

7895.0110 THOROUGHBRED BREEDERS' FUND.

Subpart 1. **Definitions.** For purposes of this part, the following terms have the meanings given them unless another intention is made clear.

A. "Breeder" of a Thoroughbred horse means the owner or lessee of the dam at the time of foaling.

B. "Minnesota-bred" or "Minnesota-foaled" means a horse foaled in Minnesota by a broodmare registered with the Racing Commission.

C. "Minnesota-sire" means a stallion that has stood the entire breeding season, between January 31 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. Eighty percent shall be set aside and paid to breeders of Minnesota-bred horses as breeders' awards.

B. Twenty 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 earned pursuant to Minnesota Statutes, section 240.135, shall be distributed as follows:

A. "Breeders' awards" shall be paid to the breeder or lessee of a Minnesota-bred horse, as reflected on the Jockey Club physical or digital certificate, that earns purse earnings in any North American pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race that is conducted outside of Minnesota during the Minnesota Thoroughbred racing meeting shall not count toward qualified earnings. A horse's earnings in any single race must not be worth more than the winner's share of the largest purse offered during the Minnesota Thoroughbred racing meeting.

B. "Stallion awards" shall be paid to the owners or lessees of the Minnesota-sire of a Minnesota-bred horse that earns purse earnings in any pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race outside of Minnesota during the Minnesota Thoroughbred racing meeting shall not count toward qualified earnings. A horse's earnings in any single race must not be worth more than the winner's share of the largest purse offered during the Minnesota Thoroughbred racing meeting.

C. Purse supplements earned shall not count toward qualified earnings in determining breeders' or stallion awards.

Subp. 4. [Repealed, 45 SR 644]

Subp. 5. **Purse supplements.** The Racing Commission may set fixed amounts for stakes races and varying percentages for overnight races to be applied as purse supplements that may be earned

during the current racing meeting. Purse supplements shall be paid out for Minnesota-bred and registered horses participating in stakes races in the same percentage as the purse earnings in the race. The Racing Commission may, in its discretion, during the course of a racing meeting vary the percentages set for the purpose of keeping purse supplements consistent with the amount of money being earned in the breeders' fund. The Racing Commission shall consider the following criteria in determining the applicable percentages:

- A. the total amount of purse supplements to be distributed;
- B. the need to distribute purse supplements 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
- C. that the set amount of the purse supplements or any adjustments made thereto are in the best interest of horse racing within the state.

Subp. 6. Time of payment.

A. All money allocated for breeders' awards and stallion awards to be distributed according to subpart 3, shall be distributed by December 31 of the year earned. If all results are not official 60 days following the end of the Minnesota Thoroughbred racing meeting, the Racing Commission will calculate awards based on results that are official. Any results not made official 60 days following the end of the Minnesota Thoroughbred racing meeting that are eligible for awards will be used to calculate awards to be distributed during the year of final decision.

B. For the purposes of breeders' awards and stallion awards, both available award money and qualified purse earnings shall be totaled annually from October 1 to September 30.

Subp. 7. [Repealed, 12 SR 2393]

Subp. 8. **Residual funds.** 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 240.03; 240.18; 240.23; 240.24*

History: *10 SR 1908; 12 SR 2393; 14 SR 332; 14 SR 2008; 16 SR 2684; 19 SR 2307; 20 SR 2592; 37 SR 1503; 45 SR 644*

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