

7895.0110 THOROUGHBRED BREEDERS' FUND.

Subpart 1. **Definitions.** For purposes of this part, the following terms have the meanings given them unless another intention clearly appears.

A. "Minnesota-foaled" or "Minnesota-bred" means a horse foaled in Minnesota by a Minnesota registered broodmare.

B. "Minnesota-sire" means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season, between January 31 and July 31, in Minnesota.

Subp. 2. **Division of money.** The money available from the breeders' fund for the thoroughbred breed category shall be divided as follows:

A. Eighty percent shall be set aside and paid to breeders of Minnesota-bred horses as breeders' awards.

B. Twenty percent shall be set aside and paid as stallion awards to the owners of the Minnesota-sire at the time of breeding.

Subp. 3. **Distribution of money.** The money available from the thoroughbred breeders' fund, other than purse supplements earned pursuant to Minnesota Statutes, section 240.135, shall be distributed as follows:

A. "Breeders' awards" shall be paid to the breeder of a Minnesota-bred horse, as reflected on the Jockey Club certificate, that finishes third or better in any pari-mutuel race.

B. "Stallion awards" shall be paid to the owners of the Minnesota-sire of a Minnesota-bred horse that finishes third or better in any pari-mutuel race.

Subp. 4. **Methods and time of payment.** The amount of money distributed by the commission for awards or purse supplements pursuant to subpart 3 shall be paid out according to one of the two following methods as approved by the commission:

A. purse supplements shall be paid out for Minnesota-bred and registered stakes races in the same percentage as the purse money in the race and shall be paid out in overnight races to Minnesota-bred and registered horses that finish third or better and all such payments shall be credited to the owners' accounts at the time the purses are earned; or

B. purse supplements shall be paid out at the same time as breeders' and stallion awards. These supplements for overnight races shall be paid to owners of Minnesota-bred horses that finish third or better. Purse supplements earned shall not be included in determining breeders' or stallion awards.

The amount of money to be distributed in item A or B shall be according to subpart 5.

Subp. 5. **Adjustments.** The Racing Commission may set fixed amounts for stakes races and varying percentages for overnight races to be applied to purse supplements

that may be earned during the current race meeting. The Racing Commission may, in its discretion, during the course of a race meeting vary the percentages set for the purpose of keeping purse supplements consistent with the amount of money being earned in the breeders' fund. The Racing Commission shall consider the following criteria in determining the applicable percentages:

- A. the total amount of purse supplements to be distributed;
- B. the need to distribute purse supplements in a fair and equitable manner with a view toward encouraging the continued support of the horse industry in Minnesota, thereby providing incentive to breeders and owners of thoroughbred horses within the state; and
- C. that the set amount of the purse supplements or any adjustments made thereto are in the best interest of horse racing within the state.

Subp. 6. **Time of payment.** All money allocated for breeders' awards, stallion awards, and those purse supplements to be distributed according to subpart 4, item B, shall be distributed within 45 days of the end of the thoroughbred race meeting.

Subp. 7. [Repealed, 12 SR 2393]

Subp. 8. **Residual funds.** All unearned purse supplements shall be retained and carried forward to be included as net distributable funds in the succeeding thoroughbred race meeting.

Statutory Authority: *MS s 240.18; 240.23; 240.24*

History: *10 SR 1908; 12 SR 2393; 14 SR 332; 14 SR 2008; 16 SR 2684; 19 SR 2307; 20 SR 2592; 37 SR 1503*

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