

1 Minnesota Racing Commission

2

3 Adopted Permanent Rules Relating to Pari-Mutuel Betting on Horse
4 Racing

5

6 Rules as Adopted

7 7869.0100 DEFINITIONS.

8 [For text of subps 1 to 50, see M.R. 1989]

9 Subp. 51. Race. "Race" means a contest among horses for
10 purse, stakes, premium, or wager for money, run in the presence
11 of racing officials of the association and the commission. The
12 following are categories of races:

13 [For text of items A to N, see M.R. 1989]

14 O. "Mixed race" means a race conducted between two or
15 more different breeds of horses.

16 [For text of subps 52 to 69, see M.R. 1989]

17 PARI-MUTUEL RULES ON LIVE RACING DAYS

18 7873.0110 APPROVAL OF PARI-MUTUEL POOLS.

19 [For text of subps 1 and 2, see M.R. 1989]

20 Subp. 3. Live racing days; director of pari-mutuel racing
21 authority. The director of pari-mutuel racing is delegated the
22 authority to approve variation and changes in pari-mutuel pools
23 previously approved by the commission, placement of pools in the
24 program, and simulcasts requested by the licensee that meet the
25 criteria in subpart 2.

26 7873.0120 PARI-MUTUEL BETTING.

27 Subpart 1. Deficiencies. In the event there is
28 insufficient money available in a net pari-mutuel pool to return
29 \$2.10 on each winning \$2 wager, the association conducting the
30 pari-mutuel betting shall pay the deficiency from its share of
31 the pool.

32 Subp. 2. Telecasts. A licensee may, with the approval of
33 the commission, transmit telecasts of races the licensee
34 conducts for wagering purposes to a location outside the state.

1 The commission may allow the licensee to commingle its wagering
2 pools with the wagering pools at a facility located outside of
3 this state that is regulated by a state racing commission, when
4 it transmits telecasts under this subpart.

5 7873.0140 FAILURE TO START.

6 After wagering has commenced on a race and prior to the
7 race being run, should a horse or horses be scratched resulting
8 in a field of less than six different betting interests, the
9 following shall apply:

10 A. if five horses of different betting interests are
11 declared starters, the association may refund the entire amount
12 wagered in the show pool;

13 B. if four or fewer horses of different betting
14 interests are declared starters, the association may refund the
15 entire amount wagered in the show pool, the place pool, the
16 exacta pool, the quinella pool; and

17 C. if fewer than two horses are declared starters,
18 the race must be canceled and the entire amount wagered in the
19 win, place, show, exacta, and quinella pools must be promptly
20 refunded.

21 In all cases, the association must, prior to the race being
22 run, announce to the public its decision to cancel any pools.

23 7873.0150 SCRATCHES.

24 For all wagers other than the daily double, pick six, or
25 pick three, a refund at face value shall be made to all holders
26 of pari-mutuel tickets on horses that have been withdrawn,
27 dismissed, or have participated in a race in which no horse
28 finished. No refund shall be made if the scratched, withdrawn,
29 or dismissed horse is part of a coupled entry or field.

30 7873.0190 PICK SIX.

31 [For text of subps 1 to 6, see M.R. 1989]

32 Subp. 7. **Actual favorite substituted for scratched horse.**

33 In the event a pick six pari-mutuel ticket designates a
34 selection in any one or more of the races comprising the pick

1 six and that selection is scratched, excused, or determined by
2 the stewards to be a nonstarter in the race, the actual
3 favorite, as evidenced by the amounts wagered in the win pool at
4 the time of the start of the race, will be substituted for the
5 nonstarting selection for all purposes, including pool
6 calculations and payoffs.

7 The association may refund pick six tickets that include
8 the scratched selection prior to the beginning of wagering for
9 the first race comprising the pick six races.

10 [For text of subps 8 to 10, see M.R. 1989]

11 7873.0191 PICK THREE.

12 [For text of subps 1 to 7, see M.R. 1989]

13 **Subp. 8. Actual favorite substituted for scratched horse.**

14 In the event a pick three ticket designates a selection in any
15 one or more of the races comprising the pick three and that
16 selection is scratched, excused, or determined by the stewards
17 to be a nonstarter in the race, the actual favorite, as
18 evidenced by the amounts wagered in the win pool at the time of
19 the start of the race, will be substituted for the nonstarting
20 selection for all purposes, including pool calculations and
21 payoffs.

22 The association may refund pick three tickets that include
23 the scratched selection prior to the beginning of wagering for
24 the first race comprising the pick three races.

25 [For text of subp 9, see M.R. 1989]

26 **Subp. 10. No pick three ticket to be exchanged or**
27 **canceled.** No pari-mutuel ticket for the pick three pool shall
28 be sold, exchanged, or canceled after the time of the closing of
29 wagering in the first of the three races comprising the pick
30 three, except for refunds on pick three tickets as required by
31 subpart 7, and no person shall disclose the number of tickets
32 sold in the pick three pool or the number or amount of tickets
33 selecting winners of pick three races until the stewards have
34 determined the last race comprising the pick three to be
35 official.

1 [For text of subp 11, see M.R. 1989]

2 7873.0300 SIMULCAST WAGERING.

3 Subpart 1. Request. Upon written request of a Class B or
4 Class D licensee, the commission shall approve wagering on races
5 televised to Minnesota from another licensed racing jurisdiction.
6 A signed reciprocal agreement among the racetrack originating
7 (hosting) the broadcast, the association representing the
8 horsepersons at the host track, the Minnesota racetrack
9 receiving the broadcast, and the association representing the
10 horsepersons at the Minnesota racetrack receiving the
11 broadcast must be filed with the commission.

12 [For text of subps 2 to 5, see M.R. 1989]

13 7876.0110 OFF-TRACK STABLING.

14 [For text of subps 1 and 2, see M.R. 1989]

15 Subp. 3. Horses must be at racetrack by scratch time. All
16 horses shipped from another racetrack or off-track stabling
17 facility to a racetrack for a race must be at the racetrack no
18 later than 9:00 a.m. on the day on which the horse is scheduled
19 to race.

20 7877.0120 FEES.

21 Subpart 1. License fees. Each application for a Class C
22 license, or its renewal, shall be accompanied by the payment of
23 an annual fee according to the following schedule:

24 [For text of items A to M, see M.R. 1989]

- 25 N. owner, multiple, \$25;
- 26 O. pari-mutuel clerk, \$10;
- 27 P. pony rider, \$10;
- 28 Q. racing official, \$25;
- 29 R. stable foreman, \$5;
- 30 S. trainer, \$25;
- 31 T. trainer, assistant, \$15;
- 32 U. valet, \$5;
- 33 V. veterinarian, \$100;
- 34 W. veterinary assistant, \$25; and

1 X. others, \$10.

2 [For text of subps 2 to 4, see M.R. 1989]

3 7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

4 [For text of subpart 1, see M.R. 1989]

5 Subp. 2. **Trainers.** Trainers shall have the following
6 responsibilities.

7 [For text of items A to N, see M.R. 1989]

8 O. A trainer is responsible for having each horse in
9 his or her charge that is racing in Minnesota or stabled on the
10 grounds of an association tested for equine infectious anemia
11 (EIA) once every 12 months. The tests shall be performed by a
12 laboratory approved by the United States Department of
13 Agriculture. A copy of each horse's negative EIA test results
14 must be attached to the horse's foal registration certificate on
15 or before the time of entry into a race or the entry must not be
16 accepted. The EIA test Certificates must be dated within a
17 12-month period prior to the date of entry, and must be renewed
18 or replaced on foal registration certificate no later than ten
19 days following the date of expiration.

20 P. A trainer must ensure that at the time of arrival
21 at a licensed racetrack, each horse in his or her care that will
22 be entered and remain in the stable area for more than 24 hours
23 is accompanied by a health certificate issued not more than ten
24 days prior to the arrival. The health certificate must be
25 completed by an accredited veterinarian and must contain
26 complete Equine Infectious Anemia (EIA) test results, including
27 the date, laboratory, and accession number of the most recent
28 negative EIA test. The health certificates must be surrendered
29 to stable gate personnel for immediate transmittal to the
30 commission veterinarian.

31 [For text of items Q to S, see M.R. 1989]

32 [For text of subps 2a to 9, see M.R. 1989]

33 7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

34 [For text of subps 1 to 3, see M.R. 1989]

35 Subp. 4. **Paddock judge.** The paddock judge shall have the

1 following responsibilities.

2 [For text of items A to G, see M.R. 1989]

3 H. The paddock judge shall immediately report to the
4 commission veterinarian or the association veterinarian the
5 suspected infirmity or unsoundness of any horse.

6 [For text of items I to L, see M.R. 1989]

7 [For text of subps 5 to 15, see M.R. 1989]

8 7877.0185 APPLICABILITY OF RULES AND RULINGS.

9 Rules pertaining to Class C licensees and rulings or orders
10 against them shall apply equally to other persons if:

11 A. participation in an activity by the other person
12 would circumvent the intent of a rule, ruling, or order by
13 permitting the person to serve, in essence, as a substitute for
14 the ineligible licensee; or

15 B. the other person is legally liable for the conduct
16 that violated the rule or is the subject of the ruling; or

17 C. the other person benefited financially from the
18 conduct that violated the rule.

19 The transfer of a horse in an effort to avoid application
20 of a commission rule or ruling is prohibited.

21 7878.0120 LICENSING OF SECURITY OFFICERS.

22 [For text of subps 1 and 2, see M.R. 1989]

23 Subp. 4. License fee. The license fee for a Class C
24 security officer's license is \$10.

25 7883.0130 PENALTIES AND ALLOWANCES.

26 Subpart 1. Determining penalties and allowances.

27 Penalties and allowances shall be determined as follows.

28 [For text of items A to D, see M.R. 1989]

29 E. Eligibility, penalties, and allowances of weight
30 for all races will be determined from the reports, records, and
31 statistics published by the Daily Racing Form, and from
32 information contained on Jockey Club (Lexington) foal
33 certificates, and from certificates issued by the American
34 Quarter Horse Association (AQHA). Information contained on

1 these certificates that is not published by the Daily Racing
2 Form, or certified by the AQHA, will not be considered.
3 Responsibility for weight carried and eligibility still remains
4 with the owner and trainer as provided in part 7883.0100,
5 subpart 15.

6 [For text of items F and G, see M.R. 1989]

7 [For text of subps 2 to 4, see M.R. 1989]

8 7883.0140 CLAIMING RACES.

9 [For text of subps 1 to 15, see M.R. 1989]

10 Subp. 16. **Title to claimed horse.** Title to a horse which
11 is claimed shall be vested in the successful claimant from the
12 time the horse has become a starter for the race in which the
13 horse is scheduled to run, unless the race is canceled or the
14 horse is excused by the stewards. The claimant shall then
15 become the owner of the horse whether it be alive or dead, sound
16 or unsound, or injured during the race or after it.

17 [For text of subps 17 to 30, see M.R. 1989]

18 7883.0150 PADDOCK TO POST.

19 [For text of subpart 1, see M.R. 1989]

20 Subp. 2. **Trainer to have horse in paddock.** A trainer
21 shall have his or her horses in the paddock not less than 20
22 minutes before post time. The trainer shall also attend his or
23 her horse in the paddock and be present to supervise its
24 saddling, unless he or she has obtained permission of a steward
25 to send an assistant trainer or another trainer as a
26 substitute. Every horse must be saddled in the paddock unless
27 permission has been granted by the stewards to saddle elsewhere.

28 [For text of subps 3 to 12, see M.R. 1989]

29 7890.0140 BLEEDERS.

30 [For text of subps 1 to 4, see M.R. 1989]

31 Subp. 5. **Restrictions on confirmed bleeders.** Confirmed
32 bleeders shall be subject to the following restrictions:

33 [For text of items A to C, see M.R. 1989]

34 D. When a horse is observed bleeding a fourth time in

1 Minnesota, the horse shall be barred from further pari-mutuel
 2 racing in Minnesota unless the horse has not been observed
 3 bleeding in Minnesota for a period of at least one year
 4 immediately preceding the observation of a fourth bleeding. In
 5 such event, the horse shall be placed on the veterinarian's list
 6 and shall not be removed from the list for at least six months,
 7 and not until the commission veterinarian has approved its
 8 removal.

9 E. When a horse is observed bleeding a fifth time in
 10 Minnesota, the horse shall be barred from further pari-mutuel
 11 racing in Minnesota.

12 [For text of subps 6 to 10, see M.R. 1989]

13 7892.0120 TAKING OF SAMPLES.

14 [For text of subps 1 to 4, see M.R. 1989]

15 Subp. 5. Split samples. A portion of the sample from each
 16 horse tested, after a sufficient amount has been sent to the
 17 official laboratory, must be preserved by the commission. It
 18 must be available for testing at the request of a person accused
 19 of a violation of chapter 7890. A person so accused may request
 20 that the portion of the test sample retained by the commission
 21 be sent to a laboratory selected from a list of laboratories
 22 approved by the commission for testing. A person making a
 23 request must bear the cost of shipment and additional testing.
 24 The cost of additional testing shall be paid in the form of a
 25 check or money order payable to the Minnesota Racing Commission
 26 or in cash at the commission's administrative offices.

27 [For text of subp 6, see M.R. 1989]

28 7895.0110 THOROUGHBRED BREEDERS' FUND.

29 Subpart 1. Definitions. For purposes of this part, the
 30 following terms have the meaning given them unless another
 31 intention clearly appears.

32 A. "Minnesota-foaled" or "Minnesota-bred" means a
 33 horse foaled in Minnesota.

34 B. "Minnesota-sire" means a stallion owned at least
 35 50 percent by residents of Minnesota or leased entirely by

1 Minnesota residents, and which has stood the entire breeding
2 season, between ~~February-15~~ January 31 and July 31, in Minnesota.

3 [For text of subps 2 to 8, see M.R. 1989]

4 7895.0125 THOROUGHBRED REGISTRATION.

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

8 A. Prior to foaling, a broodmare must be in Minnesota
9 and registered or the registration renewed with the racing
10 commission or official registering agency on or before ~~February~~
11 ~~15~~ January 31 of the year in which the broodmare will foal. The
12 broodmare's original jockey club certificate must be received by
13 the racing commission or official registering agency.

14 B. In the event an unregistered broodmare should foal
15 in Minnesota before ~~February-15~~ January 31, the owner must
16 submit a sworn affidavit to the racing commission or the
17 official registering agency attesting that the foal was born in
18 Minnesota. The affidavit will be considered evidence that the
19 foal is a Minnesota-bred or Minnesota-foaled horse and the owner
20 of the broodmare or his or her agent must register the broodmare
21 in accordance with item A. The attending veterinarian, licensed
22 by the state of Minnesota, must certify on information and
23 belief that the information provided from the owner or agent is
24 true and correct.

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

27 (1) A late fee of \$50 will be imposed for
28 broodmare registrations received February ~~16~~ 1 to March ~~16~~ 1
29 (excluding Saturday and Sunday) of the foaling year.

30 (2) A late fee of \$100 will be imposed for
31 broodmare registrations received March ~~17~~ 2 to May ~~15~~
32 1 (excluding Saturday and Sunday) of the foaling year.

33 D. Failure to submit broodmare registration forms on
34 or before May ~~15~~ 1 of the foaling year (excluding Saturday and
35 Sunday) will disqualify any subsequent claims for breeders'

1 award payments or for the foal to be registered as
2 Minnesota-bred.

3 E. The commission may, at its discretion, request
4 written documentation from any persons seeking late registration
5 that the broodmare was standing in Minnesota as of February 15
6 of the foaling year.

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

10 A. Stallions must be in Minnesota and registered or
11 the registration renewed with the racing commission or official
12 registering agency by ~~February 15~~ January 31 of the current
13 breeding year. The stallion's original jockey club certificate
14 must be received by the racing commission or official
15 registering agency. If the stallion is leased, a copy of the
16 lease must accompany the registration application. The lease
17 must include a statement that the lessee is authorized to sign
18 the breeding certificate.

19 B. Stallions must remain in Minnesota for the entire
20 breeding season from ~~February 15~~ January 31 to July 31.

21 A newly acquired stallion which has not been in Minnesota
22 for breeding purposes before ~~February 15~~ January 31 of the
23 current breeding season may be eligible for stallion awards if
24 the stallion has been properly registered with the commission
25 prior to servicing any mare and the stallion has not serviced
26 any mare after December 31 of the preceding year.

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

29 (1) A late fee of \$50 will be imposed for
30 stallion registrations received February ~~16~~ 1 to March ~~16~~ 1
31 (excluding Saturday and Sunday) of the breeding year.

32 (2) A late fee of \$100 will be imposed for
33 stallion registrations received March ~~17~~ 2 to May ~~15~~
34 1 (excluding Saturday and Sunday) of the breeding year.

35 D. Failure to submit stallion registration forms on
36 or before May ~~15~~ 1 of the breeding year (excluding Saturday and

1 Sunday) will disqualify any subsequent claims for stallion award
2 payments.

3 E. The commission may, at its discretion, request
4 written documentation from any persons seeking late registration
5 that the stallion was standing in Minnesota as of February 15 of
6 the breeding year.

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

10 A. Within ~~45~~ 30 days of the date a horse is foaled in
11 Minnesota, the foal must be registered with the racing
12 commission or official registering agency. The registration
13 form must contain the following information: the date, the name
14 of the owner of the foaling dam, the date that the foal was
15 born, an owner's statement that the foal was born in Minnesota,
16 and the signature and veterinary license number of the
17 veterinarian submitting the report. Failure to submit the
18 veterinarian's report will disqualify any subsequent claim to
19 register the foal as Minnesota-bred.

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

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

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

28 C. Failure to submit foal registration forms on or
29 before ~~135~~ 120 days of the date of foaling will disqualify any
30 subsequent claims to enter the horse in a restricted race or to
31 earn any breeders' fund payments.

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

35 E. Failure to have foal certificate embossed shall
36 disqualify any claim to enter the horse in a restricted race or

1 to earn any breeders' fund payments.

2 7895.0250 STANDARDBRED BREEDERS' FUND.

3 Subpart 1. Definitions. For purposes of this part, the
4 following terms have the meaning given them unless another
5 intention clearly appears.

6 [For text of items A to C, see M.R. 1989]

7 D. "Minnesota sire" means a stallion owned at least
8 50 percent by residents of Minnesota or leased entirely by
9 Minnesota residents, and which has stood the entire breeding
10 season, from ~~February-15~~ January 31 to July 31 in Minnesota.

11 [For text of subps 2 to 8, see M.R. 1989]

12 7895.0275 STANDARDBRED REGISTRATION.

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

16 A. Stallions must be in Minnesota and registered or
17 the registration renewed with the racing commission or official
18 registering agency by ~~February-15~~ January 31 of the current
19 breeding year. The stallion's original United States Trotting
20 Association (USTA) certificate must be received by the racing
21 commission or official registering agency. If the stallion is
22 leased, a copy of the lease must accompany the registration
23 application or renewal. The lease agreement must contain a
24 statement that the lessee is authorized to sign the breeding
25 certificate.

26 B. Stallions must remain in Minnesota for the entire
27 breeding season from ~~February-15~~ January 31 to July 31.

28 A newly acquired stallion which has not been in Minnesota
29 for breeding purposes before ~~February-15~~ January 31 of the
30 current breeding season may be eligible for stallion awards if
31 the stallion has been properly registered with the commission
32 prior to servicing any mare and the stallion has not serviced
33 any mare after December 31 of the preceding year.

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

1 (1) A late fee of \$50 will be imposed for
2 stallion registrations received February ~~16~~ 1 to March ~~16~~ 1
3 (excluding Saturday and Sunday) of the breeding year.

4 (2) A late fee of \$100 will be imposed for
5 stallion registrations received March ~~17~~ 2 to May ~~15~~
6 1 (excluding Saturday and Sunday) of the breeding year.

7 D. Failure to submit stallion registration forms on
8 or before May ~~15~~ 1 of the breeding year (excluding Saturday and
9 Sunday) will disqualify any subsequent claims for stallion award
10 payments.

11 E. The commission may, at its discretion, request
12 written documentation from any persons seeking late registration
13 that the stallion was standing in Minnesota as of February 15 of
14 the breeding year.

15 [For text of subp 2, see M.R. 1989]

16 7895.0300 QUARTER HORSE BREEDERS' FUND.

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

20 [For text of items A to C, see M.R. 1989]

21 D. "Minnesota-sire" means a stallion owned at least
22 50 percent by residents of Minnesota or leased entirely by
23 Minnesota residents, and which has stood the entire breeding
24 season, from ~~February-15~~ January 31 through July 31, in
25 Minnesota.

26 [For text of subps 2 to 6, see M.R. 1989]

27 7895.0350 QUARTER HORSE REGISTRATION.

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

31 A. Prior to foaling, a broodmare must be in Minnesota
32 and registered or the registration renewed with the racing
33 commission or official registering agency on or before ~~February~~
34 ~~15~~ January 31 of the year in which the broodmare will foal. The
35 broodmare's original American Quarter Horse Association (AQHA)

1 certificate must be received by the racing commission or
2 official registering agency. The broodmare must be in foal to a
3 Minnesota registered stallion which means a stallion owned at
4 least 50 percent by residents of Minnesota or leased entirely by
5 Minnesota residents, and which has stood the entire breeding
6 season from ~~February-15~~ January 31 to July 31 in Minnesota.

7 B. In the event an unregistered broodmare should foal
8 in Minnesota before ~~February-15~~ January 31, the owner or lessee
9 must submit a sworn affidavit to the racing commission or the
10 official registering agency attesting that the foal was born in
11 Minnesota. The affidavit will be considered evidence that the
12 foal is a Minnesota-bred or Minnesota-foaled horse and the owner
13 of the broodmare or his or her agent must register the broodmare
14 in accordance with item A. The attending veterinarian, licensed
15 by the state of Minnesota, must certify on information and
16 belief that the information provided by the owner, lessee, or
17 agent is true and correct.

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

20 (1) A late fee of \$50 will be imposed for
21 broodmare registrations received February ~~16~~ 1 to March ~~16~~ 1
22 (excluding Saturday and Sunday) of the foaling year.

23 (2) A late fee of \$100 will be imposed for
24 broodmare registrations received March ~~17~~ 2 to May ~~15~~
25 1 (excluding Saturday and Sunday) of the foaling year.

26 D. Failure to submit broodmare registration forms on
27 or before May ~~15~~ 1 of the foaling year (excluding Saturday and
28 Sunday) will disqualify any subsequent claims for breeders'
29 award payments or for the foal to be registered as a
30 Minnesota-bred or Minnesota-foaled horse.

31 E. The commission may, at its discretion, request
32 written documentation from any persons seeking late registration
33 that the broodmare was standing in Minnesota as of ~~February-15~~
34 January 31 of the foaling year.

35 Subp. 2. Stallion registration. To be eligible to receive
36 any stallion award payments, the following requirements must be

1 met:

2 A. Stallions must be in Minnesota and registered or
3 the initial registration renewed with the racing commission or
4 official registering agency by ~~February-15~~ January 31 of the
5 current breeding year. The stallion's original American Quarter
6 Horse Association (AQHA) certificate must be received by the
7 racing commission or official registering agency. If the
8 stallion is leased, a copy of the lease must accompany the
9 registration application. The lease must include a statement
10 that the lessee is authorized to sign the breeding certificate.

11 B. Stallions must remain in Minnesota for the entire
12 breeding season from ~~February-15~~ January 31 through July 31.

13 A newly acquired stallion which has not been in Minnesota
14 for breeding purposes before ~~February-15~~ January 31 of the
15 current breeding season may be eligible for stallion awards if
16 the stallion has been properly registered with the commission
17 prior to servicing any mare and the stallion has not serviced
18 any mare after December 31 of the preceding year.

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

21 (1) A late fee of \$50 will be imposed for
22 stallion registrations received February ~~16~~ 1 to March ~~16~~ 1
23 (excluding Saturday and Sunday) of the breeding year.

24 (2) A late fee of \$100 will be imposed for
25 stallion registrations received March ~~17~~ 2 to May ~~15~~
26 1 (excluding Saturday and Sunday) of the breeding year.

27 D. Failure to submit stallion registration forms on
28 or before May ~~15~~ 1 of the breeding year (excluding Saturday and
29 Sunday) will disqualify any subsequent claims for stallion award
30 payments.

31 E. The commission may, at its discretion, request
32 written documentation from any persons seeking late registration
33 that the stallion was standing in Minnesota as of ~~February-15~~
34 January 31 of the breeding year.

35 Subp. 3. Foal registration and certification. For a horse
36 foaled in Minnesota to be registered and subsequently certified

1 as a Minnesota-bred or Minnesota-foaled horse, the following
2 requirements must be met:

3 A. Within ~~45~~ 30 days of the date a horse is foaled in
4 Minnesota, the foal must be registered with the racing
5 commission or official registering agency. The registration
6 must include the following information: the date, the name of
7 the owner or lessee of the dam at time of conception, the date
8 that the foal was born, an owner's or lessee's statement that
9 the foal was born in Minnesota, and the signature and veterinary
10 license number of the attending veterinarian. Failure to submit
11 the veterinarian's report will disqualify any subsequent claim
12 to register the foal as a Minnesota-bred or Minnesota-foaled
13 horse.

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

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

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

22 C. Failure to submit foal registration forms on or
23 before ~~135~~ 120 days of the date of foaling will disqualify any
24 subsequent claims to enter the horse in a restricted race or to
25 earn any breeders' fund payments.

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

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

32 7897.0150 DISCIPLINARY AND APPEAL PROCEDURES.

33 [For text of subps 1 and 2, see M.R. 1989]

34 Subp. 3. **Appeal to commission.** A stewards' decision
35 regarding a class C licensee may be appealed to the commission

1 by:

2 A. The licensee asking the commission to reverse the
3 stewards' decision in whole or part or to lessen the sanction
4 ordered by the stewards.

5 B. Appeals to the commission are not subject to the
6 contested case procedures.

7 Subp. 4. **Review or complaint by director or motion of**
8 **commission.** Nothing in this chapter precludes the commission
9 from instituting proceedings to review a stewards' decision on
10 its own motion or complaint of the director.

11 Subp. 5. **Stays of stewards' decisions.** An appeal of a
12 stewards' decision will not automatically stay the decision. A
13 party may request the director to stay the decision. The
14 director may order a stay unless he or she determines that a
15 stay would adversely affect the public welfare.

16 Subp. 6. **Procedure for appeal of decision of stewards.** A
17 licensee may appeal a decision of the stewards by filing with
18 the director a written request for an appeal within three days
19 after the stewards have orally advised the the licensee of the
20 decision. The written request shall contain the following
21 information:

22 [For text of items A to E, see M.R. 1989]

23 Subp. 7. **Deposit shall be required.** The appellant shall
24 deposit with the commission at the time of filing his or her
25 written request for an appeal an amount equal to ten times the
26 appellant's occupational license fee in part 7877.0120, subpart
27 1, but not to exceed \$250. The deposit will be refunded by the
28 commission upon the conclusion of the appeal unless the
29 commission finds that the appeal was frivolous, in which case
30 the deposit will be forfeited. In addition, if the commission
31 determines that the appeal was commenced in bad faith for
32 purposes of delay or was unreasonable and without substance or
33 merit, the commission may impose a fine of not more than \$450.

34 Subp. 8. **Commission shall set date for hearing.** Within
35 three days of receipt of a written request for an appeal and the
36 deposit, the commission chair, director, or the deputy director

1 shall set a date, time, and place for the hearing. The hearing
2 must be held within eight days of the receipt of the request for
3 the appeal and the deposit. Notice shall be given to the
4 appellant in writing and shall set out the date, time, and place
5 of the hearing, and shall be served personally or sent by mail
6 to the last known address of the appellant. If the appellant
7 objects to the date of the hearing, the appellant may obtain a
8 continuance, but the continuance shall not automatically stay
9 imposition of the sanction or prolong a stay issued by the
10 director.

11 Subp. 9. **Appeal by commission.** When the commission
12 institutes an appeal on its own motion or at the request of the
13 stewards or director, a notice of appeal shall be served
14 personally or sent by mail to the licensee, addressed to his or
15 her last known place of residence, at least ten days prior to
16 the hearing of the appeal. This notice of appeal shall contain
17 the following:

18 [For text of items A to D, see M.R. 1989]

19 7897.0160 COMPOSITION OF HEARING PANEL.

20 [For text of subpart 1, see M.R. 1989]

21 Subp. 2. **Hearing panel's decision.** All decisions of the
22 hearing panel must be made by majority vote. In the event the
23 hearing panel is unable to arrive at a decision by a majority
24 vote, the commission will consider the appeal based on the
25 record before the hearing panel. The hearing panel shall issue
26 its written decision within ten days, excluding Saturday,
27 Sunday, and holidays, based on the record and must include the
28 hearing panel's findings of fact and conclusions on all material
29 issues. A copy of the hearing panel's decision shall be served
30 upon all parties by first class mail. The decision of the
31 hearing panel may not be appealed to the commission.

32 7897.0170 CONDUCT OF APPEAL HEARING.

33 [For text of subps 1 to 6, see M.R. 1989]

34 Subp. 7. **Burden of proof.** The appellant must prove that
35 the stewards' ruling is clearly erroneous or not supported by

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1 applicable law.

2 [For text of subps 8 and 9, see M.R. 1989]