

# Administrative Rule Analysis



## REGULATION NO. 813 TESTING HORSES AND PULLING TEAMS FOR DRUGS

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Rule Set No. 2016-010 AC

Analysis available at  
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Submitted to JCAR on: 11/14/2016

Department: Department of Agriculture and Rural Development  
Executive Division

Enabling Statute: Horse Racing Law of 1995, 1995 PA 279, MCL 431.320

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## BACKGROUND AND SUMMARY OF PROPOSED RULES

Many county fairs or expositions offer harness racing and/or horse team pulling events. In the past, the state appropriations provided funding for the purses or premiums awarded at these events. State appropriations no longer support purses or premiums for horse pulling events.

Regulation 813 governs the administration, by the Michigan Department of Agriculture, of drug-testing of horses at horse racing or pulling events “where state funds are used for the any portion of the purse or premiums.” The Department indicates that there is still a public purpose in the Department providing independent third-party drug testing of horses entered in county fair or exposition events – whether or not state funds provide purse or premium funding. Department testing promotes honest competitions and animal welfare. As a result, the proposed rule would strike references to the use of state funds for purses or premiums. The current rule would apply to the drug testing of horses at county fairs and exposition whether or not state funds were used for purses or premiums.

The proposed rule would also make some technical changes. It would change the definition of Department to reference the Department of Agriculture *and Rural Development*. The Rule would also indicate that the Rules only apply to events that are not under the jurisdiction of the Michigan Gaming Control Board. The Michigan Gaming Control Board has authority over pari-mutuel horse racing – including drug testing of horses in pari-mutuel races.

## FISCAL IMPACT OF PROPOSED RULES

The Department anticipates that additional program costs would be minimal and could be met through current budgetary resources. Actual direct testing costs would be covered through Department testing fees – the Department currently charges various laboratory testing fees and would assess the fairs or competitors for tests performed. County fairs and/or competitors currently pay for private testing; there would be no additional costs in authorizing the Department to conduct and oversee testing.

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