



Legislative Background Brief

for the
Economic Affairs Interim Committee

August 2011

Board of Horseracing

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Administrative Appointments: By Governor

Executive Secretary: Ryan Sherman

Statutorily Established - 2-15-3106, MCA. Created in 1965 as the Horse Racing Commission. Later attached to the Department of Professional and Occupational Licensing. Currently attached to the Department of Livestock.

Purposes:

- govern race meets and the parimutuel system, as provided in Title 23, chapter 4;
- license and regulate racing, match bronc rides, and wild horse rides, advance deposit wagering, and simulcast facilities;
- collect wagers and distribute as provided in law, which includes "other purposes for the good of the existing horseracing industry"; and
- oversees operations of fantasy sports leagues, as provided in Title 23, ch. 5, part 8.

Board: 7 members. Five members must be appointed from one of five districts and may not be in the horseracing industry. Two must be in the horseracing industry and may not be from the same district.

Members/Address	Representing	Term Expires
Al Carruthers, Butte	horseracing industry	1/20/2013
Ray "Topper" Tracy, Stevensville	horseracing industry	1/20/2013
Cody Drew, Circle	Blaine, Carter, Custer, Daniels, Dawson, Fallon, Garfield, McCone, Phillips, Powder River, Prairie, Richland, Rosebud, Roosevelt, Sheridan, Treasure, Valley, and Wibaux counties. (18)	1/20/2012
Shawn Real Bird, Hardin	Big Horn, Carbon, Fergus, Golden Valley, Judith Basin, Musselshell, Petroleum, Sweet Grass, Stillwater, Wheatland, and Yellowstone counties. (11)	1/20/2013
Mike Tatsey, Valier	Cascade, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole counties (8)	1/20/2012
Susan Austin, Kalispell	Flathead, Granite, Lake, Lincoln, Missoula, Mineral, Powell, Ravalli, and Sanders counties (9)	1/20/2013
Susan Egbert, Helena	Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis and Clark, Madison, Meagher, Park, and Silver Bow counties (10)	1/20/2014

Topics of Interest

- Due to a diminished number of live horse races in Montana over time, Gov. Schweitzer established a Montana Horse Racing Task Force in 2006 under executive order No. 33-2006, to examine the trends in the horseracing industry, identify impediments, and make recommendations on ways to revitalize the industry. One result was HB 616, sponsored by Rep. Bill McChesney in 2007, which allowed fantasy sports leagues under a parimutuel network to be licensed by the Board of Horseracing, which shared in the wagering proceeds. The mix of fantasy sports leagues and horseracing may be of interest.

2011 Legislation Enacted Regarding Board of Horseracing

- SB 16, sponsored by Sen. Brown, requires a person conducting simulcast racing through a simulcast parimutuel network to enter into a contract with the Board of Horseracing and allows the Board of Horseracing to act as a simulcast parimutuel network provider.

Audits

- The Legislative Audit Committee requested information from the Attorney General regarding the appropriateness of the Montana Lottery -- at the behest of the Board of Horseracing -- to handle the fantasy sports games and parimutuel network licensing. A separate request to the Attorney General by the Board of Horseracing asked if the fantasy sports game offered by the Board of Horseracing through the Montana Lottery was a "sports pool" under Title 23, part 5, MCA. The narrower question resulted in a "not a sports pool" response in a letter of advise, issued December 29, 2010:
<http://www.doj.mt.gov/resources/lettersadvice2010/2010carruthers.pdf>.

Budget, FY 2013-FY2014

	FY 2013 FTE	General Fund	State Other	Total All
Board of Horseracing	2.28	\$0	\$350,070	\$350,070

Source: Legislative Fiscal Division