

1 Minnesota Racing Commission

2

3 Adopted Permanent Rules Relating to Horses, Wagering, Licensing,
4 Race Officials, Breeders' Funds, Prohibited Acts, and Variances

5

6 Rules as Adopted

7 7870.0050 DISCLOSURE OF IMPROVEMENTS AND EQUIPMENT.

8 An application for a Class A license must disclose with
9 respect to the pari-mutuel horse racing facility it will own and
10 operate:

11 [For text of items A and B, see M.R.]

12 C. The types of racing for which the facility is
13 designed, whether thoroughbred, harness, quarterhorse, arabian,
14 or other breeds.

15 [For text of items D to P, see M.R.]

16 7870.0220 DISCLOSURE OF IMPROVEMENTS AND EQUIPMENT.

17 An application for a Class B license must disclose with
18 respect to the facility at which it will sponsor and manage
19 pari-mutuel horse racing:

20 [For text of items A and B, see M.R.]

21 C. The types of racing for which the facility is
22 designed, whether thoroughbred, harness, quarterhorse, arabian,
23 or other breeds.

24 [For text of items D to P, see M.R.]

25 7870.0480 MEDICAL SERVICES.

26 A racetrack facility must provide the following medical
27 facilities, equipment, and personnel:

28 [For text of item A, see M.R.]

29 B. a licensed physician and certified emergency
30 medical technician on duty in the first aid room on all days
31 during which horse racing is conducted; and

32 [For text of item C, see M.R.]

33 7873.0130 PREVENTION TO START.

34 In a thoroughbred, quarter horse, arabian, or other breed



1 race, if the doors in front of a stall in a mechanically or
2 electronically operated starting gate should fail to open
3 simultaneously with the other stall doors, thereby preventing a
4 horse from obtaining a fair start when the starter dispatches
5 the field; the following shall apply:

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

7 7873.0185 TRIFECTA.

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

9 Subp. 7. **Restrictions on trifecta races.** The restrictions
10 in items A and B apply to trifecta races.

11 [For text of item A, see M.R.]

12 B. If fewer than eight horses are declared starters,
13 trifecta wagering shall be canceled and all trifecta wagers
14 shall be refunded. If time permits, the association may
15 schedule exacta wagering in place of trifecta wagering.

16 [For text of subp 8, see M.R.]

17 7873.0186 TWIN TRIFECTA.

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

19 Subp. 9. **Restrictions on twin trifecta races.** The
20 restrictions in items A and B apply to twin trifecta races.

21 [For text of item A, see M.R.]

22 B. If fewer than eight horses are declared starters
23 for the first race of the twin trifecta, twin trifecta wagering
24 shall be canceled for that day and all twin trifecta wagers
25 shall be refunded. However, any accumulated second race twin
26 trifecta carryover will not be affected and will carry over to
27 the next consecutive race day. In the event this occurs on the
28 final program, the accumulated net pool of the second twin
29 trifecta race will be deposited in a trust account by the
30 association, and the pool, as well as all accrued interest,
31 shall be carried over and included in the second race twin
32 trifecta net pool for the next consecutive racing date as an
33 additional net amount to be distributed.

34 If fewer than eight horses are declared starters for the
35 second race of the twin trifecta, all holders of exchange

1 tickets to the second race of the twin trifecta will share
 2 equally in that part of the second race net pool added in that
 3 day. The amount carried over from previous days will not be
 4 distributed and will be carried over to the next consecutive
 5 race day. In the event this occurs on the final program, the
 6 accumulated net pool of the second twin trifecta race will be
 7 deposited in a trust account by the association, and the pool,
 8 as well as all accrued interest, shall be carried over and
 9 included in the second race twin trifecta net pool for the next
 10 consecutive racing date as an additional net amount to be
 11 distributed.

12 [For text of subp 10, see M.R.]

13 7877.0110 PROCEDURE FOR OBTAINING CLASS C LICENSE.

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

15 Subp. 2. **Application content.** An application for a Class
 16 C license shall include the following information with respect
 17 to the applicant:

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

19 G. if the applicant is 18 through 80 years of age, a
 20 completed FBI fingerprint card.

21 [For text of subps 3 and 4, see M.R.]

22 7877.0120 FEES.

23 Subpart 1. **License fees.** Effective January 1, 1993, each
 24 application for a Class C license, or its renewal, shall be
 25 accompanied by the payment of an annual fee according to the
 26 following schedule:

- 27 A. bloodstock agent, \$100;
- 28 B. concessionaire/vendor, \$100;
- 29 C. concession/vendor employee, \$15;
- 30 D. driver (harness), \$35;
- 31 E. equine dentist, \$30;
- 32 F. exercise rider, \$20;
- 33 ~~F.~~ G. farrier, \$35;
- 34 ~~G.~~ H. farrier's assistant, \$15;
- 35 ~~H.~~ I. gate crew, \$15;

- 1 J. groom/hot-walker, \$10;
 2 ~~F.~~ K. horsepersons' bookkeeper, \$25;
 3 ~~J.~~ L. jockey, \$35;
 4 ~~K.~~ M. jockey agent, \$35;
 5 ~~H.~~ N. jockey, apprentice, \$35;
 6 ~~M.~~ O. owner, individual, \$35;
 7 ~~N.~~ P. owner, multiple, \$35;
 8 ~~O.~~ Q. pari-mutuel clerk, \$15;
 9 ~~P.~~ R. pony rider, \$15;
 10 ~~Q.~~ S. racing official, \$35;
 11 ~~R.~~ T. stable foreman, \$10;
 12 ~~S.~~ U. trainer, \$35;
 13 ~~T.~~ V. trainer, assistant, \$20;
 14 ~~U.~~ W. valet, \$10;
 15 ~~V.~~ X. veterinarian, \$100;
 16 ~~W.~~ Y. veterinary assistant, \$35;
 17 ~~X.~~ Z. association employees, seasonal, \$15;
 18 ~~Y.~~ AA. association staff, permanent, \$35; and
 19 ~~Z.~~ BB. stables, \$50.

20 Subp. 2. **Fingerprint charge.** In addition to the license
 21 fee in subpart 1, each initial application for a Class C
 22 license, and each renewal application every third year
 23 thereafter, shall be accompanied by a completed FBI fingerprint
 24 card taken by the commission and a cashier's check or money
 25 order in the amount established by the Association of Racing
 26 Commissioners International or the Federal Bureau of
 27 Investigation. Any horse owner who does not make application in
 28 person must meet all requirements of this subpart, except that
 29 the owner may file a completed fingerprint card taken by a law
 30 enforcement agency. This subpart does not apply to applications
 31 submitted by persons under the age of 18 or over the age of 80.

32 [For text of subps 3 and 4, see M.R.]

33 7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

34 Subpart 1. **Individual owners.** An applicant for an
 35 individual owner's license must own, lease, or be a lessor of a

1 horse eligible to race in Minnesota which is registered with the
2 racing secretary and under the care of a trainer licensed by the
3 commission.

4 If younger than 18 years of age, an applicant for an
5 individual owner's license must submit a notarized affidavit
6 from his or her parent or legal guardian stating that the parent
7 or legal guardian assumes responsibility for the applicant's
8 financial, contractual, and other obligations relating to the
9 applicant's participation in racing. A parent or legal guardian
10 submitting such an affidavit also shall submit information
11 required in part 7877.0110, subpart 2. If the commission has
12 reason to doubt the financial responsibility of an applicant for
13 an individual owner's license, the applicant shall complete a
14 verified financial statement.

15 Subp. 2. **Multiple owners.** Applicants for a multiple
16 owner's license must comply with subpart 1 and the following
17 requirements.

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

19 [For text of subps 3 to 13, see M.R.]

20 Subp. 14. **Authorized agents.** To be appointed an
21 authorized agent, the appointee must be licensed as either an
22 individual owner or as a trainer. A written agency appointment
23 authorizing him or her to act on behalf of a licensed individual
24 owner or licensed multiple owner, or licensed trainer in racing
25 matters not directly related to the care and training of horses
26 must accompany the appointment. The authorization shall be on a
27 form provided by the commission and shall define the powers,
28 limits, and terms of the agency agreement. The authorization
29 must be signed by the individual principals or the multiple
30 owner designated representative and notarized.

31 A separate notarized agency appointment is required for
32 each principal an authorized agent intends to represent. All
33 such agencies shall remain in effect for the duration of the
34 current race meeting unless written notice of revocation is
35 submitted to the stewards at the meeting where the principal is
36 racing.

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

2 7877.0135 DUAL LICENSING.

3 In determining whether to issue more than one Class C
4 license to an applicant, the commission shall consider the
5 nature of the licenses sought or already held, and whether
6 holding multiple licenses would be a conflict of interest.

7 A. A person licensed as a jockey or veterinarian may
8 not be licensed in another capacity.

9 [For text of items B to D, see M.R.]

10 7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

11 Subpart 1. **Owners.** Horse owners shall have the following
12 responsibilities:

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

14 D. An owner of a thoroughbred, quarter horse,
15 arabian, or other breed is responsible for the registration of
16 colors and for their availability to, and use by, the jockey
17 engaged to ride the owner's horse.

18 E. A stable name is defined as any ownership
19 operating under the terms farm, stable, or ranch or any
20 individual operating under a name other than its own name and
21 must be registered with the commission by filing an application
22 on a form prescribed by the commission and paying a \$50 annual
23 fee. No person may use the real name of another owner of race
24 horses as a stable name. A stable name which has already been
25 registered may not be registered by another owner.

26 [For text of subitems (1) to (3), see M.R.]

27 Subp. 2. **Trainers.** Trainers shall have the following
28 responsibilities.

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

30 E. A trainer must register each horse in his or her
31 charge within 24 hours of the horse's arrival on the grounds of
32 an association by completing forms provided by the racing
33 secretary. At the same time, any trainer of thoroughbred,
34 quarter horses, arabian, or other breeds must submit with that
35 registration a description of the owner's colors for each horse

1 in his or her charge.

2 [For text of items F to J, see M.R.]

3 K. A thoroughbred, quarter horse, arabian, or other
4 breed trainer shall personally attend his or her horses in the
5 paddock, and shall supervise his or her horses' preparation to
6 race, unless excused by the stewards because of illness or other
7 emergency.

8 [For text of items L to T, see M.R.]

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

10 Subp. 10. **Pony riders.** The following applies to pony
11 riders licensed by the commission:

12 A. Within 24 hours of obtaining a Class C license, a
13 pony rider must register with the commission veterinarian and
14 provide at that time a list of all pony horses for which he or
15 she is responsible and which he or she intends to bring onto the
16 grounds of the association. Such a list will include the name,
17 sex, age, and brief description of color and markings for each
18 pony horse. Should a pony rider obtain additional pony horses
19 during the racing season, he or she must also register these
20 animals with the commission veterinarian prior to bringing them
21 onto the grounds of the association.

22 B. A pony rider is responsible for having each pony
23 horse in his or her charge tested for equine infectious anemia
24 (EIA) once every 12 months. The test shall be performed by a
25 laboratory approved by the United States Department of
26 Agriculture. A copy of each pony horse's current negative EIA
27 test results must be provided to the commission veterinarian at
28 the time of registration pursuant to item A or, if not available
29 at the time of registration, prior to the arrival of the pony
30 horse at the racetrack. Any certificate which expires during
31 the racing season must be replaced with a current EIA test
32 certificate no later than ten days following the date of
33 expiration.

34 C. Anyone bringing any pony horse onto the grounds of
35 the association must provide to stable gate personnel the
36 accurate name of the animal. Each pony horse must be

1 accompanied by a health certificate completed by an accredited
2 veterinarian and issued not more than 14 days prior to arrival.
3 The health certificate must be surrendered to stable gate
4 personnel for immediate transmittal to the commission
5 veterinarian. A pony horse which leaves the grounds for a
6 period of two weeks or less does not have to be accompanied by a
7 new health certificate upon its return.

8 D. The pony rider shall supply each pony horse in his
9 or her care with adequate food, water, medical treatment,
10 exercise, and shelter, and shall comply with all applicable
11 provisions of Minnesota Statutes, chapter 343.

12 E. A pony rider must promptly report the death of any
13 pony horse in his or her care on the grounds of an association
14 to the commission veterinarian, and must comply with part
15 7891.0110 governing postmortem examinations if such examination
16 is deemed necessary by the commission veterinarian.

17 7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

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

19 Subp. 2. **Clerk of scales.** The clerk of scales shall have
20 the following responsibilities.

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

22 F. The clerk of scales shall weigh-in in public view
23 immediately after the finish of each race the following jockeys:

24 (1) for nonstakes races, those jockeys finishing
25 first through fourth places and, if designated by the stewards
26 during or immediately after the race, any other jockey in the
27 race; and

28 (2) for stakes races, every jockey finishing the
29 race.

30 [For text of items G to I, see M.R.]

31 [For text of subps 3 to 11, see M.R.]

32 Subp. 12. **Clocker (thoroughbred, quarter horse, arabian,
33 or other breeds).** A clocker shall accurately record all
34 workouts on any race course at which a race meeting is being
35 conducted.

1 Upon order of the stewards, a clocker shall be able to
2 demonstrate knowledge and proficiency in accurately recording
3 times of horses working out.

4 A clocker shall present daily records to the racing
5 secretary and the stewards, post for the benefit of the public
6 daily records of all workouts clocked, and make a record of
7 daily workout times available to the news media.

8 Subp. 13. **Outrider.** The outriders shall be responsible
9 for the orderly conduct of horses on the race course during
10 training and racing hours.

11 The outriders shall be present on the race course, mounted
12 and ready to assist in the control of any unruly horse or to
13 recapture any loose horse, at all times that horses are
14 permitted on the race course.

15 The outriders shall escort to the post all horses starting
16 in any race, and shall remain on duty until all horses on that
17 program have been returned to their handlers.

18 Each outrider must comply with part 7877.0170, subpart 10,
19 for each pony horse in his or her care.

20 [For text of subps 14 and 15, see M.R.]

21 7877.0180 CONFLICTS.

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

23 Subp. 2. **Veterinarians.** No veterinarian or veterinary
24 assistant may participate in pari-mutuel wagering while licensed
25 by the commission. No veterinarian designated as an official at
26 a race meeting shall treat or prescribe treatment for a horse
27 racing at that meeting, except in emergencies or if no other
28 veterinarian licensed by the commission is on the grounds of the
29 association. In that case, the official veterinarian shall
30 notify the commission of any compensation received.

31 [For text of subp 3, see M.R.]

32 7878.0120 LICENSING OF SECURITY OFFICERS.

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

34 Subp. 4. **License fee.** The license fee for a Class C
35 security officer's license is \$15.

1 CHAPTER 7883
2 MINNESOTA RACING COMMISSION
3 THOROUGHBRED, QUARTER HORSE, ARABIAN,
4 AND OTHER BREED RACES

5 7883.0100. ENTRIES AND SUBSCRIPTIONS.

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

7 Subp. 2. **Horse must be registered and eligible.** No horse
8 shall be permitted to enter or start unless:

9 A. it is duly registered with and approved by the
10 registry office of The Jockey Club (New York), the American
11 Quarter Horse Association, the Arabian Horse Registry of
12 America, Inc., or the nationally recognized registration
13 organization relative to other breeds;

14 B. its registration certificate and Arabian ID
15 Supplement or any supplement relative to other breeds as
16 required showing the tattoo number of the horse is filed with
17 the racing secretary by scratch time for that race, except in
18 stakes races the registration certificate and Arabian ID
19 Supplement or any supplement relative to other breeds as
20 required must be filed not less than two hours prior to the
21 scheduled post time for the stakes race;

22 [For text of items C and D, see M.R.]

23 E. if a horse's name is changed, its new name shall
24 be registered with The Jockey Club (New York), the American
25 Quarter Horse Association, the Arabian Horse Registry of
26 America, Inc., or the nationally recognized registration
27 organization relative to other breeds and its old, as well as
28 its new name, shall be given in every entry list until it has
29 run three races, and both names must be printed in the official
30 program for those three races.

31 [For text of subps 3 to 15a, see M.R.]

32 Subp. 16. **Workout requirements.** In order to be eligible:

33 A. A horse which has not started for a period of 30
34 days or more shall not be eligible to be entered until it has
35 completed one timed workout prior to the day of entry. Any day
36 of entry workout following the entry of a horse shall appear on

1 the official daily racing program or shall be posted for the
2 public.

3 B. A horse which has not started for a period of 60
4 days or more shall not be eligible to be entered until it has
5 completed two timed workouts prior to the day of entry.

6 C. First-time starters must have gate approval and a
7 minimum of two timed workouts, one of which must be out of the
8 gate within 60 days prior to the day of entry.

9 [For text of item D, see M.R.]

10 [For text of subps 17 and 18, see M.R.]

11 7883.0120 DECLARATIONS AND SCRATCHES.

12 [For text of subps 1 to 5, see M.R.]

13 Subp. 6. **Horse declared nonstarter.** The stewards shall
14 have the authority to declare that a horse is not a starter if
15 they determine that the horse was ineligible to participate in
16 the race or any occurrence before, or during, the running of a
17 race calls for such action by them.

18 [For text of subp 7, see M.R.]

19 7883.0130 PENALTIES AND ALLOWANCES.

20 Subpart 1. **Determining penalties and allowances.**

21 Penalties and allowances shall be determined as follows.

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

23 E. Eligibility, penalties, and allowances of weight
24 for all races will be determined from the reports, records, and
25 statistics published by the Daily Racing Form, or furnished by
26 the Arabian Jockey Club (Colorado), and from information
27 contained on Jockey Club (Lexington) foal certificates, and from
28 certificates issued by the American Quarter Horse Association
29 (AQHA), and the Arabian Horse Registry of America, Inc. (AHRA).
30 Information contained on these certificates that is not
31 published by the Daily Racing Form, or certified by the AQHA, or
32 certified by the Arabian Jockey Club (AJC), will not be
33 considered. Responsibility for weight carried and eligibility
34 still remains with the owner and trainer as provided in part
35 7883.0100, subpart 15.

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

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

3 7883.0140 CLAIMING RACES.

4 [For text of subps 1 to 20, see M.R.]

5 Subp. 21. Claimed horse must race for higher claiming
6 price. For a period of 30 days after being claimed, a
7 thoroughbred, quarter horse, or arabian shall not start in a
8 race in which the eligibility price is less than 25 percent more
9 than the price at which it was claimed. The day claimed shall
10 not count, and the horse may be entered whenever necessary so
11 that it may start on the 31st calendar day following the
12 original claim for any claiming price. In thoroughbred racing,
13 this provision shall apply to starter handicaps and starter
14 allowances.

15 [For text of subps 22 to 30, see M.R.]

16 7883.0160 POST TO FINISH.

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

18 Subp. 9. Protests. Protests with regard to the running of
19 the race shall be made only by the owner, trainer, or jockey of
20 the horse alleged to be aggrieved, and must be made to the
21 stewards, the outriders, or the clerk of scales immediately
22 after the running of the race. An owner, trainer, or jockey who
23 makes a frivolous protest may be fined.

24 [For text of subps 10 to 14, see M.R.]

25 7891.0100 RACING SOUNDNESS EXAMINATION.

26 Subpart 1. Horses subject to examination. Every horse
27 entered to race at a licensed racetrack under the jurisdiction
28 of the commission shall be subjected to a veterinary examination
29 for racing soundness and health on race day. The examination
30 shall be conducted by the commission veterinarian or the
31 association veterinarian in or near the stall to which the horse
32 is assigned. The trainer of each horse or a representative of
33 the trainer must present the horse for examination and move the
34 horse as required by the examining veterinarian. Every horse to

1 be examined must have had its legs cleaned of any poultice or
 2 other topical applications, must be free of leg bandages or be
 3 wearing bandages which are easily removed, and must not have
 4 been subjected within one hour of examination to freezing,
 5 icing, prolonged hosing with cold water, or any other means of
 6 reducing the temperature of the legs.

7 Subp. 1a. **Trainer must report location.** The trainer, when
 8 entering a horse, shall declare to the racing secretary or his
 9 or her designee the number of the barn in which the horse being
 10 entered will be stabled the day of the race. If the trainer
 11 will need a stall assigned for a ship-in horse, the trainer must
 12 so declare at the time of entry, and the racing secretary will
 13 assign a stall to be used on the day of the race.

14 Subp. 1b. **Racing secretary must provide stall assignments.**
 15 As soon as the overnight sheet is finalized, the racing
 16 secretary or his or her designee shall provide to the commission
 17 veterinarian a list showing, by race, the name of the horse, the
 18 trainer, and the barn number where the horse is to be stabled
 19 the day of the race.

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

21 7892.0150 PURSES.

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

23 Subp. 2. **Determination of purse redistribution.** In
 24 determining whether or not to redistribute a purse, the
 25 commission or stewards shall consider the following factors:

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

27 D. actual harm caused to person, property, or the
 28 integrity of racing;

29 E. ineligible horse;

30 F. ineligible owner;

31 G. improper underweight carried in race and not
 32 discovered prior to official;

33 H. fraud; and

34 I. any other factors related to the seriousness of
 35 violations which the commission or stewards deem crucial to the

1 determination as long as the same factors are considered with
 2 regard to all violators. The commission or stewards, in making
 3 a determination, shall consider both the number of factors
 4 applicable to a violation and the degree to which each applies.

5 7895.0110 THOROUGHBRED BREEDERS' FUND.

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

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

11 A. purse supplements shall be paid out in the same
 12 percentage as the purse money in the race and shall be credited
 13 to the owners' accounts at the time the purses are earned; or

14 B. purse supplements shall be paid out at the same
 15 time as breeders' and stallion awards. These supplements for
 16 overnight races shall be paid to owners of Minnesota-bred horses
 17 that finish third or better. Purse supplements earned shall not
 18 be included in determining breeders' or stallion awards. The
 19 amount of money to be distributed shall be in accordance with
 20 subpart 5.

21 [For text of subp 5, see M.R.]

22 Subp. 6. **Time of payment.** All money allocated for
 23 breeders' awards, stallion awards, and purse supplements to be
 24 distributed according to subpart 4, item B, shall be distributed
 25 within ~~30~~ 45 days of the end of the thoroughbred race meeting.

26 [For text of subp 8, see M.R.]

27 7895.0125 THOROUGHBRED REGISTRATION.

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

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

32 D. Failure to submit broodmare registration forms on
 33 or before May 1 of the foaling year (excluding Saturday and
 34 Sunday) will require a late fee of \$300 to qualify for any
 35 subsequent claims for breeders' award payments or for the foal

1 to be registered as Minnesota-bred.

2 [For text of item E, see M.R.]

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

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

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

11 [For text of item E, see M.R.]

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

15 [For text of items A and B, see M.R.]

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

20 [For text of items D and E, see M.R.]

21 7895.0250 STANDARDBRED BREEDERS' FUND.

22 [For text of subps 1 to 5, see M.R.]

23 Subp. 6. Time of payment. Purse supplements are part of
24 the purse and shall be credited to owners' accounts at the time
25 the purses are earned. All money allocated for breeders' awards
26 and stallion awards shall be distributed within ~~30~~ 45 days of
27 the end of the standardbred race meeting.

28 [For text of subps 7 and 8, see M.R.]

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

1 7895.0275 STANDARDBRED REGISTRATION.

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

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

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

10 [For text of item E, see M.R.]

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

12 7895.0300 QUARTER HORSE BREEDERS' FUND.

13 Subpart 1. Definitions. For purposes of this part, the
14 following terms have the meaning given them unless another
15 intention clearly appears:

16 [For text of item A, see M.R.]

17 B. "Minnesota-foaled" means a horse foaled in
18 Minnesota, and registered with the racing commission.

19 C. "Minnesota-sire" means a stallion owned at least
20 50 percent by residents of Minnesota or leased entirely by
21 Minnesota residents, and which has stood the entire breeding
22 season, from January 31 through July 31, in Minnesota.

23 D. "Minnesota-sired" means a horse sired by a
24 registered Minnesota-sire and registered with the commission.

25 E. "Minnesota-bred" shall be defined in three
26 different and distinct categories:

27 (1) "Minnesota-bred sired and foaled" means a
28 horse that is:

29 (a) sired by a registered Minnesota-sire who
30 stood his entire breeding season in Minnesota; and

31 (b) Minnesota-foaled.

32 (2) "Minnesota-bred foaled" means a
33 Minnesota-foaled horse.

34 (3) "Minnesota-bred sired" means a
35 Minnesota-sired horse.

1 Subp. 2. **Division of money.** The money available from the
2 breeders' fund for the quarter horse category shall be divided
3 as follows:

4 A. 45 percent shall be set aside and paid as
5 breeders' awards to breeders of Minnesota-bred sired and foaled
6 horses (Minnesota-bred foaled horses and Minnesota-bred sired
7 horses are not eligible for breeders' awards); and

8 B. 45 percent shall be paid to supplement purses in
9 races which are restricted to Minnesota-bred sired and foaled
10 horses, Minnesota-bred foaled horses, or Minnesota-bred sired
11 horses. The purse supplements shall be apportioned in
12 accordance with the quality of the race as determined by the
13 commission; and

14 C. ten percent shall be set aside and paid as
15 stallion awards to the owners of the Minnesota-sire of
16 Minnesota-bred sired and foaled horses and Minnesota-bred sired
17 horses at the time of breeding.

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

21 A. "Breeders' awards" shall be paid to the breeder of
22 a Minnesota-bred sired and foaled horse, as reflected on the
23 American Quarter Horse Association (AQHA) certificate that earns
24 money in any race.

25 B. "Stallion awards" shall be paid to the stallion
26 owner or recorded lessee (at the time of breeding) of a
27 Minnesota-bred sired and foaled horse or a Minnesota-bred sired
28 horse that earns money in any race.

29 Subp. 4. **Methods of payment.** The amount of money
30 distributed by the commission for awards or purse supplements
31 pursuant to subpart 3 shall be paid out in the same percentage
32 as the purse money in the race. However, the commission may,
33 prior to the beginning of each race meet, establish the maximum
34 amount of earnings per race for a single horse that may be used
35 in calculation of the breeders' fund awards. (For example: if
36 the maximum amount of earnings per race per horse is set at

1 \$10,000, then in the event a horse earns any amount over \$10,000
2 in one race, the breeders' fund awards will be calculated based
3 on \$10,000 earnings for that race.) The amount of money to be
4 distributed shall be in accordance with subpart 5. Purse
5 supplements earned shall not be included in determining
6 breeders' or stallion awards.

7 [For text of subp 5, see M.R.]

8 Subp. 6. **Time of payment.** Purse supplements are part of
9 the purse and shall be credited to owners' accounts at the time
10 the purses are earned. All money allocated for breeders'
11 awards, owners' awards, and stallion awards shall be distributed
12 within ~~30~~ 45 days of the end of the quarterhorse race meeting.

13 7895.0350 QUARTER HORSE REGISTRATION.

14 Subpart 1. **Broodmare registration, Minnesota-bred sired**
15 **and foaled.** To be eligible to receive any breeders' award
16 payments and to make a mare's foal eligible for restricted
17 races, the following requirements must be met:

18 A. Prior to foaling, a broodmare must be in Minnesota
19 and registered or the registration renewed with the racing
20 commission or official registering agency on or before January
21 31 of the year in which the broodmare will foal and must remain
22 in Minnesota until foaling. The broodmare's original American
23 Quarter Horse Association (AQHA) certificate (or Jockey Club
24 certificate in the case of a thoroughbred mare in foal to a
25 Minnesota-sire registered in the Permanent Registry of the
26 American Quarter Horse Association) must be received by the
27 racing commission or official registering agency. The broodmare
28 must be in foal to a Minnesota registered stallion which means a
29 stallion owned at least 50 percent by residents of Minnesota or
30 leased entirely by Minnesota residents, and which has stood the
31 entire breeding season from January 31 to July 31 in Minnesota.

32 B. In the event a broodmare that is not registered
33 with the racing commission should foal in Minnesota before
34 January 31, the owner or lessee must submit a sworn affidavit to
35 the racing commission or the official registering agency

1 attesting that the foal was sired and born in Minnesota. The
2 affidavit will be considered evidence that the foal is a
3 Minnesota-bred sired and foaled horse and the owner of the
4 broodmare or his or her agent must register the broodmare in
5 accordance with item A. The attending veterinarian, licensed by
6 the state of Minnesota, must certify on information and belief
7 that the information provided by the owner, lessee, or agent is
8 true and correct.

9 **Subp. 1a. Broodmare registration, Minnesota-bred foaled.**

10 To make a mare's foal eligible for restricted races (but not
11 eligible for breeders' awards), the following requirements must
12 be met:

13 A. If a mare is in foal to a stallion other than a
14 Minnesota-sire, prior to foaling, a broodmare must be in
15 Minnesota and registered or the registration renewed with the
16 racing commission or official registering agency on or before
17 January 31 of the year in which the broodmare will foal and must
18 remain in Minnesota until foaling. The broodmare's original
19 American Quarter Horse Association certificate (or Jockey Club
20 certificate in the case of a thoroughbred mare in foal to a
21 stallion registered in the Permanent Registry of the American
22 Quarter Horse Association) must be received by the racing
23 commission or official registering agency.

24 B. In the event a broodmare that is not registered
25 with the racing commission should foal in Minnesota before
26 January 31, the owner or lessee must submit a sworn affidavit to
27 the racing commission or the official registering agency
28 attesting that the foal was born in Minnesota. The affidavit
29 will be considered evidence that the foal is a Minnesota-foaled
30 horse and the owner of the broodmare or his or her agent must
31 register the broodmare in accordance with item A. The attending
32 veterinarian, licensed by the state of Minnesota, must certify
33 on information and belief that the information provided by the
34 owner, lessee, or agent is true and correct.

35 **Subp. 1b. Broodmare registration, Minnesota-bred sired.**

36 To make a mare's foal eligible for Minnesota-bred restricted

1 races (but not eligible for breeders' awards), the following
2 requirements must be met:

3 A. If a mare is not expected to foal in the state of
4 Minnesota, she must be in foal to a Minnesota-sire that is
5 properly registered with the racing commission in the year of
6 breeding. Prior to foaling, mares in foal to Minnesota-sires,
7 but not foaling in Minnesota, must be registered or the
8 registration renewed with the racing commission or official
9 registering agency on or before January 31 of the year in which
10 the broodmare will foal. The broodmare's original American
11 Quarter Horse Association certificate (or Jockey Club
12 Certificate in the case of a thoroughbred mare in foal to a
13 Minnesota-sire registered in the permanent registry of the
14 American Quarter Horse Association) must be received by the
15 racing commission or official registering agency.

16 B. In the event a broodmare that is not registered
17 with the racing commission should foal before January 31, the
18 owner or lessee must submit a sworn affidavit attesting to the
19 date the foal was born and the state in which it was foaled.
20 The affidavit will be considered evidence that the foal is a
21 Minnesota-sired horse and the owner of the broodmare or his or
22 her agent must register the broodmare in accordance with item
23 A. The attending veterinarian must certify on information and
24 belief that the information provided by the owner, lessee, or
25 agent is true and correct.

26 Subp. 1c. **Late-fees Fines.**

27 A. **Late-fees Fines** for all late broodmare
28 registration will be imposed as follows:

29 (1) A **late-fee fine** of \$50 will be imposed for
30 broodmare registrations received February 1 to March 1
31 (excluding Saturday and Sunday) of the foaling year.

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

35 B. Failure to submit broodmare registration forms on
36 or before May 1 of the foaling year (excluding Saturday and

1 Sunday) will require payment of a late-fee fine of \$300 to
 2 qualify for any subsequent claims for breeders' award payments
 3 or for the foal to be registered as a Minnesota-bred sired and
 4 foaled horse, Minnesota-bred foaled horse, or Minnesota-bred
 5 sired horse.

6 C. The commission may, at its discretion, request
 7 written documentation from any persons seeking late registration
 8 that the broodmare was standing in Minnesota as of January 31 of
 9 the foaling year, in the case of Minnesota-bred sired and foaled
 10 horses or Minnesota-bred foaled horses.

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

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

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

19 [For text of item E, see M.R.]

20 Subp. 3. Foal registration and certification,
 21 Minnesota-bred sired and foaled and Minnesota-bred foaled. For
 22 a horse foaled in Minnesota to be registered and subsequently
 23 certified as a Minnesota-bred sired and foaled horse or a
 24 Minnesota-bred foaled horse, the following requirements must be
 25 met:

26 [For text of items A and B, see M.R.]

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

32 [For text of items D and E, see M.R.]

33 Subp. 4. Foal registration and certification,
 34 Minnesota-bred sired. For a horse sired by a Minnesota-sire,
 35 but not foaled in Minnesota, to be registered and subsequently
 36 certified as a Minnesota-bred sired horse, the following

1 requirements must be met:

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

12 B. ~~Late-fees~~ Fines for late foal registration will be
13 imposed as follows:

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

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

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

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

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

31 7895.0400 ARABIAN BREEDERS' FUND.

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

35 A. "Breeder" means the owner or lessee of the dam at

1 the time of conception in Minnesota.

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

4 C. "Minnesota-sire" means a stallion owned at least
5 50 percent by residents of Minnesota or leased entirely by
6 Minnesota residents, and which has stood the entire breeding,
7 between January 31 and August 31, in Minnesota, or has had
8 transported semen to a specific mare in another state but the
9 stallion has stood the entire breeding season in Minnesota.

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

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

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

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

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

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

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

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

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

1 any pari-mutuel race.

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

9 Subp. 5. **Adjustments.** The racing commission shall set
10 percentages to be applied to purse supplements that may be
11 earned during the current race meeting. The racing commission
12 may, in its discretion, during the course of a race meeting vary
13 the percentages set for the purpose of keeping purse supplements
14 consistent with the amount of money being earned in the
15 breeders' fund. The racing commission shall consider the
16 following criteria in determining the applicable percentages:

17 A. the total amount of purse supplements to be
18 distributed;

19 B. the need to distribute purse supplements in a fair
20 and equitable manner with a view toward encouraging the
21 continued support of the horse industry in Minnesota, thereby
22 providing incentive to breeders and owners of Arabian horses
23 within the state; and

24 C. that the set amount of the purse supplements or
25 any adjustments made thereto are in the best interest of horse
26 racing within the state.

27 Subp. 6. **Time of payment.** Purse supplements are part of
28 the purse and shall be credited to owners' accounts at the time
29 the purses are earned. All money allocated for breeders'
30 awards, owners' awards, and stallion awards shall be distributed
31 within ~~30~~ 45 days of the end of the Arabian race meeting.

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

35 7895.0450 ARABIAN REGISTRATION.

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

4 A. Prior to foaling, the broodmare must be in
5 Minnesota and registered or the registration renewed with the
6 racing commission or official registering agency on or before
7 January 31 of the year in which the broodmare will foal. The
8 broodmare's original Arabian Horse Registry of America, Inc.
9 certificate must be received by the racing commission or
10 official registering agency.

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

22 C. ~~Late-fees~~ Fines for late broodmare registration
23 will be imposed as follows:

24 (1) A ~~late-fee~~ fine of \$50 will be imposed for
25 broodmare registrations received February 1 to March 1
26 (excluding Saturday and Sunday) of the foaling year.

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

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

35 E. The commission may, at its discretion, request
36 written documentation from any persons seeking late registration

1 that the broodmare was standing in Minnesota as of ~~February-15~~
2 January 31 of the foaling year.

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

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

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

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

21 C. ~~Late-fees~~ Fines for late stallion registration
22 will be imposed as follows:

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

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

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

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

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

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

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

22 B. ~~late-fee~~ Fines for late foal registration will be
23 imposed as follows:

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

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

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

35 D. The original foal certificate must be embossed by
36 the racing commission or official registering agency prior to

1 entry into any restricted race.

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

5 7897.0100 PROHIBITED ACTS.

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

7 Subp. 9. **Fraud.** No person shall engage in any fraud or
8 misrepresentation with regard to the sale, breeding, or racing
9 of horses.

10 Subp. 10. **Financial responsibility.** No licensee shall
11 willfully or deliberately refuse to pay any money when due for
12 any service, supplies, or fees connected with his or her
13 activities as a licensee, nor shall he or she falsely deny any
14 such amount due or the validity of the claim therefore with the
15 purpose of hindering or defrauding the person to whom the
16 indebtedness is due. All financial responsibility complaints
17 against a licensee shall be made in writing, presenting facts
18 sufficient to enable the stewards to determine that the claim is
19 meritorious and is directly related to the licensee's racing
20 activities and that the debt became due within the last two
21 years. Upon receipt of a complaint, the stewards may conduct an
22 investigation and attempt to resolve the matter informally. If
23 the stewards determine that the complaint has merit, and cannot
24 resolve the matter informally or determine that it is not
25 appropriate to settle the matter informally, then the stewards
26 shall commence the appropriate disciplinary procedures in
27 chapter 7897.

28 [For text of subps 11 to 19, see M.R.]

29 7899.0100 VARIANCES.

30 Subpart 1. **Procedures and standards.** The procedures and
31 standards contained in this part govern the consideration and
32 disposition of all variance requests submitted to the commission.
33 No variance requests seeking relief from the imposition of a
34 fine pursuant to parts 7895.0125, subparts 1, items C and D; 2,
35 items C and D; and 3, items B and C; 7895.0275, subpart 1, items

1 C and D; and 7895.0350, subparts 1c, items A and B; 2, items C
2 and D; 3, items B and C; and 4, items B and C, may be submitted
3 to the commission.

4 [For text of subps 2 and 3, see M.R.]

5 Subp. 4. **Standards for granting and denying variance**

6 **requests.** The commission shall grant a variance to the
7 application of any of its rules except those in subpart 1 only
8 if it determines that all of the following criteria have been
9 met:

10 [For text of items A to F, see M.R.]