

DEPARTMENT OF AGRICULTURE

FAIRS, EXHIBITIONS AND RACING DIVISION

**REGULATION NO. 809. THOROUGHBRED ALLOTMENTS FOR TRAINING
AND STABLING FACILITIES**

(By authority conferred on the racing commissioner by sections 9 and 178 of Act No. 380 of the Public Acts of 1965, as amended, and section 7 of Act No.279 of the Public Acts of 1995, as amended, being §§16.109, 16.278, and 431.307 of the Michigan Compiled Laws)

R 285.809.1 Definitions.

Rule 1. As used in these rules:

- (a) "Applicant" means an individual, partnership, association, or corporation applying for thoroughbred training and stabling facility state funds.
- (b) "Department" means the department of agriculture.
- (c) "Director" means the director of agriculture.
- (e) "Training track" means a track with a cushion adequate to condition horses.

History: 1983 AACCS.

R 285.809.2 Allotments; qualifications.

Rule 2. (1) An applicant receiving an allotment shall not require persons using the facilities to be members of an association or organization.

(2) An allotment may be made only to an applicant who does not receive state funds for thoroughbred training and stabling from any other state source.

History: 1983 AACCS.

R 285.809.3 Allotments; application and approval.

Rule 3. (1) The applicant requesting funds shall file a proper application with the director, in duplicate, on forms provided by the department, on or before May 1 preceding the state's fiscal year for which an allotment is being requested. The date set forth in this subrule shall not apply for the first year these rules are in effect.

(2) The department shall give written notice of approval or disapproval of an application within 30 days after its receipt.

(3) Allotments for the 1983 race season may be retroactive to January 1,1983.

History: 1983 AACCS.

R 285.809.4 Stabling facilities.

Rule 4. (1) Michigan owners shall be given preference over persons from outside Michigan for training and stabling.

(2) Stalls shall be not less than 80 square feet per horse.

(3) Water shall be provided to each building used.

(4) The applicant shall provide to the department a sworn statement showing that all local ordinances have been met.

(5) Conveniently located restrooms and washroom facilities shall be provided on the grounds for persons renting stabling facilities.

(6) All manure shall be removed from the grounds in accordance with acceptable training track practices.

History: 1983 AACCS.

R 285.809.5 Training facilities.

Rule 5. (1) A training track on which thoroughbred horses train shall be maintained in a manner suitable for training horses, or an auxiliary track shall be made available.

(2) The training track shall be available for training thoroughbred horses for a period of not less than 6 hours per day, unless written consent for a variance is given by the director.

History: 1983 AACCS.

R 285.809.6 Final approval.

Rule 6. After an application has been submitted, the department shall conduct an inspection of the total facility to determine that the facility meets the standards described in R 285.809.4 and R285.809.5.

History: 1983 AACCS.

R 285.809.7 Allotments; uses.

Rule 7. (1) The department may allot funds, not to exceed 1% of the revenue received from thoroughbred racing in Michigan, to qualified applicants who have conformed to all other provisions of these rules.

(2) An applicant shall submit to the department, within 30 days of the conclusion of the training period, a sworn statement of the number of stalls rented and the period of time for which they were rented.

(3) An applicant shall provide any additional information requested by the director which is necessary to process the applicant's claim.

(4) Facilities shall be available and the track shall be in training condition for the training period approved by the department in accordance with the applicant's application.

(5) A rental rate charged to a person for training or stabling at an approved training track shall be approved by the director.

(6) The state of Michigan shall not be held responsible for liabilities involving training and stabling.

(7) Records pertaining to rental of facilities shall be kept by the applicant and made available to state auditors for not less than 4 years.

History: 1983 AACCS.