



# RULE-MAKING ORDER

**CR-103E (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Department of Labor and Industries

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** This rule is being adopted on an emergency basis to be consistent with the Washington Horse Racing Commission's emergency rule adoption (WSR 11-09-077) to permit discounted short-duration license fees at Class A, B, and C racing associations. Class A and B associations' short-duration licenses will be for two thirty-day periods while Class C licenses will allow three seven-day limits. The industrial insurance fees associated with Classes A and B will be 33.3% of the full annual license fee; the fees associated with Class C will be 20% of the annual license fee.

This action is being taken at the specific request of the Washington Horsemen's Benevolent and Protective Association, the industry group representing those this amendment would affect, exempting it from Executive Order 10-06.

**Citation of existing rules affected by this order:**

Repealed: n/a  
 Amended: WAC 296-17A-6614; WAC 296-17A-6615; WAC 296-17A-6616; WAC 296-17A-6617;  
 WAC 296-17A-6622; WAC 296-17A-6623  
 Suspended: n/a

**Statutory authority for adoption:** RCW 51.16.035, RCW 51.16.100, RCW 51.04.020

**Other authority :**

**EMERGENCY RULE**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

**Reasons for this finding:** The WHRC has already filed a CR103E to implement the new temporary licenses. The Department of Labor and Industries needs to establish classifications and rates for these licenses to enable the commission to charge and collect the appropriate fees.

**Date adopted:** June 21, 2011

**NAME**

Judy Schurke

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: June 21, 2011**

**TIME: 8:52 AM**

**WSR 11-13-101**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New		Amended	6	Repealed	
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>6</u>	Repealed	_____