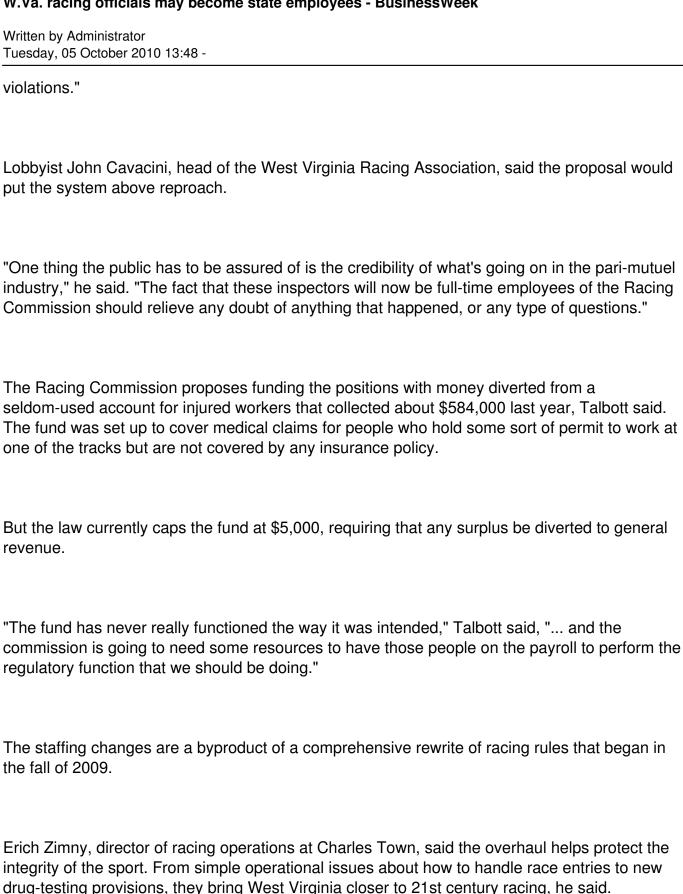


"It's not only a perception issue, but it's an issue for the commission to have control over that person," she said. "That person should answer to the state if they're going to investigate rule



The rules also recommend tougher fines and suspensions for repeat offenders when horses test positive for banned drugs, Zimny said, "to both punish and deter those who are contributing

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to the integrity issues we have in racing."

But Maria Catignani, executive director of the Mountaineer Horsemen's Benevolent & Energy Protective Association, argues some medication rules are too stringent.

The horsemen believe the state should set "tolerance levels" for legal, therapeutic drugs, such as those used to treat inflammation or bellyaches, differentiating them from illegal, performance-enhancing drugs.

"And the commission is not prepared to go in that direction," she said Tuesday.

Talbott said the commission is largely adopting "model rules" recommended by the Association of Racing Commissioners International. They will be presented to a legislative interim committee sometime between now and January.

The commission is also pitching a bill that would require Mountaineer to contribute to the Thoroughbred Development Fund, which provides incentives to owners and breeders of horses raised in West Virginia.

Although Mountaineer benefits from the fund, Talbott said, only Charles Town contributes 2 percent of its pari-mutuel wagering funds.

Catignani said Mountaineer contributes from other sources, but the HBPA is concerned that cutting into pari-mutuel money could hurt purses that have already been cut three times in less than three years.

That proposal did not go through the same process as the rules, Catignani said, "and there needs to be a discussion with all the stakeholders before we go to legislation."

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"We need to look at the overall impact," she said. "Maybe the answer is 1 percent, or maybe half a percent."

Whatever the amount, she said, "We would not want to see anything that would preclude us from participating in the fund."

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