed registry and the commission.

(2) No horse may be allowed to enter or start if its owner, lessor(s), or trainers have not been licensed as required by the commission.

~~((3) No horse may be allowed to enter or start if the horse has been declared "retired" as provided in WAC 260-28-095.))~~