



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

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### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee  
**FROM:** Senior Legislative Research Analyst - Ryan Bush  
**DATE:** September 30, 2014  
**SUBJECT:** Idaho State Police - Idaho State Racing Commission

IDAPA 11.04.09 - Rules Governing Claiming Races - Proposed Rule (Docket No. 11-0409-1401)

IDAPA 11.04.10 - Rules Governing Live Horse Races - Proposed Rule (Docket No. 11-0410-1401)

#### **(1) IDAPA 11.04.09 - Rules Governing Claiming Races - Proposed Rule (Docket No. 11-0409-1401)**

The Idaho State Racing Commission submits notice of proposed rulemaking at IDAPA 11.04.09 - Rules Governing Claiming Races. The Commission states that this rule clarifies that it is not necessary for a horse that has been claimed to re-establish eligibility for a starter allowance race by running in a claiming race and further prevents the use of "protective claims." Specifically, when there is more than one owner, each owner may submit a claim in a race, but if two or more submit a claim, all such claims are void.

The Commission states that negotiated rulemaking was not conducted because the rule is simple in nature and was discussed with interested parties. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Commission in Section 54-2506, Idaho Code.

#### **(2) IDAPA 11.04.10 - Rules Governing Live Horse Races - Proposed Rule (Docket No. 11-0410-1401)**

The Idaho State Racing Commission submits notice of proposed rulemaking at IDAPA 11.04.10 - Rules Governing Live Horse Races. This rulemaking allows thoroughbred horses that are owned by the same owner to be uncoupled for wagering purposes.

The Commission states that negotiated rulemaking was not conducted because the rule is simple in nature and was discussed with interested parties. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Commission in Section 54-2506, Idaho Code.

cc: Idaho State Police - Idaho State Racing Commission  
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