



PROPOSED RULE MAKING

CR-102 (June 2004)

(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 13-20-057 ; 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). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) WAC 260-52-030 Starting the race

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

Date: January 10, 2014 Time: 9:30 a.m.

Date of intended adoption: January 10, 2014
 (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 dmoore@whrc.state.wa.us
 fax (360)459-6461 by (date) January 7, 2014

Assistance for persons with disabilities: Contact

Patty Sorby by January 7, 2014
 TTY (360) 459-6462 or () _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules: To update the options afford the board of stewards when declaring a horse or horses non-starters and refunding mutuel pools.

Reasons supporting proposal: The current WAC is not supported by current software standards when refunding mutuel pools. Current software requires either all pools or no pools be refunded.

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
 November 15, 2013

NAME (type or print)
 Douglas L Moore

SIGNATURE

TITLE
 Executive Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: November 15, 2013
TIME: 8:33 AM

WSR 13-23-042

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?

Yes. Attach copy of small business economic 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 08-05-088, filed 2/15/08, effective 3/17/08)

WAC 260-52-030 Starting the race. (1) The starter is responsible for assuring that each participant receives a fair start.

(2) If, when the starter dispatches the field, any door at the front of the starting gate stalls does not open properly or if the action by any starting gate personnel directly cause a horse to receive an unfair start, the stewards may declare such a horse a nonstarter.

(3) Should a horse not be in the starting gate stall at the time the starting gates are opened, the horse will be declared a nonstarter by the stewards.

(4) Should an accident or malfunction of the starting gate, or other unforeseeable event occur during the running of the race, which compromises the fairness of the race or the safety of the participants, the stewards may declare individual horses to be nonstarters, exclude individual horses from ((~~one or more~~)) all parimutuel pools or declare a "no contest" and refund all wagers except as otherwise provided in the rules involving multirace wagers.