

**7872.0110 ASSIGNMENT OF RACING DAYS.**

Subpart 1. **Request.** Upon the written request of a Class B or D licensee, the commission shall assign racing days, including maximum number of days of racing per year, months and weeks during which racing may be conducted, days on which racing may be conducted, dark days, types of racing, maximum number of races per program, hours of racing, period of time between race meetings and other issues related to Minnesota Statutes, chapter 240, and the rules of the commission.

Subp. 2. **Basis for assignment of racing days.** When considering a request for assignment of racing days, the commission must consider the success and integrity of racing; the public health, safety, and welfare; public interest, necessity, and convenience; as well as the following factors:

- A. the integrity of the licensee and the host racetrack;
- B. the financial strength of the licensee and the host racetrack;
- C. the ability of the licensee and the host racetrack to conduct horse racing, including licensee's facilities, systems, policymakers, managers, and personnel;
- D. past compliance of the licensee and the host racetrack with all laws, rules, and orders regarding pari-mutuel horse racing;
- E. the licensee's market, including area, population, and demographics;
- F. the performance of the licensee and host racetrack with previously assigned dates;
- G. the impact of the assignment of racing days on the economic viability of the racetrack, including attendance and pari-mutuel handle;
- H. the quantity and quality of economic activity and employment generated;
- I. state tax revenues from racing and related economic activity;
- J. the entertainment and recreation opportunities for Minnesota citizens;
- K. the variety of racing;
- L. the quality of racing;
- M. the availability and quality of horses;
- N. the development of horse racing;
- O. the quality of racetrack facilities;
- P. security;
- Q. purses;
- R. benefits to Minnesota breeders and horse owners;

- S. stability in racing dates;
- T. competition among racetracks and with other providers of entertainment and recreation as well as its effects;
- U. the social effects;
- V. ecology;
- W. community and government support;
- X. sentiment of horsepersons; and
- Y. any other factors related to assignment of racing days which the commission deems crucial to its decision-making as long as the same factors are considered with regard to all requests.

**Statutory Authority:** *MS s 240.23*

**History:** *9 SR 2527; 14 SR 1419*

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