

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

FILED

1988 SEP -9 PM 1:32

OFFICE OF THE 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 19-23-6 (a) (3)

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 1

TITLE OF RULE BEING AMENDED: Thoroughbred Rules

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.


Lois J. Graham



COMMISSIONERS

HARRY L. BUCH
CHAIRMAN

OLIVER KASTLE
MEMBER

JOHN T. POPFENBARGER
MEMBER

WEST VIRGINIA RACING COMMISSION

ARCH A. MOORE, JR.
GOVERNOR

OFFICES OF THE COMMISSION

240 CAPITOL STREET
SUITE 310
CHARLESTON, WEST VIRGINIA
25301
(304) 348-2150

LOIS J. GRAHAM
EXECUTIVE SECRETARY

NOTICE OF HEARING

TO: Commission Members, Board of Stewards, Joseph F. Cuomo, John Dombrosky, Harold Smith, Ted Pruneski, Hayes Taylor, Dominick F. Gaudio, William Ketner, William Dick, Herb Thompson, Don Hudson, James Clark, Danny Adkins, Dale Baird, James Palmer, Fred Kratz, Caroline Gall, Dennis Dibbern, Gary Durham, James O'Brien, Sharon Lamp, Max Barrow.

From: Charleston Office

SUBJECT: Rule 66.1, Alcohol and drug testing.

DATE: September 8, 1988

You are hereby advised that the West Virginia Racing Commission will hold a hearing at the office of the Commission, 240 Capitol Street, Suite 310, Charleston, West Virginia, 25301, on September 8, 1988 at 10:00 o'clock a.m., for the purpose of taking written testimony relative to the promulgation of emergency rule change on rule 66.1 of the West Virginia Rules of Racing. Please send written comments to the Charleston Office to the attention of Lois J. Graham.

See attached copy of rule, lined-through (---) denotes deleted wording and underlined (____) denotes new wording.



COMMISSIONERS

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CHAIRMAN

OLIVER KASTLE
MEMBER

JOHN T. POFFENBARGER
MEMBER

WEST VIRGINIA RACING COMMISSION

ARCH A. MOORE, JR.
GOVERNOR

September 9, 1988

OFFICES OF THE COMMISSION

240 CAPITOL STREET
SUITE 310
CHARLESTON, WEST VIRGINIA
25301
(304) 348-2150

LOIS J. GRAHAM
EXECUTIVE SECRETARY

A public hearing was offered by the West Virginia Racing Commission on September 8, 1988, to receive comments and/or written statements on Rule 66.1, Alcohol and drug testing.

No comments were received from the general public and no one appeared at this time.

Lois J. Graham
Executive Secretary

DATE:

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM:

LEGISLATIVE RULE TITLE:

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

2. a. Date filed in State Register with Notice of Hearing:

July 15, 1988

b. What other notice, including advertising, did you give of the hearing?

Sent letters to the Mountaineer Management, Stewards,

Charles Town Management, Mutuel Managers, Tote Managers.

c. Date of hearing (s): August 15, 1988

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received _____

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

f. Name and phone number of agency person to contact for additional information:

Lois J. Graham 348-2150

Racing Commission

240 Capitol Street, Suite 310, Charleston, WV 25301

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.

July 15, 1988

b. Date of hearing: August 15, 1988

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
