Agency: Washington Horse Racing Commission

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

Preproposal Statement of Inquiry was filed as WSR 18-21-110 ; 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); or  
☐ Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 260-36-100 Fingerprints

Hearing location(s):

<table>
<thead>
<tr>
<th>Date:</th>
<th>Time:</th>
<th>Location: (be specific)</th>
<th>Comment:</th>
</tr>
</thead>
</table>
| March 8, 2019 | 9:30 a.m.   | Auburn City Council Chambers  
25 West Main, Auburn, WA  
98002 |          |

Date of intended adoption: March 8, 2019 (Note: This is NOT the effective date)

Submit written comments to:

Name: Douglas L Moore  
Address: 6326 Martin Way Suite 209 Olympia, WA 98516  
Email: doug.moore@whrc.state.wa.us  
Fax: 360-549-6461  
Other:
By (date) March 5, 2019

Assistance for persons with disabilities:

Contact Patty Brown  
Phone: 360-459-6462  
Fax: 360-459-6461  
TTY:  
Email: patty.brown@whrc.state.wa.us  
Other:
By (date) March 5, 2019

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Excludes certain age groups from automatic fingerprint submissions..
Reasons supporting proposal: Applicants over 70 and under 18 will only be required to submit fingerprints when requested.

Statutory authority for adoption: 67.16.020

Statute being implemented:

Is rule necessary because of a:

- Federal Law? ☐ Yes X No
- Federal Court Decision? ☐ Yes X No
- State Court Decision? ☐ Yes X No

If yes, CITATION:

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:

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting</td>
<td>Douglas L Moore</td>
<td>6326 Martin Way Suite 209 Olympia WA 98516</td>
<td>360-459-6462</td>
</tr>
<tr>
<td>Implementation</td>
<td>Douglas L Moore</td>
<td>6326 Martin Way Suite 209 Olympia WA 98516</td>
<td>360-459-6462</td>
</tr>
<tr>
<td>Enforcement</td>
<td>Douglas L Moore</td>
<td>6326 Martin Way Suite 209 Olympia WA 98516</td>
<td>360-459-6462</td>
</tr>
</tbody>
</table>

Is a school district fiscal impact statement required under RCW 28A.305.135? ☐ Yes X No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

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:
TTY:
Email:
Other:

X No: Please explain:
Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:
☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.
☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.
☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b) (Internal government operations)
☐ RCW 34.05.310 (4)(c) (Incorporation by reference)
☐ RCW 34.05.310 (4)(d) (Correct or clarify language)
☐ RCW 34.05.310 (4)(e) (Dictated by statute)
☐ RCW 34.05.310 (4)(f) (Set or adjust fees)
☐ RCW 34.05.310 (4)(g) (i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW ______.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is not exempt, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No    Briefly summarize the agency’s analysis showing how costs were calculated. Not business related
☐ Yes   Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: January 2, 2019

Signature:

Name: Douglas L Moore
Title: Executive Secretary
WAC 260-36-100 Fingerprints. (1) Every person, between the ages of eighteen and sixty-nine, applying for a license must furnish the commission his or her fingerprints upon making an initial application for a license.

Persons who have previously held a license while under the age of eighteen must furnish fingerprints in the license period which follows their eighteenth birthday whenever an application is submitted.

(2) Following the initial application, each person that meets the requirements in subsection (1) of this section must then submit fingerprints at an interval determined by the commission. However, the commission, executive secretary, stewards, or security investigators, in their discretion, may require fingerprints from any applicant or licensee, regardless of age, at any time.

(3) If fingerprints are requested for any applicant or licensee over the age of sixty-nine or under the age of eighteen, the entire cost of submission will be due at time of processing.

(4) If an applicant fails to furnish fingerprints, the stewards may suspend the license or deny, and/or assess a fine.