



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee

**FROM:** Principal Legislative Research Analyst - Ryan Bush

**DATE:** August 10, 2015

**SUBJECT:** Idaho State Police - Idaho State Racing Commission

IDAPA 11.04.02 - Rules Governing Simulcasting - Temporary and Proposed Rule (Docket No. 11-0402-1501)

IDAPA 11.04.06 - Rules Governing Racing Officials - Temporary and Proposed Rule (Docket No. 11-0406-1501)

IDAPA 11.04.11 - Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses - Temporary and Proposed Rule (Docket No. 11-0411-1501)

**11.04.02 - Rules Governing Simulcasting - Temporary and Proposed Rule (Docket No. 11-0402-1501)**

The Idaho State Racing Commission submits notice of temporary and proposed rulemaking at IDAPA 11.04.02 - Rules Governing Simulcasting. This rule places a moratorium on the issuance of additional historical horse racing licenses and caps the number of historical horse racing terminals that a licensee may operate as the number of terminals at the location licensed as of January 1, 2015.

The Commission states that a temporary rule is needed to protect public health, safety and welfare. There is no fiscal impact associated with this rulemaking.

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

**11.04.06 - Rules Governing Racing Officials - Temporary and Proposed Rule (Docket No. 11-0406-1501)**

The Idaho State Racing Commission submits notice of temporary and proposed rulemaking at IDAPA 11.04.06 - Rules Governing Racing Officials. This rule provides for an additional deputy state steward to supervise race meets, provides that the presiding state steward will preside over hearings and designate duties for other stewards and provides that all stewards are compensated by the Commission.

The Commission states that a temporary rule is appropriate because it confers a benefit to the industry by allowing another steward to protect the integrity of horse racing. The fiscal impact of this rulemaking is estimated to be \$24,000 in dedicated funds.

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

**11.04.11 - Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses - Temporary and Proposed Rule (Docket No. 11-0411-1501)**

The Idaho State Racing Commission submits notice of temporary and proposed rulemaking at IDAPA 11.04.11 - Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses. This rule eliminates the requirement that an owner or trainer request the collection and testing of a split blood sample and provides that costs of storing a split blood sample will be paid by the Commission.

The Commission states that a temporary rule is appropriate because it confers a benefit by eliminating costs and a process for horse owners and trainers. The fiscal impact of this rulemaking is estimated to be \$850 to \$1,250 in dedicated funds.

The temporary and 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  
Teresa Baker