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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2795**

03/12/2012 Authored by Hoppe and Atkins  
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform  
03/21/2012 Adoption of Report: Pass and Read Second Time  
04/24/2012 Fiscal Calendar  
Read Third Time  
Passed by the House and transmitted to the Senate  
04/28/2012 Passed by the Senate as Amended and returned to the House  
04/30/2012 The House concurred in the Senate Amendments and repassed the bill as Amended

1.1 A bill for an act  
1.2 relating to horse racing; modifying provisions relating to card clubs and  
1.3 pari-mutuel wagering; providing for certain regulatory threshold concentrations  
1.4 to be set by the commission; amending Minnesota Statutes 2010, sections  
1.5 240.01, subdivision 25; 240.13, subdivision 9; 240.24, subdivision 2, by adding a  
1.6 subdivision; 240.30, subdivision 8; repealing Minnesota Statutes 2010, section  
1.7 240.30, subdivision 3.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2010, section 240.01, subdivision 25, is amended to read:

1.10 Subd. 25. **Card playing.** "Card playing" means an activity wherein individuals  
1.11 ~~compete and wager with each other~~ utilizing a 52-unit system comprised of a series of  
1.12 numbers, numbered two through ten, and the letters J, Q, K, and A, combined with  
1.13 four symbols commonly known as hearts, diamonds, spades, and clubs, wherein each  
1.14 individual unit constitutes the display of one of the 52 possible combinations. The symbol  
1.15 commonly known as a joker may be incorporated into the system.

1.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.17 Sec. 2. Minnesota Statutes 2010, section 240.13, subdivision 9, is amended to read:

1.18 Subd. 9. **Transmission to Indian lands; pooling of bets.** A ~~licensed racetrack class~~  
1.19 B licensee may, with the approval of the horsepersons' organization representing the  
1.20 majority of horsepersons racing the breed involved, transmit telecasts of races the licensee  
1.21 conducts, and simulcasts upon which the licensee accepts wagers to sites on Indian  
1.22 lands of tribes who are lawfully conducting pari-mutuel wagering gaming authorized  
1.23 by a tribal-state compact entered into pursuant to the Indian Gaming Regulatory Act,  
1.24 Public Law 100-497, or through litigation, arbitration, or mediation relative to that act.

2.1 ~~Nothing in this subdivision shall be construed to indicate that state policy or law permits~~  
2.2 ~~or encourages the transmission of telecasts to sites on Indian lands for wagering purposes.~~  
2.3 Transmissions of telecasts or simulcasts are only authorized if they are conducted pursuant  
2.4 to a written agreement between the tribal government receiving the signal and a licensee  
2.5 who is authorized to conduct live racing, at the licensee's facility, of the breed involved  
2.6 in the telecast or simulcast. The written agreement is not valid or effective unless it is  
2.7 approved by the commission. The agreement must be enforceable only in state courts. The  
2.8 term of the written agreement shall not exceed five years. The agreement may be renewed  
2.9 after review and approval, not earlier than six months before the end of the term, by the  
2.10 commission. With prior approval of the commission, a licensed racetrack transmitting  
2.11 telecasts of races it conducts, to sites on Indian lands within or outside of Minnesota or to  
2.12 other locations outside the state, may commingle the amounts bet at the receiving entity  
2.13 with the pools at the sending licensed racetrack.

2.14 Sec. 3. Minnesota Statutes 2010, section 240.24, subdivision 2, is amended to read:

2.15 Subd. 2. **Exception.** Notwithstanding subdivision 1, the commission by rule shall  
2.16 allow the use of: (1) topical external applications that do not contain anesthetics or  
2.17 steroids; (2) food additives; (3) Furosemide or other pulmonary hemostatic agents if the  
2.18 agents are administered under the visual supervision of the veterinarian or a designee  
2.19 of the veterinarian employed by the commission; (4) nonsteroidal anti-inflammatory  
2.20 drugs, provided that the test sample does not contain more than ~~five micrograms of the~~  
2.21 ~~substance or metabolites thereof per milliliter of blood plasma~~ the regulatory threshold  
2.22 concentrations set by rule by the commission; and (5) medications and their metabolites,  
2.23 provided their use thereof does not exceed regulatory threshold concentrations set by rule  
2.24 by the commission. For purposes of this clause, "test sample" means any bodily substance  
2.25 including blood, urine, saliva, or other substance as directed by the commission, taken  
2.26 from a horse under the supervision of the commission veterinarian and in such manner as  
2.27 prescribed by the commission for the purpose of analysis.

2.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.29 Sec. 4. Minnesota Statutes 2010, section 240.24, is amended by adding a subdivision  
2.30 to read:

2.31 Subd. 2a. **Reimbursement.** Increased expenses related to the use of upgraded drug  
2.32 testing technologies and procedures are deemed to be necessary costs within the meaning  
2.33 of section 240.155 and the commission shall be reimbursed for these expenses from  
2.34 receipts from card playing activities regulated by the commission.

3.1 Sec. 5. Minnesota Statutes 2010, section 240.30, subdivision 8, is amended to read:

3.2 Subd. 8. **Limitations.** The commission may not approve any plan of operation  
3.3 under subdivision 6 that exceeds any of the following limitations:

3.4 (1) the maximum number of tables used for card playing at the card club at any one  
3.5 time, other than tables used for instruction, demonstrations, or poker tournament play,  
3.6 may not exceed ~~50~~. ~~The table limit exception for tournament play is allowed for only one~~  
3.7 ~~tournament per year that lasts for no longer than 14 days~~ 80;

3.8 (2) except as provided in clause (3), no wager may exceed ~~\$60~~ \$100;

3.9 (3) for games in which each player is allowed to make only one wager or has a  
3.10 limited opportunity to change that wager, no wager may exceed \$300.

3.11 Sec. 6. **REPEALER.**

3.12 Minnesota Statutes 2010, section 240.30, subdivision 3, is repealed.

3.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

APPENDIX  
Repealed Minnesota Statutes: H2795-1

**240.30 CARD CLUBS.**

Subd. 3. **Type of wagering.** All card club wagering activities must be conducted in an unbanked system.