

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Possible Amendments to Rules Governing Horse Racing, Pari-Mutuel Wagering, Class C Licenses, Advance Deposit Wagering, Horse Races, Harness Races, Horse Medication, and Prohibited Acts; *Minnesota Rules* 7873, 7877, 7880, 7883, 7884, 7890, and 7987.

**ORDER ON REVIEW OF
RESUBMITTED RULES UNDER
MINN. STAT. § 14.26, SUBD. 3, AND
MINN. R. 1400.2300, SUBP. 8**

This matter came on for review by the Chief Administrative Law Judge pursuant to Minn. Stat. 14.26 (2020), and Minn. R. 1400.2300 (2021). The Minnesota Horseracing Commission (Commission) proposes to adopt the above-entitled rules pursuant to Minn. Stat. § 14.26.

On February 18, 2022, the Commission filed a request for review and approval of the above-entitled rules under Minn. Stat. § 14.26 and Minn. R. 1400.2310 (2021). Administrative Law Judge James E. LaFave disapproved portions of the rules in an Order on Review of Rules dated March 4, 2022.¹ The Chief Administrative Law Judge concurred with the determinations of the Administrative Law Judge by an Order dated March 11, 2022.²

On March 22, 2022, the Commission resubmitted the proposed rules and requested the Chief Administrative Law Judge review and approve its modifications.³

The Chief Administrative Law Judge finds that the defects identified in the prior Order have been corrected. In addition, the Chief Judge finds that the Commission's proposed modifications do not render the final proposed rules substantially different from those published in the *State Register* on January 3, 2022.⁴

Based upon a review of the written submissions and filings, the rulemaking record, and the Commission's Amended Order Adopting Rules, dated March 22, 2022,

¹ Order on Review of Rules (Mar. 4, 2022).

² Order of Chief Administrative Law Judge on Review of Rules (Mar. 1, 2022).

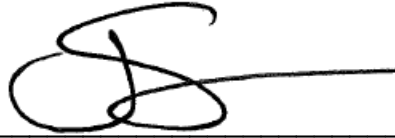
³ See Minn. R. 1400.2300, subp. 8.

⁴ See Minn. Stat. § 14.05, subd. 2(b)(2) (2020). ("A modification does not make a proposed rule substantially different if . . . the differences are a logical outgrowth of the contents of the notice of intent to adopt or notice of hearing and the comments submitted in response to the notice.").

IT IS HEREBY ORDERED THAT:

The proposed rules, as modified and approved by the Revisor on March 16, 2022, are approved as to legality.

Dated: March 29, 2022

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

JENNY STARR
Chief Administrative Law Judge