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## MINNESOTA RACING COMMISSION

November 21, 2017

Governor Mark Dayton  
130 State Capital  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Representative Sarah Anderson  
583 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, Minnesota 55155

Senator Ron Latz  
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St. Paul, MN 55155

Senator Richard Cohen  
3201 Minnesota Senate Bldg.  
St. Paul, MN 55155

Mr. Greg Hubinger, Director  
Legislative Coordinating Commission  
72 State Office Building  
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Senator Michelle L. Fischbach  
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Senator Patricia Torres Ray  
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St. Paul, MN 55155

Senator Dan D. Hall  
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Senator Warren Limmer  
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Representative Joe Hoppe  
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Representative Sheldon Johnson  
259 State Office Building  
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Mr. Paul Marinac, Revisor  
Office of the Revisor of Statutes  
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Senator Linda Slocum  
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St. Paul, MN 55115

Senator Mary Kiffmeyer  
3103 Minnesota Senate Bldg.  
St. Paul, MN 55155

Senator Jim Carlson  
2207 Minnesota Senate Bldg.  
St Paul, MN 55155

### By E-Mail

**Subject: Annual Report on Obsolete, Unnecessary or Duplicative Rules as Required by  
Minnesota Statutes, Section 14.05, Subdivision 5**

Dear Governor Dayton, Senators, Representatives, Director Hubinger and Revisor Marinac:

Minnesota Statutes, section 14.05, subdivision 5, directs the Minnesota Racing Commission (MRC) and other agencies to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules.

Last year we reported on several rules we had identified as obsolete. As part of two separate rulemaking projects completed in 2017, we successfully repealed all of those rules.

This year we have identified the following additional obsolete rules:

- **Minn. R. 7873.0189, subp. 13.** This rule part requires racetracks to prominently display pentafecta rules and to provide copies of the rules upon request. This requirement is already set forth in Minn. R. 7873.0230, which requires all commission rules regarding pari-mutuel wagering be available for inspection by the public during racing hours. Therefore this rule is duplicative and can be repealed.
- **7876.0100, subp. 1.** This rule part provides that the racing secretary shall be responsible for the allocation of stalls. It conflicts with subpart 2 of the same rule part which says the association shall allocate stalls.
- **Minn. R. 7877.0175, subp. 8a.** This rule part permits a racing association to appoint its own veterinarian to perform many of the same functions as the Commission veterinarian. This provision has never been used. Furthermore, the MRC and racing associations agree that an association-appointed veterinarian would be vulnerable to having a conflict of interest because the association has an interest in keeping horses racing, whereas the commission veterinarian can act strictly in the best interest of the horse.
- **Minn. R. 7878.0120, subp. 1.** This rule part requires a racing association to notify the commission prior to employing a security officer. This is not necessary because any security officer would need to be licensed by the commission before working at the association.
- **Minn. R. 7878.0150, subp. 1a.** This part requires a racetrack to notify the local chief of police in writing if one of its security officers will carry a firearm. This was adopted before conceal and carry permits were available in Minnesota and is no longer needed.

We are currently working to appeal each of these rules as part of two separate rule making initiatives (Revisor's I.D. numbers 4497 and 4498) which we will be completed in the spring or summer of 2018.

If you have any questions about this letter or would like to discuss the Minnesota Racing Commission's rule making efforts, please contact me at (651) 925-3956.

Yours very truly,



Patricia M. Sifferle  
General Counsel  
Minnesota Racing Commission

c: Tom DiPasquale, Executive Director