

**WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In this Box

**FILED**

Aug 13 2 12 PM '93

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Racing Commission TITLE NUMBER: 178

CITE AUTHORITY WV Code § 29-23-6 (a) (3)

AMENDMENT TO AN EXISTING RULE: YES  NO

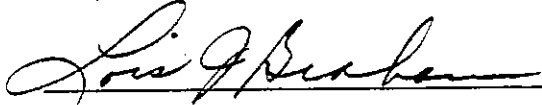
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Thoroughbred

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



17.30



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Aug 13 2 12 PM '93

STATE OF WEST VIRGINIA  
DEPARTMENT OF TAX AND REVENUE

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

GASTON CAPERTON  
GOVERNOR

Charleston, West Virginia

JAMES H. PAIGE III  
SECRETARY

CONSENT TO FILE RULE

August 13, 1993

To Whom It May Concern

Title of Rule: -Thoroughbred Rules

Title Number: 178

Series Number: Series 1

Pursuant to West Virginia Code 5F-2-2(a), the undersigned hereby consents to the filing of the foregoing rule.

Signed this 13th day of August, 1993.

James H. Paige III  
Secretary, Tax and Revenue



COMMISSIONERS  
ROBERT J. BURKE  
CHAIRMAN  
ROGER RAMEY  
MEMBER  
ALBERT SCHWABE, II  
MEMBER

STATE OF WEST VIRGINIA  
Department of Tax and Revenue  
WEST VIRGINIA RACING COMMISSION  
GASTON CAPERTON  
GOVERNOR

MAILING ADDRESS:  
P. O. BOX 3327  
CHARLESTON, WV 25333-3327  
PHONE (304) 558-2150  
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LOIS J. GRAHAM  
EXECUTIVE SECRETARY

STATEMENT OF PURPOSE:

The designated Race Rule, will allow jockeys to ride in a stake race while under suspension for a minor offense. He must serve an additional day of suspension.

The safety vest will be used by all jockeys as a safety precaution

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Thoroughbred

Type of Rule:  Legislative     Interpretive     Procedural

Agency: Racing Commission

Address: West Wing 317, Capitol Complex, Charleston, WV

\_\_\_\_\_

\_\_\_\_\_

1. Effect of Proposed Rule

|                             | ANNUAL FISCAL YEAR |          |         |        |            |
|-----------------------------|--------------------|----------|---------|--------|------------|
|                             | INCREASE           | DECREASE | CURRENT | NEXT   | THEREAFTER |
| <u>ESTIMATED TOTAL COST</u> | \$ -0-             | \$ -0-   | \$ -0-  | \$ -0- | \$ -0-     |
| PERSONAL SERVICES           | -0-                | -0-      | -0-     | -0-    | -0-        |
| CURRENT EXPENSE             | -0-                | -0-      | -0-     | -0-    | -0-        |
| REPAIRS & ALTERNATIONS      | -0-                | -0-      | -0-     | -0-    | -0-        |
| EQUIPMENT                   | -0-                | -0-      | -0-     | -0-    | -0-        |
| OTHER                       | -0-                | -0-      | -0-     | -0-    | -0-        |

2. Explanation of above estimates:

The amendment to this rule will have no fiscal impact on state government

3. Objectives of these rules:

The safety vest will protect the jockeys riding in the races.

The designated race will allow the jockeys to ride in stake races while under suspension for minor offenses.

Rule Title: Thoroughbred

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

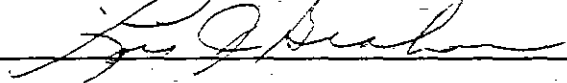
The individual jockey will be required to purchase his or her own vest

C. Economic Impact on Citizens/Public at Large.

N/A

Date: August 12, 1993

Signature of Agency Head or Authorized Representative

  
\_\_\_\_\_

DATE: August 13, 1993

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Racing Commission

LEGISLATIVE RULE TITLE: Thoroughbred

1. Authorizing statute(s) citation WV Code § 19-23-6 (a) (3)

2. a. Date filed in State Register with Notice of Hearing  
July 13, 1993

b. What other notice, including advertising, did you give of the hearing?  
Memos to tracks, track personnel, state employees, mutuel managers  
Commissioners, H.B.P.A., Tote managers and auditors

c. Date of Hearing(s) August 13, 1993

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.  
Attached                      No comments received none

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)  
August 13, 1993

f. Name and phone number(s) of agency person(s) to contact for additional information:  
Lois J. Graham, Executive Secretary - 558-2150

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

\_\_\_\_\_

\_\_\_\_\_

b. Date of hearing: \_\_\_\_\_

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

\_\_\_\_\_

d. Attach findings and determinations and reasons:

Attached \_\_\_\_\_