

ARIZONA STATE SENATE

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RESOURCES AND RURAL AFFAIRS
COMMITTEE

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DATE: February 11, 2013

SUBJECT: Strike everything amendment to S.B. 1146, relating to racing; stewards

Purpose

Modifies commercial dog and horse racing statutes with regard to statutory qualifications of track stewards and penalties for participants who violate racing law and regulations, and updates certain racing statutes.

Background

Arizona law provides for the regulation of commercial dog and horse racing in the state (A.R.S. § 5-101 et seq.). The Arizona Department of Racing (ADR), with direction from its five-member Racing Commission, administers and enforces these laws. At track level, three racing stewards are responsible for enforcing Arizona racing law and regulations; stewards enforce the rules of the race and ensure the proper conduct of participants. State law requires that two stewards be employed by the ADR, with Racing Commission approval (state stewards), and the third steward is employed by the permittee (i.e. the racing association authorized to conduct live racing.)

Stewards have the authority to penalize racing participants for violations of racing law and regulations, including the suspension of a person's racing license. Current law authorizes stewards to hand down suspensions for up to 60 days, and those suspensions take effect immediately. Decisions of the stewards are appealable to an administrative law judge (Office of Administrative Hearings).

Arizona law prescribes minimum statutory qualifications in order to serve as a steward. To oversee commercial dog and horse racing at the track, stewards must be certified by the Racing Officials Accreditation Program (ROAP). Administered by the University of Arizona's Race Track Industry Program and the University of Louisville's Equine Industry Program, ROAP is a national organization that requires certain education, examination and minimum experience qualifications before accreditation can occur. In addition to ROAP accreditation, *horse* racing stewards must meet minimum statutory experience qualifications before they can serve as stewards. A.R.S. § 5-106 requires that a steward must meet at least one of the following experience qualifications: 1) service as a steward or other racing official for at least 45 days in each of the past three years; 2) five years' experience as a jockey and at least one year as a racing official; or 3) ten years' experience as a horse trainer and at least one year as a racing official. State stewards are eligible for reimbursement expenses incurred in the course of their service, including travel. Racing officials are specified in Arizona Administrative Code R19-2-121 and include, but are not limited to, the Director of Racing, Clerk of the Scales and Paddock Judge.

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Live horse racing currently occurs at two commercial tracks in the state: Turf Paradise (Maricopa County) and Rillito Park (Pima County). Tucson Greyhound Park is the sole commercial track in the state where live dog racing is conducted.

The strike everything amendment language increases the cap on civil penalties for a suspension. As the civil penalties are deposited into the state General Fund, there could be a potential fiscal impact.

Provisions

1. Increases the maximum amount of time a track steward can hand down suspensions to racing licensees from 60 days to six months.
2. Eliminates the requirement that a license suspension start at once.
3. Increases the maximum civil penalty amount, from \$1,000 to \$2,500, for most racing violations that constitute grounds for suspension or revocation of a credential or license.
4. Removes the requirement that track stewards for a commercial dog racing meeting be certified by a national organization approved by the ADR.
5. Removes statutory experience qualifications for stewards who serve at commercial horse race meetings that exceed 45 days in duration.
6. Removes language relating to the personnel status of track stewards.
7. Updates the county population threshold based on the last U.S. decennial census, from 300,000 to 700,000 persons, in the section of law that pertains to restrictions on common ownership of tracks that race in the same breed in certain counties.
8. Makes technical and conforming changes, including the deletion of obsolete language.
9. Becomes effective on the general effective date.

JT/tf