

## NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

### NOTICE OF EXEMPT RULEMAKING

#### TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

#### CHAPTER 2. ARIZONA RACING COMMISSION

##### PREAMBLE

- 1. Sections Affected**

|           |                                 |
|-----------|---------------------------------|
| R19-2-513 | <b><u>Rulemaking Action</u></b> |
| R19-2-523 | Amend                           |
|           | Amend                           |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 41-1005(A)(18)  
Implementing statute: A.R.S. § 5-111(A)
- 3. The effective date of the rules:**

February 1, 2000
- 4. A list of all previous notices appearing in the Register addressing the exempt rule:**

None
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

|            |  |
|------------|--|
| Name:      | Dasha Marush   |
| Address:   | Arizona Department of Racing<br>3877 N 7th Street, Suite #201<br>Phoenix, AZ 85014 |
| Telephone: | 602-277-1704   |
| Facsimile: | 602-277-1165   |
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from the regular rulemaking procedures:**

A.R.S. § 41-1005(A)(18) provides the Arizona Racing Commission the statutory exemption to the regular rulemaking process for rules adopted under A.R.S. § 5-111(A) and A.R.S. § 5-112(B). The Commission is authorized to establish pari-mutuel wagering and simulcasting rules under A.R.S. § 5-111(A) and A.R.S. § 5-112(B). Amendments to R19-2-513 will reduce by one the number of betting interests needed to offer trifecta, superfecta, and twin trifecta wagering on a race. Amendments to R19-2-523 will allow coupled entries and mutuel fields in superfecta and twin trifecta wagers.
- 7. A reference to any study that the agency proposes to rely on in its evaluation of or justification or the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**

None
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

None
- 9. The summary of the economic, small business, and consumer impact:**

None

**10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

None

**11. A summary of the principal comments and the agency response to them:**

None

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

None

**13. Incorporations by reference and their location in the rules:**

None

**14. Was this rule previously adopted as an emergency rule?**

No

**15. The full text of the rules follows:**

**TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING**

**CHAPTER 2. ARIZONA RACING COMMISSION**

**ARTICLE 5. PARI-MUTUEL WAGERING**

Section

R19-2-513. Pools Dependent upon Betting Interests

R19-2-523. Calculation of Payoffs and Distribution of Pools

**ARTICLE 5. PARI-MUTUEL WAGERING**

**R19-2-513. Pools Dependent upon Betting Interests**

Unless the Department otherwise provides, at the time the pools are opened for wagering, the permittee:

1. May offer win, place, and show wagering on all contests with 6 or more betting interests.
2. May be allowed to prohibit show wagering on any contest with 5 or fewer betting interests scheduled to start.
3. May be allowed to prohibit place wagering on any contest with 4 or fewer betting interests scheduled to start.
4. May be allowed to prohibit Quinella wagering on any contest with 3 or fewer betting interests scheduled to start.
5. May be allowed to prohibit Quinella Double wagering on any contests with 3 or fewer betting interests scheduled to start.
6. May be allowed to prohibit Exacta wagering on any contest with 3 or fewer betting interests scheduled to start.
7. Shall prohibit Trifecta wagering on any horse racing contest with 5 ~~six~~ or fewer betting interests scheduled to start. The permittee shall prohibit Trifecta wagering on any greyhound contest with 5 or fewer betting interests scheduled to start.
8. Shall prohibit Superfecta wagering on any contest with 6 ~~seven~~ or fewer betting interests scheduled to start.
9. May be allowed to prohibit Twin Quinella wagering on any contests with 3 or fewer betting interests scheduled to start.
10. Shall prohibit Twin Trifecta wagering on any contests with 6 ~~seven~~ or fewer betting interests scheduled to start.
11. Shall prohibit Tri-Superfecta wagering on any contests with of 7 or fewer betting interests scheduled to start.
12. Shall prohibit Twin Superfecta wagering on any contests with 7 or fewer betting interests scheduled to start.
13. May prohibit wagering on any particular contestant or contestants in stakes races, if such exclusions are clearly indicated within the program.

**R19-2-523. Calculation of Payoffs and Distribution of Pools**

**A. General**

1. No change
2. No change
3. No change
  - a. No change
  - b. No change
4. No change
5. No change
6. No change

**B. Win Pools**

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1. No change
2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
3. No change
  - a. No change
  - b. No change

**C. Place Pools**

1. No change
2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
3. No change
  - a. No change
  - b. No change
4. No change
  - a. No change
  - b. No change

**D. Show Pools**

1. No change
2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
  - f. No change
  - g. No change
3. No change
  - a. No change
  - b. No change
  - c. No change
4. No change
  - a. No change
  - b. No change
  - c. No change
5. No change
  - a. No change
  - b. No change

**E. Double Pools**

1. No change
2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
3. No change
  - a. No change
  - b. No change
4. No change
5. No change
6. No change
7. No change

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- 8. No change
- F.** Pick Three Pools
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  - 3. No change
    - a. No change
    - b. No change
  - 4. No change
  - 5. No change
  - 6. No change
- G.** Pick (n) Pools
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
  - 3. No change
    - a.No change
    - b. No change
  - 4. No change
  - 5. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  - 6. No change
  - 7. No change
  - 8. No change
  - 9. No change
    - a. No change
    - b. No change
    - c. No change
  - 10. No change
  - 11. No change
  - 12. No change
  - 13. No change
- H.** Place Pick (n) Pools
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
  - 3. No change
    - a. No change
    - b. No change
  - 4. No change
    - a. No change
    - b. No change
  - 5. No change
  - 6. No change
    - a. No change

- b. No change
- c. No change
- d. No change
- 7. No change
- 8. No change
- 9. No change
- 10. No change
  - a. No change
  - b. No change
  - c. No change
- 11. No change
- 12. No change
- 13. No change
- 14. No change

**I. Quinella Pools**

- 1. No change
- 2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
- 3. No change
  - a. No change
  - b. No change
  - c. No change
- 4. No change
- 5. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change

**J. Quinella Double Pools**

- 1. No change
- 2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
- 3. No change
  - a. No change
  - b. No change
  - c. No change
- 4. No change
- 5. No change
- 6. No change
- 7. No change
- 8. No change
- 9. No change
- 10. No change

**K. Exacta Pools**

- 1. No change
- 2. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change

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- e. No change
- 3. No change
  - a. No change
  - b. No change
- 4. No change
- 5. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
- L. Trifecta Pools**
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  - 3. No change
  - 4. No change
    - a. No change
    - b. No change
  - 5. No change
  - 6. No change
- M. Superfecta Pools**
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
  - 3. No change
  - 4. No change
    - a. No change
    - b. No change
    - c. No change
  - 5. No change
    - a. No change
    - b. No change
  - 6. No change
  - 7. No change
  - 8. ~~Coupled entries and mutuel fields shall be prohibited in Superfecta contests.~~
- N. Twin Quinella Pools**
  - 1. No change
  - 2. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
  - 3. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  - 4. No change
    - a. No change
    - b. No change
    - c. No change

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- d. No change
- e. No change
- 5. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
  - f. No change
- 6. No change
  - a. No change
  - b. No change
  - c. No change
- 7. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
  - f. No change
- 8. No change
- 9. No change
- 10. No change
- 11. No change
- 12. No change
- O. Twin Trifecta Pools**
  - 1. No change
  - 2. No change
  - 3. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  - 4. No change
  - 5. No change
    - a. No change
    - b. No change
  - 6. No change
  - 7. ~~Coupled entries and mutuel fields shall be prohibited in Twin trifecta contests.~~
  - ~~7.8.~~ No change
  - ~~8.9.~~ No change
  - ~~9.10.~~ No change
  - ~~10.11.~~ No change
    - a. No change
    - b. No change
  - ~~11.12.~~ No change
  - ~~12.13.~~ No change
  - ~~13.14.~~ No change
  - ~~14.15.~~ No change
  - ~~15.16.~~ No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
  - ~~16.17.~~ No change
  - ~~17.18.~~ No change
    - a. No change
    - b. No change

c. No change

~~18,19~~.No change

~~19,20~~.No change

~~20,21~~.No change

**P.** Tri-Superfecta Pools

1. No change

2. No change

3. No change

a. No change

b. No change

c. No change

d. No change

4. No change

5. No change

a. No change

b. No change

6. No change

7. No change

8. No change

9. No change

10. No change

11. No change

a. No change

b. No change

12. No change

13. No change

14. No change

15. No change

16. No change

a. No change

b. No change

c. No change

d. No change

e. No change

f. No change

17. No change

18. No change

a. No change

b. No change

c. No change

19. No change

20. No change

21. No change

**Q.** Twin Superfecta Pools

1. No change

2. No change

3. No change

a. No change

b. No change

c. No change

d. No change

e. No change

4. No change

5. No change

a. No change

b. No change

6. No change

7. No change

8. No change



9. No change
10. No change
11. No change
  - a. No change
  - b. No change
12. No change
13. No change
14. No change
15. No change
16. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
  - f. No change
17. No change
18. No change
  - a. No change
  - b. No change
  - c. No change
19. No change
20. No change
21. No change
- R. Grand Slam Pools**
  1. No change
  2. No change
  3. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  4. No change
    - a. No change
    - b. No change
  5. No change
    - a. No change
    - b. No change
  6. No change
  7. No change
  8. No change
  9. No change
  10. No change
  11. No change
  12. No change
  13. No change
  14. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
  15. No change
    - a. No change
    - b. No change
    - c. No change
  16. No change
  17. No change