

CHAPTER 7895
MINNESOTA RACING COMMISSION
BREEDERS' FUND

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7895.0100 GENERAL PROVISIONS.

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

Subp. 2. **Registration.** To qualify for payment of awards and for entry into restricted races, all foal certificates must have the Minnesota registration seal affixed upon them. The seal shall be proof that the requirements of this part have been met.

Subp. 3. **Decisions regarding eligibility for registration.** Questions regarding the registration, eligibility for registration, or breeding of a Minnesota-bred horse shall be decided by the commission. An official registering agency may be designated by the commission and empowered to act in matters relative to registration, eligibility for registration, or breeding. A decision of the official registering agency shall be subject to review by the commission which retains the right to make the final decision as to any right or liability under this chapter. All original foal registration certificates must be submitted for inspection to the commission or official registering agency. Affidavits or other substantive proof, as the commission or official registering agency deems necessary, may be required to support any claim for Minnesota-bred registration.

Subp. 4. **Decision regarding eligibility to enter restricted races.** Questions as to the eligibility for nomination or entry in restricted races shall be decided by the commission or the official registering agency.

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

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

Statutory Authority: *MS s 240.13 subd 5; 240 15-subd 2; 240 16 subds 4,5,6; 240.18; 240.23; 240.25 subd 4 cl (a)*

History: 10 SR 1908

7895.0110 THOROUGHBRED BREEDERS' FUND.

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

A. "Minnesota-owned" means:

(1) In the case of a horse owned by an individual, the owner must reside in Minnesota, declare himself or herself to be a resident of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that he or she is not a resident of any other state.

(2) In the case of a horse owned by a corporation, the corporation must:

(a) be legally incorporated in the state of Minnesota;

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(b) have its principal place of business in Minnesota,
(c) have at least 51 percent of all outstanding shares of stock owned by shareholders who are residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and who declare that they are not residents of any other state.

(3) In the case of a horse owned by a limited partnership, the general partners and at least 51 percent of the limited partners must be residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that they are not residents of any other state.

(4) In the case of a horse owned by a partnership, all partners must be residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that they are not residents of any other state.

Every owner of a Minnesota-owned horse must hold a Class C owner's license issued by the commission as required in part 7877.0130, subparts 1 and 2.

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

C. "Minnesota-bred" means a horse foaled in Minnesota.

D. "Minnesota-sire" means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season, between February 15 and July 31, in Minnesota.

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

A. 31 percent shall be set aside and paid to breeders of Minnesota-bred horses as breeders' awards;

B. 31 percent shall be set aside and paid to owners of Minnesota-bred horses as owners' awards;

C. 31 percent shall be paid to supplement purses in races which are restricted to Minnesota-bred or Minnesota-owned horses. In all such races Minnesota-bred horses shall be preferred, and the purse supplements shall be apportioned in accordance with the quality of the race as determined by the commission.

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

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

A. "Breeders' awards" shall be paid to the breeder of a Minnesota-bred horse, as reflected on the Jockey Club certificate that finishes fifth or better in any race.

B. "Owners' awards" shall be paid to the owners of Minnesota-bred horses that finish fifth or better in any race.

C. "Stallion awards" shall be paid to the owners of the Minnesota-sire of a Minnesota-bred horse that finishes fifth or better in any race.

Subp. 4. Methods of payment. The amount of money distributed by the commission for awards or purse supplements pursuant to subpart 3 shall be paid out in the same percentage as the purse money in the race. The amount of money to be distributed shall be in accordance with subpart 5.

Subp. 5. Adjustments. The racing commission shall set percentages to be applied to each category of the breeders' fund for the purpose of determining the amount of awards and purse supplements that may be earned during the current race meeting. The racing commission may, in its discretion, during the course of a race meeting vary the percentages set in each category for the purpose of keeping awards and purse supplements consistent with the amount of money being earned in the breeders' fund and subsequent awards disbursements. The racing commission shall consider the following criteria in determining the applicable percentages:

A. the number of potential award recipients;
 B. the total amount of awards and purse supplements to be distributed;
 C. the need to distribute awards and purse supplements among Minnesota breeders and owners in a fair and equitable manner with a view toward encouraging the continued support of the horse industry in Minnesota, thereby providing incentive to breeders and owners of thoroughbred horses within the state; and

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

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

Subp. 7. Maximum awards permitted. The maximum amount of any award, exclusive of purse supplements, paid to an individual or entity under this part shall not exceed:

A. For calendar year 1985:

- (1) \$75,000 per breeder;
- (2) \$75,000 per owner; or
- (3) \$75,000 in total combined awards if a breeder is also an owner.

B. For calendar year 1986:

- (1) \$150,000 per breeder;
- (2) \$150,000 per owner; or
- (3) \$150,000 in total combined awards if a breeder is also an owner.

Subp. 8. Residual funds. After complying with subparts 4 to 7:

A. any remaining funds in the stallion awards account shall be transferred to and distributed through the owners' account; and

B. any remaining funds in the owners' awards account and the breeders' awards account shall be distributed in proportion to the award money earned by each individual Minnesota-bred horse to the total award money earned by Minnesota-bred horses as a group.

After complying with subparts 4 to 8, any remaining funds in the breeders' and owners' accounts, and all unearned purse supplements, shall be retained and carried forward to be included as net distributable funds in the succeeding thoroughbred race meeting.

Statutory Authority: *MS s 240.13 subd 5; 240 15 subd 2; 240 16 subds 4,5,6; 240.18; 240 23; 240 25 subd 4 cl (a)*

History: *10 SR 1908*

7895.0125 THOROUGHBRED REGISTRATION.

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

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

B. In the event an unregistered broodmare should foal in Minnesota before January 31, the owner must submit a sworn affidavit to the racing commission or the official registering agency attesting that the foal was born in Minnesota. The affidavit will be considered evidence that the foal is a Minnesota-bred or Minnesota-foaled horse and the owner of the broodmare or his or her agent must register the broodmare in accordance with item A. The attending veterinarian,

licensed by the state of Minnesota, must certify on information and belief that the information provided from the owner or agent is true and correct.

C. Failure to submit broodmare registration forms on or before the January 31 cutoff date (excluding Saturday and Sunday) will disqualify any subsequent claims for breeders' award payments or for the foal to be registered as Minnesota-bred.

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

A. Stallions must be in Minnesota and registered or the registration renewed with the racing commission or official registering agency by February 1 of the current breeding year. The stallion's original jockey club certificate must be received by the racing commission or official registering agency. If the stallion is leased, a copy of the lease must accompany the registration application. The lease must include a statement that the lessee is authorized to sign the breeding certificate.

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

C. Stallion reports (record of mares bred) must be received by the racing commission or official registering agency by September 30 of the immediately preceding breeding season.

D. Failure to submit stallion reports (record of mares bred) by the September 30 cutoff date will disqualify any subsequent claims for stallion award payments.

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

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

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

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

Subp. 4. Protests. When a person has reason to believe that a horse not owned by a Minnesota resident, as defined in part 7895.0100, subpart 1, item A, will participate or has participated in a restricted race for Minnesota-owned horses, the person may protest the eligibility of the horse in the manner prescribed in this part. Within seven days of the day in which the race was run, a written protest must be submitted to the board of stewards. The protest must include the following information: the date of the protest, the date and race number of the race in question, the name of the horse, the name of the horse's owner(s), the reasons that the owner(s) is believed to be ineligible, and a statement of the relief sought by the filing party or parties.

Subp. 5. Disposition of protest. Within three days of receipt of a protest, the stewards shall notify in writing the owner(s) of the horse in question of the protest. The owner(s) shall have seven days to respond to the allegations.

Subp. 6. Findings of stewards. Should the stewards determine that an ineligible horse participated in a restricted race for Minnesota-owned horses, the following action must be taken:

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- A. the horse in question must be disqualified from any placing it earned;
- B. the purse must be redistributed among the other horses in the race according to their order of finish;
- C. disciplinary action must be taken against the owner(s) of the horse found to be ineligible; and
- D. where appropriate, disciplinary action may be taken against the trainer of the horse found if it is determined that the trainer had prior knowledge of the owners' ineligibility.

Statutory Authority: *MS s 240.24*

History: *10 SR 2161*

7895.0250 STANDARD BRED BREEDERS' FUND.

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

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

B. "Minnesota-bred" means:

(1) in the case of a horse foaled prior to 1987, either:

(a) the United States Trotting Association (USTA) foal certificate reflects the breeder to be a Minnesota resident;

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

(c) at the time the horse was foaled in Minnesota the owner of the foal was a Minnesota resident; or

(2) Foals born on or after January 1, 1987, must have been sired by a stallion registered with the racing commission or official registering agency that stood in the state of Minnesota for the entire breeding season.

C. "Minnesota-foaled" means:

(1) In the case of a horse foaled prior to 1987, either:

(a) the USTA foal certificate reflects the breeder to be a Minnesota resident;

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

(c) at the time the horse was foaled in Minnesota the owner of the foal was a Minnesota resident.

(2) Foals born on or after January 1, 1987, must have been sired by a stallion registered with the racing commission or official registering agency that stood in the state of Minnesota for the entire breeding season.

D. "Minnesota-owned" means:

(1) In the case of a horse owned by an individual, the owner must reside in Minnesota, declare himself or herself to be a resident of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that he or she is not a resident of any other state.

(2) In the case of a horse owned by a corporation, the corporation must:

(a) be legally incorporated in the state of Minnesota;

(b) have its principal place of business in Minnesota;

(c) have at least 51 percent of all outstanding shares of stock owned by shareholders who are residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and who declare that they are not residents of any other state.

(3) In the case of a horse owned by a limited partnership, the general

partners and at least 51 percent of the limited partners must be residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that they are not residents of any other state.

(4) In the case of a horse owned by a partnership, all partners must be residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that they are not residents of any other state.

Every owner of a Minnesota-owned horse must hold a Class C owner's license issued by the commission as required in part 7877.0130, subparts 1 and 2.

E. "Minnesota sire" means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season, from January 1 to September 1 in Minnesota.

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

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

B. 75 percent shall be paid to supplement purses in races which are restricted to horses that are Minnesota-bred, Minnesota-foaled, or Minnesota-owned. In all such races, Minnesota-bred and Minnesota-foaled shall have first preference, and Minnesota-owned horses shall have second preference.

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

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

Subp. 5. Adjustments. The racing commission shall set percentages to be applied to each category of the breeders' fund for the purpose of determining the amount of awards and purse supplements that may be earned during the current race meeting. The racing commission may, in its discretion, during the course of a race meeting vary the percentages set in each category for the purpose of keeping awards and purse supplements consistent with the amount of money being earned in the breeders' fund and subsequent breeders' award disbursements. The racing commission shall consider the following criteria in determining the applicable percentages:

A. the number of potential breeders' award recipients;

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

C. the need to distribute breeders' awards and purse supplements among the Minnesota breeders and owners in a fair and equitable manner with a view toward encouraging the continued support of the horse industry in Minnesota, thereby providing incentive to breeders and owners of standardbred horses within the state; and

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

Subp. 6. Time of payment. Purse supplements are part of the purse and shall be credited to owners' accounts at the time such purses are earned. All money allocated for breeders' awards shall be distributed within 30 days of the end of the race meeting.

Subp. 7. Maximum awards permitted. The maximum amount of a breeders' award, exclusive of any purse supplements, paid to an individual or entity under this part must not exceed 50 percent of the total available breeders' award funds during calendar year 1986.

Subp. 8. **Residual funds.** After complying with subparts 4 to 7, any remaining funds in the breeders' awards account, and all unearned purse supplements, shall be retained and carried forward to be included as net distributable funds in the succeeding standardbred race meeting.

Statutory Authority: *MS s 240 24*

History: *10 SR 2161*

7895.0275 STANDARDBRED REGISTRATION.

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

A. Stallions must be in Minnesota and registered or the registration renewed with the racing commission or official registering agency by January 1 of the current breeding year. The stallion's original United States Trotting Association (USTA) certificate must be received by the racing commission or official registering agency. If the stallion is leased, a copy of the lease must accompany the registration application or renewal. The lease agreement must contain a statement that the lessee is authorized to sign the breeding certificate.

B. Stallions must remain in Minnesota for the entire breeding season from January 1 to September 1.

C. Stallion reports (record of mares bred) must be received by the racing commission or official registering agency by September 30 (excluding Saturday and Sunday) of the current breeding season.

Subp. 2. **Foal certification.** In order for a horse bred or foaled in Minnesota to be registered and subsequently certified as Minnesota-bred or Minnesota-foaled, the following requirements must be met:

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

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

Subp. 3. **Protests.** When a person has reason to believe that a horse not owned by a Minnesota resident, as defined in part 7895.0110, subpart 1, item A, will participate or has participated in a restricted race for Minnesota-owned horses, such person may protest the eligibility of the horse in the manner prescribed hereinafter. Within seven days of the day in which the race was run, a written protest must be submitted to the board of stewards. The protest must include the following information: the date of the protest, the date and race number of the race in question, the name of the horse, the name of the horse's owner(s), the reasons that the owner(s) is believed to be ineligible, and a statement of the relief sought by the filing party or parties.

Subp. 4. **Disposition of protest.** Within three days of receipt of a protest, the stewards shall notify in writing the owner(s) of the horse in question of the protest. The owner(s) shall have seven days to respond to the allegations.

Subp. 5. **Findings of stewards.** Should the stewards determine that an ineligible horse participated in a restricted race for Minnesota-owned horses, the following action must be taken:

A. the horse in question must be disqualified from any placing it earned;

B. the purse must be redistributed among the other horses in the race according to their order of finish;

C. disciplinary action must be taken against the owner(s) of the horse found to be ineligible; and

D. where appropriate, disciplinary action may be taken against a trainer of the horse if it is determined that the trainer had prior knowledge of the horse's eligibility.

Statutory Authority: *MS s 240.24*

History: *10 SR 2161*

7895.0300 QUARTER HORSE BREEDERS' FUND.

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

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

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

C. "Minnesota-bred" means:

(1) a horse sired by a registered stallion who stood his entire breeding season in Minnesota; and

(2) a horse born in Minnesota.

D. "Minnesota-owned" means:

(1) in the case of a horse owned by an individual, the owner must reside in Minnesota, declare himself or herself to be a resident of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that he or she is not a resident of any other state.

(2) in the case of a horse owned by a corporation, the corporation must:

(a) be legally incorporated in the state of Minnesota;

(b) have its principal place of business in Minnesota;

(c) have at least 51 percent of all outstanding shares of stock owned by shareholders who are residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and who declare that they are not residents of any other state.

(3) in the case of a horse owned by a limited partnership, the general partners and at least 51 percent of the limited partners must be residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that they are not residents of any other state.

(4) in the case of a horse owned by a partnership, all partners must be residents of Minnesota for purposes of Minnesota Statutes, chapter 290, and declare that they are not residents of any other state.

Every owner of a Minnesota-owned horse must hold a Class C owner's license issued by the commission as required in part 7877.0130, subparts 1 and 2.

E. "Minnesota-sire" means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season, from February 15 through July 31, in Minnesota.

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

A. 35 percent shall be set aside and paid as breeders' awards to:

(1) until December 31, 1988, breeders of Minnesota-bred or Minnesota-foaled horses; and

(2) January 1, 1989, and thereafter breeders of a Minnesota-bred horse or a horse born in Minnesota prior to 1987;

B. 35 percent shall be set aside and paid as owners' awards to:

(1) until December 31, 1988, owners of Minnesota-bred or Minnesota-foaled horses; and

(2) January 1, 1989, and thereafter owners of a Minnesota-bred horse or a horse born in Minnesota prior to 1987;

C. 20 percent shall be paid to supplement purses in races which are restricted to Minnesota-bred, Minnesota-foaled, or Minnesota-owned horses. In all such races Minnesota-bred or Minnesota-foaled horses shall be preferred, and the purse supplements shall be apportioned in accordance with the quality of the race as determined by the commission.

D. 10 percent shall be set aside and paid as stallion awards to the owners of the Minnesota-sire at the time of breeding.

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

A. "Breeders' awards" shall be paid to the breeder of a Minnesota-bred or Minnesota-foaled horse, as reflected on the American Quarter Horse Association (AQHA) certificate that finishes fifth or better in any race.

B. "Owners' awards" shall be paid to the owners of a Minnesota-bred or Minnesota-foaled horse that finishes fifth or better in any race.

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

Subp. 4. Methods of payment. The amount of money distributed by the commission for awards or purse supplements pursuant to subpart 3 shall be paid out in the same percentage as the purse money in the race. The amount of money to be distributed shall be in accordance with subpart 5.

Subp. 5. Adjustments. The racing commission shall set percentages to be applied to each category of the breeders' fund for the purpose of determining the amount of awards and purse supplements that may be earned during the current race meeting. The racing commission may, in its discretion, during the course of a race meeting vary the percentages set in each category for the purpose of keeping awards and purse supplements consistent with the amount of money being earned in the breeders' fund and subsequent award disbursements. The racing commission shall consider the following criteria in determining the applicable percentages:

A. the number of potential award recipients;

B. the total amount of awards and purse supplements to be distributed,

C. the need to distribute awards and purse supplements among Minnesota breeders and owners in a fair and equitable manner with a view toward encouraging the continued support of the horse industry in Minnesota, thereby providing incentive to breeders and owners of quarter horses within the state; and

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

Subp. 6. Time of payment. Purse supplements are part of the purse and shall be credited to owners' accounts at the time such purses are earned. All money allocated for breeders' awards, owners' awards, and stallion awards shall be distributed by December 31 of the year in which they are earned.

Statutory Authority: *MS s 240.24*

History: *10 SR 2161*

7895.0350 QUARTER HORSE REGISTRATION.

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

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

B. In the event an unregistered broodmare should foal in Minnesota before January 31, the owner or lessee must submit a sworn affidavit to the racing

commission or the official registering agency attesting that the foal was born in Minnesota. The affidavit will be considered evidence that the foal is a Minnesota-bred or Minnesota-foaled horse and the owner of the broodmare or his or her agent must register the broodmare in accordance with item A. The attending veterinarian, licensed by the state of Minnesota, must certify on information and belief that the information provided by the owner, lessee, or agent is true and correct.

C. Failure to submit broodmare registration forms on or before the January 31 cutoff date (excluding Saturday and Sunday) will disqualify any subsequent claims for breeders' award payments or for the foal to be registered as a Minnesota-bred or Minnesota-foaled horse.

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

A. Stallions must in Minnesota and registered or the initial registration renewed with the racing commission or official registering agency by February 1 of the current breeding year. The stallion's original American Quarter Horse Association (AQHA) certificate must be received by the racing commission or official registering agency. If the stallion is leased, a copy of the lease must accompany the registration application. The lease must include a statement that the lessee is authorized to sign the breeding certificate.

B. Stallions must remain in Minnesota for the entire breeding season from February 15 through July 31.

C. Stallion reports (roster of mares bred) must be received by the racing commission or official registering agency by September 30 (excluding Saturday and Sunday) of the immediately preceding breeding season.

D. Failure to submit stallion reports (roster of mares bred) by the September 30 cutoff date will disqualify any subsequent claims for the stallion award payments.

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

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

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

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

Subp. 4. Protests. When a person has reason to believe that a horse not owned by a Minnesota resident, as defined in part 7895.0110, subpart 1, item A, will participate or has participated in a restricted race for Minnesota-owned horses, such person may protest the eligibility of the horse in the manner prescribed hereinafter. Within seven days of the day in which the race was run, a written protest must be submitted to the board of stewards. The protest must include the following information: the date of the protest, the date and race number of the race in question, the name of the horse, the name of the horse's owner(s), the reasons that the owner(s) is believed to be ineligible, and a statement of the relief sought by the filing party or parties.

Subp. 5. Disposition of protest. Within three days of receipt of a protest, the stewards shall notify in writing the owner(s) of the horse in question of the protest. The owner(s) shall have seven days to respond to the allegations.

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Subp. 6. **Findings of stewards.** Should the stewards determine that an ineligible horse participated in a restricted race for Minnesota-owned horses, the following action must be taken:

- A. the horse in question must be disqualified from any placing it earned;
- B. the purse must be redistributed among the other horses in the race according to their order of finish;
- C. disciplinary action must be taken against the owner(s) of the horse found to be ineligible, and
- D. where appropriate, disciplinary action may be taken against the trainer of the horse found if it is determined that the trainer had prior knowledge of the owners' ineligibility.

Statutory Authority: *MS s 240 24*

History: *10 SR 2161*