

## CHAPTER 141—H.F.No. 707

*An act relating to horse racing; allowing a licensed racetrack to conduct pari-mutuel betting on televised races on days when races are not conducted at the licensed racetrack; allowing the licensed racetrack to commingle pari-mutuel pools with the sending racetrack; allowing a licensed racetrack to transmit telecasts of races it conducts to other racetracks; amending Minnesota Statutes 1988, sections 240.01, subdivision 10, and by adding a subdivision; 240.10; 240.13, subdivisions 1, 3, 6, and by adding a subdivision; 240.14, by adding a subdivision; 240.16, by adding a subdivision; and 240.29.*

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

Section 1. Minnesota Statutes 1988, section 240.01, subdivision 10, is amended to read:

Subd. 10. **RACING DAY.** "Racing day" is a day assigned by the commission on which racing is conducted. Racing day includes televised racing day.

Sec. 2. Minnesota Statutes 1988, section 240.01, is amended by adding a subdivision to read:

Subd. 13. TELEVISED RACING DAY. "Televised racing day" means a day assigned by the commission on which pari-mutuel betting is conducted only on horse races run at racetracks outside of the state which are broadcast by television at a licensed racetrack.

Sec. 3. Minnesota Statutes 1988, section 240.10, is amended to read:

## 240.10 LICENSE FEES.

The fee for a class A license is \$10,000 per year. The fee for a class B license is \$100 for each assigned racing day on which racing is actually conducted, and \$50 for each assigned televised racing day on which televised racing is actually conducted. The fee for a class D license is \$50 for each assigned racing day on which racing is actually conducted. Fees imposed on class B and class D licenses must be paid to the commission at a time and in a manner as provided by rule of the commission.

The commission shall by rule establish an annual license fee for each occupation it licenses under section 240.08 but no annual fee for a class C license may exceed \$100.

License fee payments received must be paid by the commission to the state treasurer for deposit in the general fund.

Sec. 4. Minnesota Statutes 1988, section 240.13, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZED.** Class B and class D licenses give the licensees authority to conduct pari-mutuel betting on the results of races run at the

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licensed racetrack, and on other races as authorized by the commission under ~~subdivision~~ subdivisions 6 or 6a.

Sec. 5. Minnesota Statutes 1988, section 240.13, subdivision 3, is amended to read:

Subd. 3. **TYPES OF BETTING.** The commission shall by rule designate those types of pari-mutuel pools which are permitted at licensed racetracks, and no licensee may conduct any type of pari-mutuel pool which has not been so designated, except as provided for in subdivision 6a.

Sec. 6. Minnesota Statutes 1988, section 240.13, subdivision 6, is amended to read:

Subd. 6. **TELEVISED RACES.** (a) The commission may by rule permit a class B or class D licensee to conduct on the premises of the licensed racetrack pari-mutuel betting on horse races run in other states and broadcast by television on the premises. All provisions of law governing pari-mutuel betting apply to pari-mutuel betting on televised races except as otherwise provided in this subdivision or in the commission's rules. Pari-mutuel pools conducted on such televised races may consist only of money bet on the premises and may not be commingled with any other pool off the premises, except that:

(a) (1) the licensee may pay a fee to the person or entity conducting the race for the privileges of conducting pari-mutuel betting on the race; and

(b) (2) the licensee may pay the costs of transmitting the broadcast of the race.

(b) Pari-mutuel betting on a televised race may be conducted only on a racing day assigned by the commission. The takeout and taxes on pari-mutuel pools on televised races are as provided for other pari-mutuel pools. All televised races under this subdivision must comply with the Interstate Horse Racing Act of 1978 as found in United States Code, title 15, section 3001 and the following relevant sections. In lieu of the purse requirement established by subdivision 5, the licensee shall set aside for purses one-half of the take-out from the amount bet on televised races after the payment of fees and taxes. For the purposes of purse distribution under subdivision 5, the average daily handle shall not include amounts bet in pari-mutuel pools on televised races.

(c) A licensee may, with the approval of the commission, transmit telecasts of races the licensee conducts, for wagering purposes, to a location outside the state. The commission may allow the licensee to commingle its wagering pools with the wagering pools at a facility located outside of this state that is regulated by a state racing commission, when it transmits telecasts under this paragraph.

Sec. 7. Minnesota Statutes 1988, section 240.13, is amended by adding a subdivision to read:

Subd. 6a. **TELEVISED RACING DAYS.** (a) The commission may by rule permit a class B licensee to conduct on the premises of a licensed racetrack pari-mutuel betting on horse races conducted at racetracks located outside of this state and which are broadcast by television to a licensed racetrack. All televised races under this subdivision must comply with the Interstate Horse Racing Act of 1978, United States Code, title 15, sections 3001 to 3007. All

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provisions of law governing pari-mutuel betting apply to pari-mutuel betting on televised racing days except as provided under this subdivision. A class B licensee within the seven-county metropolitan area may conduct pari-mutuel betting on a televised racing day only on televised races run by a breed which ran at the licensed racetrack within the 12 months preceding the televised racing day.

(b) With the prior approval of the commission, the licensee may commingle the amounts bet at the licensed racetrack on a televised racing day with the pools at the sending racetrack. If the pools are commingled, the wagering at the licensed racetrack must be on tabulating equipment capable of issuing pari-mutuel tickets and be electronically linked with the equipment at the sending racetrack. Subject to the approval of the commission, the types of betting, takeout, and distribution of winnings on pari-mutuel pools of the sending licensed racetrack are those in effect at the sending racetrack. Notwithstanding subdivision 4, breakage for pari-mutuel pools on a televised racing day must be calculated in accordance with the law or rules governing the sending racetrack, and must be distributed in a manner agreed to between the licensee and the sending racetrack. The licensee may deduct from any pari-mutuel pool on a televised racing day, any fee to the person or entity conducting the race for the privilege of conducting pari-mutuel betting on the race and payment of costs incurred in transmitting the broadcast of the race.

(c) Notwithstanding section 240.13, subdivision 7, and section 240.15, subdivision 5, the commission may approve procedures governing the definition and disposition of unclaimed tickets which are consistent with the law and rules governing unclaimed tickets at the sending racetrack.

(d) In lieu of the amount required to be set aside under subdivision 5 or paid to the Minnesota breeders' fund under section 240.15, subdivision 1, the licensee must set aside 22 percent of the amounts withheld from all pari-mutuel pools to be divided as follows:

(1) 50 percent to be retained by the licensee;

(2) 25 percent to be paid to the commission for deposit in the Minnesota breeders' fund for the purpose to supplement purses at the next racing meeting for the breed involved as provided under section 240.18, paragraph (2), clause (a); and

(3) 25 percent to be retained by the licensee and set aside for purse monies in the next racing meeting for the breed involved in addition to the amounts required to be set aside during the next racing meeting under subdivision 5.

(e) The disbursement of all remaining amounts withheld from pari-mutuel pools on a televised racing day, except amounts payable as a tax under section 240.15, subdivision 1, must be as agreed to between the sending racetrack and the licensee. However, a portion of the disbursement before division between the sending racetrack and the licensee may be used by the licensee to pay purses

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in excess of the amounts required under subdivision 5 during the licensee's next racing meeting. If the licensee so uses a portion of the remaining amounts for purse payments the allocation must be as agreed to between the licensee and the horseperson's organization which represented, at the licensee's racetrack during the previous 12 months, the breed running the racing on the televised racing day.

Sec. 8. Minnesota Statutes 1988, section 240.14, is amended by adding a subdivision to read:

Subd. 1a. TELEVISED RACING DAY. Notwithstanding subdivision 1, the commission may assign televised racing days at any time. The commission may not assign a televised racing day to a licensee between April 1 and October 31, unless the licensee has obtained the approval of the horseperson's organization representing the majority of horsepersons racing at each licensed racetrack in this state during the preceding 12 months.

Sec. 9. Minnesota Statutes 1988, section 240.16, is amended by adding a subdivision to read:

Subd. 1a. TELEVISED RACING DAY. All races on which pari-mutuel betting is conducted on televised racing days must be presided over by an official of the commission. The official of the commission presiding over races conducted on televised racing days has the powers and duties as provided by rule.

Sec. 10. Minnesota Statutes 1988, section 240.29, is amended to read:

**240.29 REQUIRED RACES.**

Each holder of a class B or D license must declare and schedule, on each racing day it conducts, except for televised racing days, at least one race which:

(a) before January 1, 1988, is limited to horses which are Minnesota-bred, Minnesota-foaled, or Minnesota-owned, and

(b) on and after January 1, 1988, is limited to horses which are Minnesota-bred or Minnesota-foaled.

If there is not a sufficient number of such horses entered in the declared race to make up an adequate slate of entries, another similarly restricted race may be substituted.

The commission shall by rule define "Minnesota-bred," "Minnesota-foaled," and "Minnesota-owned."

Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 10 are effective the day following final enactment.

Presented to the governor May 12, 1989

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Signed by the governor May 15, 1989, 5:50 p.m.

CHAPTER 142—H.F.No. 1077

*An act relating to state lands; authorizing conveyance of state land to the city of St. Peter.*

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

Section 1. CONVEYANCE OF LAND TO CITY OF ST. PETER.

Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the governor upon the recommendation of the commissioner of administration shall offer to quitclaim and convey to the city of St. Peter the land described in this section.

Conveyance shall be made in a form approved by the attorney general, for a consideration of \$718 per acre.

When the portion of the land to be used for public purposes has been designated by the city of St. Peter, the remaining land may be subdivided and sold. From the proceeds of a sale of any portion of the property, the city of St. Peter shall deduct and retain a proportionate share of the purchase price and the costs associated with purchase, subdivision, and development including utilities, streets, storm sewers, site work, engineering, trail, and greenbelt corridor. The balance remaining after deduction of these costs shall be remitted to the state treasurer and deposited in the state treasury and credited to the general fund.

The land to be conveyed is located in Nicollet county in the city of St. Peter, consists of about 137 acres, and is described as:

All that part of the Southwest Quarter and that part of the Southwest Quarter of the Southeast Quarter of Section 20, Township 110 North, Range 26 West, described as follows:

Beginning at the Southeast corner of the Southwest Quarter of Section 20, Township 110 North, Range 26 West; thence South 89 degrees 54 minutes 24 seconds East (assumed bearing) along the South line of the Southwest Quarter of the Southeast Quarter of said Section 20, a distance of 934.50 feet; thence North 00 degrees 52 minutes 53 seconds East, a distance of 1315.78 feet to a point on the North line of said Southwest Quarter of the Southeast Quarter; thence North 89 degrees 56 minutes 38 seconds West, along the North line of said Southwest Quarter of the Southeast Quarter, a distance of 949.50 feet to the Northwest corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 13 minutes 42 seconds East, along the East line of the Southwest Quarter of said Section 20, a distance of 1315.05 feet to the Northeast corner of said Southwest Quarter; thence South 89 degrees 59 minutes 12 seconds West on the North line of said Southwest Quarter a distance of 1852.12 feet to a point 794.64 feet East of the West line of the Southwest Quarter of said Section 20; thence South 00 degrees 09 minutes 39 seconds East and parallel to said West

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