

7876.0100 ON-TRACK STABLING.

Subpart 1. [Repealed, 42 SR 1258]

Subp. 2. **Allocation of stalls.** The association shall allocate stalls pursuant to a written stall application and agreement, on forms approved by the commission.

Subp. 3. **Notice.** The association shall give each applicant written notice with regard to each stall requested. The notice shall specify whether each application was accepted, denied, or placed on a pending status. The notice shall be given no later than five days before the first day of the race meeting, or ten days after receipt of the stall application, whichever shall be last to occur. The association shall give the applicant written notice of final action on an application.

Subp. 4. **Discretion.** The association shall be allowed broad discretion in allocating stalls, but its actions shall be governed by the best interests of racing and of the race meeting.

Subp. 4a. **Horses without required documentation.** If a horse arrives at a licensed racetrack without all documentation required under this part, the horse shall be denied entry to the grounds of the licensed racetrack or kept in an isolation area until the required documentation is submitted to the commission veterinarian.

Subp. 5. **Restrictions.** No action on a stall application shall be based upon:

A. the race, color, creed, religion, national origin, disability, marital status, sexual orientation, or sex of the applicant;

B. an arbitrary or capricious decision, or a decision not related to the best interests of racing or of the race meeting; and

C. the payment, transfer, or delivery to the association or to any person designated by it, of money, property, or other thing of value, or upon the applicant's promise to make such payment, transfer, or delivery.

Subp. 6. **Misuse of property.** Previous misuse of racetrack property by an applicant may be considered when stall assignments are made.

Subp. 7. **Minnesota residents have preference.** In considering stall applications that are of substantially equal merit, the association shall give preference to applications submitted with respect to horses owned by Minnesota residents.

Subp. 8. **Documents to be kept.** The association shall cause all stall applications, stall agreements, correspondence, and documents that influenced its decision to grant or deny stalls to be retained until the close of the race meeting or for such longer period as the commission may direct.

Subp. 9. **Secure area.** The on-track stabling site is considered a secure area and the association shall ensure that only the following persons are permitted within the confines of this area:

A. licensed trainers, assistant trainers, veterinarians, grooms, exercise riders, owners, jockeys, jockey agents, racing officials, commission members or staff, and other licensees with a specific need to be present;

B. persons who have been issued a temporary pass pursuant to part 7877.0165; and

C. persons who have been issued a visitor's pass pursuant to part 7878.0180.

Subp. 10. **Original certificate of veterinary inspection.** Each horse arriving on the grounds of a licensed racetrack must be accompanied by an original certificate of veterinary inspection issued not more than ten days prior to arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test results. The certificate must also contain rectal temperature and date of most recent vaccination with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1. The certificate of veterinary inspection must be surrendered to the stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original health certificate issued not more than ten days prior to arrival.

Subp. 10a. **Renewal of 30-day certificate of veterinary inspection.** The certificate of veterinary inspection for horses leaving and returning on an ongoing basis throughout the meet must be renewed within the first five days of each month.

Subp. 11. **Record of negative test for equine piroplasmiasis.** When a suspected case of equine piroplasmiasis (EP) is reported by a government agency within North America, the commission, the executive director, or the deputy director, in consultation with the chief commission veterinarian, has the authority to require proof of an equine piroplasmiasis (EP) test taken within 12 months of the date of entry upon the racetrack when a horse enters or is already on the grounds of the racetrack. No horse shall be allowed to enter the grounds of a licensed racetrack unless the horse has had the required test. The test must indicate a negative C-ELISA result for *Theileria equi*. Record of the negative test shall be attached to the certificate of veterinarian inspection (CVI) and presented at the stable gate when the horse first enters the grounds of a licensed racetrack.

Statutory Authority: *MS s 240.03; 240.23; 240.24*

History: *9 SR 2527; 11 SR 2201; 34 SR 1135; 35 SR 627; 36 SR 1407; 39 SR 1739; 42 SR 1258*

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