

**INDEPENDENT REGULATORY REVIEW COMMISSION**

14th Floor, 333 Market Street  
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held August 19, 1999

John R. McGinley, Jr., Chairman  
Alvin C. Bush, Vice Chairman  
Arthur Coccodrilli  
Robert J. Harbison, III  
John F. Mizner

State Horse Racing Commission  
Rules of Racing

Regulation No. 34-63

**BY ORDER OF THE COMMISSION**

On September 14, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Horse Racing Commission (Horse Racing Commission). This rulemaking amends 58 Pa. Code Chapters 163 and 165. The authority for this regulation is found in Section 202(a) of the Race Horse Industry Reform Act (4 P.S. §§ 325.101 – 325.402). The proposed regulation was published in the September 26, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 19, 1999.

The Horse Racing Commission is amending the “coupled entry” rule. This rule restricts an owner or trainer from entering two or more horses in the same race. The amendment removes this restriction on trainers. The restriction on owners remains. The Horse Racing Commission is also amending its regulations governing the Pennsylvania Breeders’ Fund Program (Fund). The amendment requires a foal or its dam to spending at least 90 days in the Commonwealth during the year of foaling to qualify the foal for registration as Pennsylvania-bred and to be eligible for Fund awards.

We have reviewed this regulation and find it to be in the public interest. The amendments clarify and update the regulations to bring them into conformance with surrounding jurisdictions. The amendments also impose a reasonable standard for qualifying a foal as Pennsylvania-bred.

**THEREFORE, IT IS ORDERED THAT:**

1. Regulation No. 34-63 from the State Horse Racing Commission, as submitted to the Commission on July 19, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

  
John R. McGinley, Jr., Chairman

