

CHAPTER 7895
MINNESOTA RACING COMMISSION
HORSES; BREEDERS' FUND

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7895.0050 DEFINITIONS.

Subpart 1. **Breeder award.** "Breeder award" means payment made to the owners or lessees of record of a mare based on that mare's registered foal's purse earnings in any race conducted in North America.

Subp. 2 **Purse supplements.** "Purse supplements" means money that is added to the purse of a race and is payable to the owner or lessee of a horse who has earned purse earnings in the race.

Subp. 3. **Stallion award.** "Stallion award" means payment made to the owners or lessees of the Minnesota-sire of a Minnesota-bred horse that earns purse earnings in any race conducted in North America.

Statutory Authority: *MS s 240.03; 240.23*

History: *45 SR 644*

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7895.0100 GENERAL PROVISIONS.

Subpart 1. **Scope.** The purpose of this chapter is to administer the breeders' fund under Minnesota Statutes, section 240.18, and the required race provision of Minnesota Statutes, section 240.29.

Subp. 2. **Registration.** To qualify for payment of awards and for entry into restricted races, all foal certificates must have the Minnesota registration seal affixed upon them or be available for review through the breed specific registering agency.

Subp. 3. **Decisions regarding eligibility for registration.** Questions regarding the registration, eligibility for registration, or breeding of a Minnesota-bred horse shall be decided by the Racing

Commission. All original foal registration certificates must be submitted for inspection to the Racing Commission or be available for review through the breed specific registering agency. Affidavits or other substantive proof, as the Racing Commission deems necessary, may be required to support any claim for Minnesota-bred registration.

Subp. 4. **Decision regarding eligibility to enter restricted races.** Questions as to the eligibility for nomination or entry in restricted races shall be decided by the Racing Commission.

Subp. 5. **Basis for allocation.** The amount of money allocated for any particular race should reflect the quality of the race being run.

Subp. 5a. **False statements.** A person who knowingly makes a false statement in a document or application required to be submitted to the commission under this chapter may be denied participation in the breeders' fund for a period not to exceed five years.

Subp. 6. **Breeders' fund advisory committees.** All money allocated pursuant to this chapter shall be determined by the commission after consultation with the appropriate breeders' fund advisory committee.

Subp. 6a. **Awards and purse supplements forfeited.** A person denied participation in the breeders' fund under subpart 5a shall forfeit and return to the commission any awards and purse supplements received based upon the submission of the false statement.

Subp. 7. [Repealed, 12 SR 2393]

Subp. 8. **Late fees.** All late fees collected for late registration of horses shall be allocated to the breeders' fund administration account.

Statutory Authority: *MS s 240.03; 240.18; 240.23; 240.24; 240.29*

History: *10 SR 1908; 11 SR 2201; 13 SR 38; 15 SR 2307; 45 SR 644*

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7895.0110 THOROUGHBRED BREEDERS' FUND.

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

A. "Breeder" of a Thoroughbred horse means the owner or lessee of the dam at the time of foaling.

B. "Minnesota-bred" or "Minnesota-foaled" means a horse foaled in Minnesota by a broodmare registered with the Racing Commission.

C. "Minnesota-sire" means a stallion that 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 or lessee of a Minnesota-bred horse, as reflected on the Jockey Club physical or digital certificate, that earns purse earnings in any North American pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race that is conducted outside of Minnesota during the Minnesota Thoroughbred racing meeting shall not count toward qualified earnings. A horse's earnings in any single race must not be worth more than the winner's share of the largest purse offered during the Minnesota Thoroughbred racing meeting.

B. "Stallion awards" shall be paid to the owners or lessees of the Minnesota-sire of a Minnesota-bred horse that earns purse earnings in any pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race outside of Minnesota during the Minnesota Thoroughbred racing meeting shall not count toward qualified earnings. A horse's earnings in any single race must not be worth more than the winner's share of the largest purse offered during the Minnesota Thoroughbred racing meeting.

C. Purse supplements earned shall not count toward qualified earnings in determining breeders' or stallion awards.

Subp. 4. [Repealed, 45 SR 644]

Subp. 5. **Purse supplements.** The Racing Commission may set fixed amounts for stakes races and varying percentages for overnight races to be applied as purse supplements that may be earned during the current racing meeting. Purse supplements shall be paid out for Minnesota-bred and registered horses participating in stakes races in the same percentage as the purse earnings in the race. The Racing Commission may, in its discretion, during the course of a racing 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.

A. All money allocated for breeders' awards and stallion awards to be distributed according to subpart 3, shall be distributed by December 31 of the year earned. If all results are not official 60 days following the end of the Minnesota Thoroughbred racing meeting, the Racing Commission will calculate awards based on results that are official. Any results not made official 60 days following the end of the Minnesota Thoroughbred racing meeting that are eligible for awards will be used to calculate awards to be distributed during the year of final decision.

B. For the purposes of breeders' awards and stallion awards, both available award money and qualified purse earnings shall be totaled annually from October 1 to September 30.

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 240.03; 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; 45 SR 644*

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7895.0125 THOROUGHBRED REGISTRATION.

Subpart 1. **Broodmare registration.** To be eligible to receive any breeders' award payments and to make a mare's foal eligible for restricted races, the following requirements must be met:

A. Prior to foaling, a broodmare must be in Minnesota and registered with the Racing Commission on or before March 15 of the year in which the broodmare will foal and must remain in Minnesota until foaling. A copy of the broodmare's Jockey Club physical or digital certificate must be received by the Racing Commission.

B. In the event a broodmare that is not registered with the Racing Commission should foal in Minnesota before March 15, the owner must submit a sworn affidavit to the Racing Commission attesting that the foal was born in Minnesota. The affidavit will be considered evidence that the foal is a Minnesota-bred or Minnesota-foaled horse and the owner of the broodmare or his or her agent must register the broodmare in accordance with item A. The attending veterinarian, licensed by the state of Minnesota, must certify that the information provided by the owner or agent is true and correct.

C. Late fees for late broodmare registration will be imposed as follows:

(1) A late fee of \$50 will be imposed for broodmare registrations received March 16 to April 14 of the foaling year.

(2) A late fee of \$100 will be imposed for broodmare registrations received April 15 to June 13 of the foaling year.

D. Failure to submit broodmare registration forms on or before June 13 of the foaling year will require a late fee of \$300 to qualify for any subsequent claims for breeders' award payments or for the foal to be registered as Minnesota-bred.

E. The Racing Commission may, at its discretion, request written documentation from any persons seeking late registration that the broodmare was in Minnesota as of March 15 of the foaling year.

Subp. 2. **Stallion registration.** To be eligible to receive any stallion award payments, the following requirements must be met:

A. Stallions must be in Minnesota and registered with the Racing Commission by January 31 of the current breeding year. A copy of the stallion's Jockey Club physical or digital certificate must be received by the Racing Commission. If the stallion is leased, a copy of the lease must accompany the registration application. The lease must include a statement that the lessee is authorized to sign the breeding certificate.

B. Stallions must remain in Minnesota for the entire breeding season from January 31 to July 31. A newly acquired stallion that has not been in Minnesota for breeding purposes before January 31 of the current breeding season may be eligible for stallion awards if the stallion has been properly registered with the Racing Commission prior to servicing any mare and the stallion has not serviced any mare after December 31 of the preceding year.

C. Late fees for late stallion registration will be imposed as follows:

(1) A late fee of \$50 will be imposed for stallion registrations received February 1 to March 1 of the breeding year.

(2) A late fee of \$100 will be imposed for stallion registrations received March 2 to May 1 of the breeding year.

D. Failure to submit stallion registration forms on or before May 1 of the breeding year will require a late fee of \$300 to qualify for any subsequent claims for stallion award payments.

E. The commission may, at its discretion, request written documentation from any persons seeking late registration that the stallion was standing in Minnesota as of January 31 of the breeding year.

Subp. 3. **Foal registration and certification.** For a horse foaled by a Minnesota registered broodmare in Minnesota to be registered and subsequently certified as a Minnesota-bred, the following requirements must be met:

A. Within 21 days of the date a horse is foaled in Minnesota, the foal must be registered with the Racing Commission. The registration form must contain the following information: date, name of the owner or lessee of the registered broodmare, registered name of the broodmare, date the foal was born, owner's statement that the foal was born in Minnesota, and name, signature, and veterinary license number of the Minnesota-licensed veterinarian submitting the report. Failure to

submit the veterinarian's report will disqualify any subsequent claim to register the foal as Minnesota-bred.

B. Late fees for late foal registration will be imposed as follows:

(1) A late fee of \$50 will be imposed for foal registrations received 22 to 60 days after foaling.

(2) A late fee of \$100 will be imposed for foal registrations received 61 to 90 days after foaling.

C. Failure to submit foal registration forms on or before 91 days of the date of foaling will require a late fee of \$300 to qualify for any subsequent claims to earn any breeders' fund payments.

D. The foal certificate must be verified by microchip by the Racing Commission prior to entry into any restricted race.

E. Failure to have foal certificate verified through the official breed registry shall disqualify any claim to enter the horse in a restricted race or to earn any breeders' fund payments.

Subp. 4. [Repealed, 12 SR 2393]

Subp. 5. [Repealed, 12 SR 2393]

Subp. 6. [Repealed, 12 SR 2393]

Statutory Authority: *MS s 240.03; 240.18; 240.23; 240.24*

History: *10 SR 2161; 12 SR 2393; 14 SR 2008; 15 SR 2307; 16 SR 2684; 20 SR 2592; 23 SR 832; 45 SR 644*

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7895.0250 STANDARDBRED BREEDERS' FUND.

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

A. "Breeder" means the owner or lessee of the dam as reflected on the United States Trotting Association (USTA) certificate of registration.

B. "Minnesota-bred" means:

(1) the horse was sired by a stallion standing in the state of Minnesota as reflected on the USTA stallion report; or

(2) foals must have been sired by a stallion registered with the Racing Commission that stood in the state of Minnesota for the entire breeding season and is registered pursuant to part 7895.0275, subpart 1.

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

A. 25 percent shall be set aside and paid to breeders as breeders' awards; and

B. 75 percent shall be paid to supplement purses in races which are restricted to horses that are Minnesota-bred.

Subp. 3. **Distribution of money.** The money available from the standardbred breeders' fund shall be distributed as breeders' awards and paid to the breeder, as reflected on the USTA foal certificate, of a Minnesota-bred horse that finishes fifth or better in any pari-mutuel or sanctioned USTA non-pari-mutuel race in Minnesota.

Subp. 4. **Methods of payment.** The amount of money distributed for breeders' awards or purse supplements pursuant to subpart 3, shall be paid out in the same percentage as the purse money in the race.

Subp. 5. **Adjustments.** The Racing Commission shall set percentages to be applied to each category of the breeders' fund for the purpose of determining the amount of awards and 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 in each category for the purpose of keeping awards and purse supplements consistent with the amount of money being earned in the breeders' fund and subsequent breeders' award disbursements. The Racing Commission shall consider the following criteria in determining the applicable percentages:

A. the number of potential breeders' award recipients;

B. the total amount of breeders' awards and purse supplements to be distributed;

C. the need to distribute breeders' awards and 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 standardbred horses within the state; and

D. that the set amount of the breeders' awards and purse supplements or any adjustments made thereto are in the best interest of horse racing within the state.

Subp. 6. **Time of payment.** Purse supplements are part of the purse and shall be credited to owners' accounts at the time the purses are earned. All money allocated for breeders' awards and stallion awards shall be distributed within 45 days of the end of the standardbred race season.

Subp. 7. [Repealed, 12 SR 2393]

Subp. 8. **Residual funds.** After complying with subparts 4 to 6, any remaining funds in the breeders' awards account, and all unearned purse supplements, shall be retained and carried forward to be included as net distributable funds in the succeeding standardbred race meeting.

Subp. 9. **Exceptions.** Money accrued to the standardbred breeders' fund from standardbred simulcasting will be deposited with the commission to be used as purse supplements pursuant to Minnesota Statutes, section 240.18, paragraph 3, clause (b), as approved by the commission for standardbred racing conducted in the state for either a pari-mutuel or non pari-mutuel meet or both.

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

History: 10 SR 2161; 12 SR 2393; 14 SR 2008; 16 SR 2684; 28 SR 1482; 31 SR 1731

Published Electronically: October 8, 2013

7895.0275 STANDARD BRED REGISTRATION.

Subpart 1. **Stallion registration.** To be eligible to participate in the standardbred breeders' fund program, the following requirements must be met:

A. Stallions must be in Minnesota and registered with the Racing Commission by January 31 of the current breeding year. The stallion's United States Trotting Association (USTA) certificate must be available for review by the Racing Commission. If the stallion is leased, a copy of the lease must accompany the registration application. The lease agreement must contain a statement that the lessee is authorized to sign the breeding certificate.

B. Stallions must remain in Minnesota for the entire breeding season from January 31 to July 31 unless:

(1) the Racing Commission is notified in writing by certified mail; and

(2) the stallion is leaving Minnesota for racing, medical, or show purposes, or is sold privately or through public auction. A stallion may not breed any mares while outside Minnesota.

C. A newly acquired stallion that has not been in Minnesota for breeding purposes before January 31 of the current breeding season may be eligible for stallion awards if the stallion has been properly registered with the Racing Commission prior to servicing any mare and the stallion has not serviced any mare after December 31 of the preceding year.

D. Late fees for late stallion registration will be imposed as follows:

(1) A late fee of \$50 will be imposed for stallion registrations received February 1 to March 1 of the breeding year.

(2) A late fee of \$100 will be imposed for stallion registrations received March 2 to May 1 of the breeding year.

E. Failure to submit stallion registration forms after May 1 of the breeding year will require a late fee of \$300 to qualify for any subsequent claims for stallion award payments.

F. The Racing Commission may, at its discretion, request written documentation from any persons seeking late registration that the stallion was standing in Minnesota as of January 31 of the breeding year.

Subp. 2. **Foal certification.** In order for a horse bred in Minnesota to be registered and subsequently certified as Minnesota-bred, the requirements in items A to C must be met.

A. The USTA certificate of registration must be available for review through the official registering agency prior to entry into any restricted race.

B. Failure to have the foal registered with the Racing Commission by August 31 of the year of its birth will require a late fee to qualify for any subsequent claims to enter the horse in a restricted race or to earn any breeders' fund payments.

C. Late fees for foal registration will be imposed as follows:

(1) \$50 will be imposed for foal registrations received after August 31 of the year of foaling.

(2) \$100 will be imposed for foal registrations received after January 1 of the year of foaling.

(3) \$300 will be imposed for foal registrations received any time after the horse's two-year-old year.

Subp. 3. [Repealed, 12 SR 2393]

Subp. 3. **Artificial insemination.** Beginning with the 2006 breeding season, foals conceived by transported semen (including semen shipped out of Minnesota) shall be considered Minnesota-bred as long as they meet the requirements of Rule 26, Section 6, of the United States Trotting Association rules for artificial insemination. The stallion must still meet the requirements in part 7895.0275 for stallion registration in Minnesota.

Subp. 4. [Repealed, 12 SR 2393]

Subp. 5. [Repealed, 12 SR 2393]

Statutory Authority: *MS s 240.03; 240.18; 240.23; 240.24*

History: *10 SR 2161; 12 SR 2393; 14 SR 2008; 15 SR 2307; 16 SR 2684; 28 SR 1482; 31 SR 1731; 33 SR 2095; 41 SR 1322; 45 SR 644*

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7895.0300 QUARTER HORSE BREEDERS' FUND.

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

A. "Artificial insemination" means the introduction of semen, either fresh, cooled, or frozen, into the vagina or uterus of the mare without sexual contact.

B. "Breeder" means the owner or lessee of the broodmare registered with the Racing Commission.

C. "Broodmare" means either a recipient mare, or a mare in foal by natural cover or artificial insemination.

D. "Donor mare" means the genetic dam of the embryo, oocyte, or fertilized egg, but not the mare carrying the foal.

E. "Embryo" means an egg that has been fertilized by sperm and undergone one or more divisions.

F. "Embryo transfer" means the transfer of an embryo from a donor mare into the uterus of a recipient mare for the duration of the pregnancy.

G. "Fertilized egg" means intercytoplasmic sperm injection and conventional in vitro fertilization. The fertilized egg is generally transferred to the uterus of a recipient mare.

H. "Minnesota-bred" or "Minnesota-foaled" means a horse foaled in Minnesota by a broodmare registered with the Racing Commission.

I. "Minnesota-sire" means a stallion that has stood the entire breeding season, from January 31 through July 31, in Minnesota and is registered with the Racing Commission.

J. "Minnesota-sired" or "Minnesota-sire" means a horse produced by a stallion registered with the Racing Commission. Horses can be sired by natural cover, artificial insemination, or by transfer of an embryo, oocyte, or fertilized egg.

K. "Natural cover" means natural breeding occurring between a mare and stallion.

L. "Recipient mare" means a mare carrying a foal by means of transfer of an embryo, oocyte, or fertilized egg from a donor mare. The recipient mare must be registered with the Racing Commission.

M. "Oocyte" means an egg or female reproductive cells.

N. "Oocyte transfer" means the transfer of a retrieved, unfertilized egg(s) from a donor mare into a recipient mare and then the mare is bred.

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

A. 80 percent shall be set aside and paid as awards to the owner or lessee of the broodmare at the time of foaling; and

B. 20 percent shall be set aside and paid as stallion awards to the owners or lessees of the Minnesota-sire of Minnesota-bred horses at the time of breeding.

Subp. 3. **Distribution of money.** The award money available from the Quarter Horse breeders' fund shall be distributed as follows:

A. "Breeders' awards" shall be paid to the breeder at the time of foaling of a Minnesota-bred horse as registered with the Racing Commission, that earns purse earnings in any North American pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race that is conducted outside of Minnesota during the Minnesota Quarter Horse live racing meeting shall not count toward qualified earnings. A horse's earnings in any single race must not be worth more than the winner's share of the largest purse offered during the Minnesota Quarter Horse racing meeting.

B. "Stallion awards" shall be paid to the stallion owner or recorded lessee (at the time of breeding) of a Minnesota-bred and sired horse that earns purse earnings in any North American pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race that is conducted outside of Minnesota during the Minnesota Quarter Horse racing meeting shall not count toward qualified earnings. A horse's earnings in any single race must not be worth more than the winner's share of the largest purse offered during the Minnesota Thoroughbred racing meeting.

Subp. 4. [Repealed, 45 SR 644]

Subp. 5. **Purse supplements.** Purse supplements earned shall not count toward qualified earnings in determining breeders' or stallion awards. The Racing Commission may set fixed amounts for stakes races and varying percentages for overnight races to be applied as purse supplements that may be earned during the current racing meeting. Purse supplements shall be paid out for Minnesota-bred and registered horses participating in stakes races, in the same percentage as the purse earnings in the race. The Racing Commission may, in its discretion, during the course of a racing meeting vary the percentages set in each category for the purpose of keeping purse supplements consistent with the amount of money being earned in the breeders' fund and subsequent award disbursements. The Racing Commission shall consider the following criteria in determining the applicable percentages:

- A. the total amount of awards and purse supplements to be distributed;
- B. the need to distribute awards and purse supplements among Minnesota breeders and owners 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 Quarter Horses within the state; and
- C. that the set amount of the awards and purse supplements or any adjustments made thereto are in the best interest of horse racing within the state.

Subp. 6. **Time of payment.** Purse supplements are part of the purse and shall be credited to owners' accounts at the time the purses are earned. All money allocated for breeders' awards and stallion awards shall be distributed by December 31 of the year earned. If all results are not official 60 days following the end of the Minnesota Quarter Horse racing meeting, the Racing Commission will calculate awards based on results that are official. Any results not made official 60 days following the end of the Minnesota Quarter Horse racing meeting that are eligible for awards will be used to calculate awards to be distributed during the year of final decision.

For the purposes of breeders' awards and stallion awards, both available award money and qualified purse earnings shall be totaled annually from October 1 to September 30.

Subp. 7. **Residual funds.** All unearned purse supplements shall be retained and carried forward to be included as net distributable funds in the succeeding Quarter Horse race meeting.

Statutory Authority: *MS s 240.03; 240.18; 240.23; 240.24*

History: 10 SR 2161; 12 SR 2393; 14 SR 2008; 16 SR 2684; 18 SR 886; 19 SR 2307; 28 SR 1482; 31 SR 1731; 39 SR 1115; 45 SR 644

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7895.0350 QUARTER HORSE REGISTRATION.

Subpart 1. **Broodmare registration.** To be eligible to receive any breeders' award payments and to make a mare's foal eligible for restricted races, the following requirements must be met:

A. Prior to foaling, a broodmare must be in Minnesota and registered with the Racing Commission on or before March 15 of the year in which the broodmare will foal and must remain in Minnesota until foaling. A copy of the broodmare's original American Quarter Horse Association (AQHA) certificate or digital certificate (or Jockey Club certificate in the case of a Thoroughbred mare in foal to a Quarter Horse stallion) must be received by the Racing Commission. In the event the broodmare is a recipient mare, the broodmare must be registered via a form provided by the Racing Commission.

B. In the event a broodmare that is not registered with the Racing Commission should foal in Minnesota before March 15, the owner or lessee must submit a sworn affidavit to the Racing Commission attesting that the foal was born in Minnesota. The affidavit will be considered evidence that the foal is a Minnesota-bred horse and the owner of the broodmare or his or her agent must register the broodmare in accordance with item A. The attending veterinarian, licensed by the state of Minnesota, must certify on information and belief that the information provided by the owner, lessee, or agent is true and correct.

Subp. 1a. [Repealed, 45 SR 644]

Subp. 1b. [Repealed, 45 SR 644]

Subp. 1c. **Fees.**

A. Fees for all late broodmare registrations will be imposed as follows:

(1) A fee of \$50 will be imposed for broodmare registrations received March 16 to April 14 of the foaling year.

(2) A fee of \$100 will be imposed for broodmare registrations received April 15 to December 31 of the foaling year.

B. Failure to submit broodmare registration forms on or before January 1 of the year after foaling will require payment of a fee of \$300 to qualify for any subsequent claims for breeders' award payments or for the foal to be registered as a Minnesota-bred horse.

C. The Racing Commission may, at its discretion, request written documentation from any persons seeking late registration that the broodmare was in Minnesota as of March 15 of the foaling year.

Subp. 2. **Stallion registration.** To be eligible to receive any stallion award payments, the following requirements must be met:

A. Stallions must be in Minnesota and registered with the Racing Commission by January 31 of the current breeding year. A copy of the stallion's original American Quarter Horse Association (AQHA) certificate or digital equivalent must be received by the Racing Commission. If the stallion is leased, a copy of the lease must accompany the registration application. The lease must include a statement that the lessee is authorized to sign the breeding certificate.

B. Stallions must remain in Minnesota for the entire breeding season from January 31 through July 31, unless the Racing Commission is notified in writing by certified mail or e-mail in the event a stallion shall leave Minnesota for racing, medical, or show purposes, or is sold privately or through public auction. A stallion may not breed any mares while in another state.

A newly acquired stallion that has not been in Minnesota for breeding purposes before January 31 of the current breeding season may be eligible for stallion awards if the stallion has been properly registered with the Racing Commission and the stallion has not serviced any mare after December 31 of the preceding year.

C. Late fees for late stallion registration will be imposed as follows:

(1) A late fee of \$50 will be imposed for stallion registrations received February 1 to April 15 of the breeding year.

(2) A late fee of \$100 will be imposed for stallion registrations received April 16 to December 31 of the breeding year.

D. Failure to submit stallion registration forms on or before January 1 of the foaling year will require payment of a fee of \$300 to qualify for any subsequent claims for stallion award payments.

E. The Racing Commission may, at its discretion, request written documentation from any persons seeking late registration that the stallion was standing in Minnesota as of January 31 of the breeding year.

Subp. 3. **Foal registration.** For a horse foaled in Minnesota to be registered as a Minnesota-sired horse, the following requirements must be met:

A. Within 21 days of the date a horse is foaled in Minnesota, the foal must be registered with the Racing Commission. The registration must include the following information: date, name of the owner or lessee of the registered broodmare, date the foal was born, owner's or lessee's statement that the foal was born in Minnesota, and name, signature, and veterinary license number of the Minnesota-licensed attending veterinarian. Failure to submit the veterinarian's report will disqualify any subsequent claim to register the foal as a Minnesota-bred horse.

B. Late fees for late foal registration will be imposed as follows:

(1) A late fee of \$50 will be imposed for foal registrations received 22 to 60 days after foaling.

(2) A late fee of \$100 will be imposed for foal registrations received 61 to 90 days after foaling.

C. Failure to submit foal registration forms on or before 91 days after foaling will require payment of a fee of \$300 to qualify for any subsequent claims to enter the horse in a restricted race or to earn any breeders' fund payments.

D. The original foal certificate must be verified by the Racing Commission prior to starting in any restricted race.

E. Failure to have a foal certificate verified shall disqualify any claim to enter the horse in a restricted race or to earn breeders' fund payments.

Subp. 4. [Repealed, 12 SR 2393]

Subp. 4. [Repealed, 45 SR 644]

Subp. 5. [Repealed, 12 SR 2393]

Subp. 6. [Repealed, 12 SR 2393]

Statutory Authority: *MS s 240.03; 240.18; 240.23; 240.24*

History: *10 SR 2161; 12 SR 2393; 14 SR 332; 14 SR 2008; 15 SR 2307; 16 SR 2684; 31 SR 1731; 39 SR 1115; 45 SR 644*

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7895.0400 ARABIAN BREEDERS' FUND.

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

A. "Breeder" means the owner or lessee of the dam at the time of conception in Minnesota.

B. "Minnesota-foaled" or "Minnesota-bred" means a horse foaled in Minnesota.

C. "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, between January 31 and August 31, in Minnesota, or has had transported semen to a specific mare in another state but the stallion has stood the entire breeding season in Minnesota.

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

A. 25 percent shall be set aside and paid to breeders of Minnesota-bred horses as breeders' awards;

B. 55 percent shall be paid to supplement purses. The purse supplements shall be apportioned in accordance with the quality of the race as determined by the commission;

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

D. ten percent shall be set aside and paid as owners' awards to the owners of Minnesota-bred or Minnesota-foaled horses.

Subp. 3. **Distribution of money.** The money available from the Arabian breeders' fund, other than purse supplements, shall be distributed as follows:

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

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

C. "Owner awards" shall be paid to the owner of a Minnesota-bred horse, as defined by the Arabian Horse Registry of America, Inc. certificate, that finishes third or better in any pari-mutuel race.

Subp. 4. **Methods of payment.** The amount of money distributed by the commission for awards or purse supplements pursuant to subpart 3 shall be paid out in the same percentage as the purse money in the race. Purse supplements earned shall not be included in determining breeders' or stallion awards. The amount of money to be distributed shall be in accordance with subpart 5.

Subp. 5. **Adjustments.** The Racing Commission shall set percentages 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 Arabian 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.** Purse supplements are part of the purse and shall be credited to owners' accounts at the time the purses are earned. All money allocated for breeders' awards, owners' awards, and stallion awards shall be distributed within 45 days of the end of the Arabian race meeting.

Subp. 7. **Residual funds.** All unearned purse supplements shall be retained and carried forward to be included as net distributable funds in the succeeding Arabian race meeting.

Statutory Authority: *MS s 240.23*

History: *16 SR 2684*

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7895.0450 ARABIAN REGISTRATION.

Subpart 1. **Broodmare registration.** To be eligible to receive any breeders' award payments, the following requirements must be met:

A. Prior to foaling, the broodmare must be in Minnesota and registered or the registration renewed with the Racing Commission or official registering agency on or before January 31 of the year in which the broodmare will foal. The broodmare's original Arabian Horse Registry of America, Inc. certificate must be received by the Racing Commission or official registering agency.

B. In the event an unregistered broodmare should foal in Minnesota before January 31, the owner must submit a sworn affidavit to the Racing Commission or the official registering agency attesting that the foal was born in Minnesota. The affidavit will be considered evidence that the foal is a Minnesota-bred or Minnesota-foaled horse and the owner of the broodmare or his or her agent must register the broodmare in accordance with item A. The attending veterinarian, licensed by the state of Minnesota, must certify on information and belief that the information provided from the owner or agent is true and correct.

C. Fines for late broodmare registration will be imposed as follows:

(1) A fine of \$50 will be imposed for broodmare registrations received February 1 to March 1 (excluding Saturday and Sunday) of the foaling year.

(2) A fine of \$100 will be imposed for broodmare registrations received March 2 to May 1 (excluding Saturday and Sunday) of the foaling year.

D. Failure to submit broodmare registration forms on or before May 1 of the foaling year (excluding Saturday and Sunday) will require payment of a fine of \$300 to qualify for any subsequent claims for breeders' award payments or for the foal to be registered as Minnesota-bred.

E. The commission may, at its discretion, request written documentation from any persons seeking late registration that the broodmare was standing in Minnesota as of January 31 of the foaling year.

Subp. 2. **Stallion registration.** To be eligible to receive any stallion award payments, the following requirements must be met:

A. Stallions must be in Minnesota and registered or the registration renewed with the Racing Commission or official registering agency by January 31 of the current breeding year. The stallion's original Arabian Horse Registry of America, Inc. certificate must be received by the Racing Commission or official registering agency. If the stallion is leased, a copy of the lease must accompany the registration application. The lease must include a statement that the lessee is authorized to sign the breeding certificate.

B. Stallions must remain in Minnesota for the entire breeding season from January 31 to August 31.

A newly acquired stallion which has not been in Minnesota for breeding purposes before January 31 of the current breeding season may be eligible for stallion awards if the stallion has not serviced any mare after December 31 of the previous year.

C. Fines for late stallion registration will be imposed as follows:

(1) A fine of \$50 will be imposed for stallion registrations received February 1 to March 1 (excluding Saturday and Sunday) of the breeding year.

(2) A fine of \$100 will be imposed for stallion registrations received March 2 to May 1 (excluding Saturday and Sunday) of the breeding year.

D. Failure to submit stallion registration forms on or before May 1 of the breeding year (excluding Saturday and Sunday) will require payment of a fine of \$300 to qualify for any subsequent claims for stallion award payments.

E. The commission may, at its discretion, request written documentation from any persons seeking late registration that the stallion was standing in Minnesota as of January 31 of the breeding year.

F. Any stallion outside Minnesota that is licensed in the semen transport program governed by the Arabian Horse Registry of America, Inc. must be registered with the Racing Commission or official registering agency. A special affidavit will be signed and notarized by the stallion owner and registered with the Racing Commission or official registering agency. All requirements in subpart 2 will apply to the stallion in question.

Subp. 3. **Foal registration and certification.** For a horse foaled in Minnesota to be registered and subsequently certified as Minnesota-bred, the following requirements must be met:

A. Within 30 days of the date a horse is foaled in Minnesota, the foal must be registered with the racing commission or official registering agency. The registration form must contain the following information: the date, the name of the owner of the foaling dam at the time of conception, the date that the foal was born, an owner's statement that the foal was born in Minnesota, and the signature and veterinary license number of the veterinarian submitting the report. Failure to submit the veterinarian's report will disqualify any subsequent claim to register the foal as Minnesota-bred.

B. Fines for late foal registration will be imposed as follows:

(1) A fine of \$50 will be imposed for foal registrations received up to 30 days late (excluding Saturday and Sunday).

(2) A fine of \$100 will be imposed for foal registrations received 31 to 90 days late (excluding Saturday and Sunday).

C. Failure to submit foal registration forms on or before 120 days of the date of foaling will require payment of a fine of \$300 to qualify for any subsequent claims to enter the horse in a restricted race or to earn any breeders' fund payments.

D. The original foal certificate must be embossed by the racing commission or official registering agency prior to entry into any restricted race.

E. Failure to have foal certificate embossed shall disqualify any claim to enter a horse in a restricted race or to earn any breeders' fund payments.

Statutory Authority: *MS s 240.23*

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