

CHAPTER 279—H.F.No. 2795

An act relating to horse racing; modifying provisions relating to card clubs and pari-mutuel wagering; providing for certain regulatory threshold concentrations to be set by the commission; amending Minnesota Statutes 2010, sections 240.01, subdivision 25; 240.13, subdivision 9; 240.24, subdivision 2, by adding a subdivision; 240.30, subdivision 8; repealing Minnesota Statutes 2010, section 240.30, subdivision 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 240.01, subdivision 25, is amended to read:

Subd. 25. **Card playing.** "Card playing" means an activity wherein individuals ~~compete and wager with each other~~ utilizing a 52-unit system comprised of a series of numbers, numbered two through ten, and the letters J, Q, K, and A, combined with four symbols commonly known as hearts, diamonds, spades, and clubs, wherein each individual unit constitutes the display of one of the 52 possible combinations. The symbol commonly known as a joker may be incorporated into the system.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2010, section 240.13, subdivision 9, is amended to read:

Subd. 9. **Transmission to Indian lands; pooling of bets.** ~~A licensed racetrack class B licensee may, with the approval of the horsepersons' organization representing the majority of horsepersons racing the breed involved, transmit telecasts of races the licensee conducts, and simulcasts upon which the licensee accepts wagers to sites on Indian lands of tribes who are lawfully conducting pari-mutuel wagering gaming authorized by a tribal-state compact entered into pursuant to the Indian Gaming Regulatory Act, Public Law 100-497, or through litigation, arbitration, or mediation relative to that act. Nothing in this subdivision shall be construed to indicate that state policy or law permits or encourages the transmission of telecasts to sites on Indian lands for wagering purposes. Transmissions of telecasts or simulcasts are only authorized if they are conducted pursuant to a written agreement between the tribal government receiving the signal and a licensee who is authorized to conduct live racing, at the licensee's facility, of the breed involved in the telecast or simulcast. The written agreement is not valid or effective unless it is approved by the commission. The agreement must be enforceable only in state courts. The term of the written agreement shall not exceed five years. The agreement may be renewed after review and approval, not earlier than six months before the end of the term, by the commission.~~ With prior approval of the commission, a licensed racetrack transmitting telecasts of races it conducts, to sites on Indian lands within or outside of Minnesota or to other locations outside the state, may commingle the amounts bet at the receiving entity with the pools at the sending licensed racetrack.

Sec. 3. Minnesota Statutes 2010, section 240.24, subdivision 2, is amended to read:

Subd. 2. **Exception.** Notwithstanding subdivision 1, the commission by rule shall allow the use of: (1) topical external applications that do not contain anesthetics or steroids; (2) food additives; (3) Furosemide or other pulmonary hemostatic agents if the agents are administered under the visual supervision of the veterinarian or a designee of the veterinarian employed by the commission; (4) nonsteroidal anti-inflammatory drugs, provided that the test sample does not contain more than ~~five micrograms of the substance or metabolites thereof per milliliter of blood plasma~~ the regulatory threshold concentrations set by rule by the commission; and (5) medications and their metabolites, provided their use thereof does not exceed regulatory threshold concentrations set by rule by the commission. For purposes of this clause, "test sample" means any bodily substance including blood, urine, saliva, or other substance as directed by the commission, taken from a horse under the supervision of the commission veterinarian and in such manner as prescribed by the commission for the purpose of analysis.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2010, section 240.24, is amended by adding a subdivision to read:

Subd. 2a. **Reimbursement.** Increased expenses related to the use of upgraded drug testing technologies and procedures are deemed to be necessary costs within the meaning of section 240.155 and the commission shall be reimbursed for these expenses from receipts from card playing activities regulated by the commission.

Sec. 5. Minnesota Statutes 2010, section 240.30, subdivision 8, is amended to read:

Subd. 8. **Limitations.** The commission may not approve any plan of operation under subdivision 6 that exceeds any of the following limitations:

(1) the maximum number of tables used for card playing at the card club at any one time, other than tables used for instruction, demonstrations, or poker tournament play, may not exceed 50. ~~The table limit exception for tournament play is allowed for only one tournament per year that lasts for no longer than 14 days~~ 80;

(2) except as provided in clause (3), no wager may exceed ~~\$60~~ \$100;

(3) for games in which each player is allowed to make only one wager or has a limited opportunity to change that wager, no wager may exceed \$300.

Sec. 6. **REPEALER.**

Minnesota Statutes 2010, section 240.30, subdivision 3, is repealed.

EFFECTIVE DATE. This section is effective the day following final enactment.

Presented to the governor May 1, 2012

Signed by the governor May 4, 2012, 3:27 p.m.