

WSR 25-04-092

PROPOSED RULES

HORSE RACING COMMISSION

[Filed February 3, 2025, 5:11 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-01-063.

Title of Rule and Other Identifying Information: WAC 260-08-675
Hearing before the commission.

Hearing Location(s): On March 14, 2025, at 9:30 a.m., at 2300 Ron Crocket Drive N.W., Auburn, WA 98001; and via Zoom teleconference or TVW. Link will be available at www.whrc.wa.gov prior to the meeting.

Date of Intended Adoption: March 14, 2025.

Submit Written Comments to: Amanda Benton, 6326 Martin Way, Suite 209, email amanda.benton@whrc.wa.gov, fax 360-459-6461, beginning February 4, 2025, at 8:00 a.m., by March 4, 2025, at 4:00 p.m.

Assistance for Persons with Disabilities: Contact Melanie Bowdish, phone 360-459-6462, fax 360-459-6461, email melanie.bowdish@whrc.wa.gov, by March 4, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Washington horse racing commission (commission) may need to clarify its authority to amend penalties imposed by the stewards upon appeal.

Reasons Supporting Proposal: The current language does not specify that the commission may affirm, modify, or reverse a ruling issued by the stewards or executive secretary during an appeal hearing.

Statutory Authority for Adoption: RCW 67.16.020.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Amanda Benton, 6326 Martin Way, Suite 209, Olympia, WA 98516, 360-459-6462.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. Not business related.

February 3, 2025
Amanda Benton
Executive Secretary

RDS-6122.1

AMENDATORY SECTION (Amending WSR 10-09-013, filed 4/9/10, effective 5/10/10)

WAC 260-08-675 Hearing before the commission. Any person against whom a ruling is made by the stewards or the executive secretary may request a hearing before the commission to challenge the ruling. The commission may affirm, modify, or reverse a ruling by the stewards or executive secretary. However, a decision by the stewards concerning the disqualification or nondisqualification of a horse due

to a foul or riding infraction during the running of a race is final and will not be reviewed by the commission.

(1) Requests for a hearing before the commission must be filed with an office of the commission within seven days of service of the stewards' or executive secretary's ruling, with the exception of riding violations.

(2) The request must include: The name, address, telephone number and the signature of the person making the request and a statement of the basis for the challenge to the ruling.

(3) The commission will conduct an adjudicative proceeding according to the provisions of chapter 34.05 RCW, Administrative Procedure Act, and chapter 260-08 WAC, Practice and procedure.

(4) Any person requesting a hearing before the commission will be heard in person or by counsel. A person appearing before the commission may submit his or her case entirely in writing, provided this is specified at the time of the filing of the request for hearing with the commission and this procedure is given written approval by the commission.

(5) All communications to the commission with respect to a stewards' or executive secretary's ruling must be in writing, and all papers filed with the commission shall be the property of the commission.