

DEPARTMENT OF AGRICULTURE

FAIRS, EXHIBITIONS AND RACING DIVISION

REGULATION NO. 820. MICHIGAN-BRED PARI-MUTUEL RACES

(By authority conferred on the director of the department of agriculture by section 20 of 1995 PA 279, MCL 431.320)

R 285.820.1 Definitions.

Rule 1. As used in these rules:

- (a) "Commissioner" means the Michigan state racing commissioner.
- (b) "Department" means the Michigan department of agriculture.
- (c) "Director" means the director of the department or his or her designee.
- (d) "Licensed racing association" means an association licensed by the commissioner to conduct standardbred horse races in this state.
- (e) "M.H.H.A." means the Michigan harness horsemen's association.
- (f) "Michigan-bred horse" means a horse that is from a registered standardbred mare, which is owned exclusively by a resident or residents of this state at the time of conception.
- (g) "Michigan-sired standardbred horse" means a standardbred horse that satisfies any of the following provisions:
 - (i) The first foal per year, with the exception of twins carried to term by the natural mother, which is from a Michigan-owned standardbred mare at the time of breeding and which is sired by a Michigan-owned or leased stallion, duly registered with the fairs, exhibitions and racing division.
 - (ii) The first foal per year with the exception of twins carried to term by the natural mother, from a mare which was owned exclusively by a resident or residents of this state at the time of conception and which was conceived outside this state by means of transported semen from a standardbred stallion that was registered with the department.
 - (iii) The first foal per year, with the exception of twins carried to term by the natural mother, from a mare which was owned exclusively or in part by a nonresident of this state at the time of conception and which was conceived outside the state of Michigan by means of semen transported from a standardbred stallion that was registered with the department if, by November 1 of the year in which the foal is conceived, the transport fee is paid to the department's agent.
- (h) "Offending horse" means a horse that causes a disruption or an accident in a race.
- (i) "Registered stallion" means a stallion that was registered, on forms provided by the director, with the department, by January 1 each year in which the stallion will be standing at service in this state from January 1 to July 31 of the calendar year in which it is registered. A newly acquired stallion, which has not been in this state for breeding purposes before January 1 of a given year and which has not serviced any mares after December 31 of the preceding year shall be registered with the department before servicing any mares if its foals are to be eligible for Michigan tax-supported races. Transportation of semen from a registered stallion to a location outside this state does not affect the eligibility of a Michigan-sired standardbred foal for purses provided for in this rule.

History: 1979 AC; 1983 AACS; 2002 AACS; 2004 AACS.

R 285.820.1a Eligibility

Rule 1a. A horse shall be a Michigan-bred or a Michigan-sired standardbred horse and meet the established conditions of the race, in order to be eligible to race in any Michigan-bred pari-mutuel race, which is supplemented with state funds.

History: 2004 AACS.

R 285.820.2 Michigan-bred foals eligible for nomination to Michigan-bred races; racing divisions.

Rule 2. (1) The first Michigan-bred foals eligible to be nominated for these Michigan-bred pari-mutuel races shall be Michigan-bred foals born in the official 1975 United States trotting association foaling year.

(2) In 1979 and thereafter, the foals in subrule (1) of this rule shall be raced as Michigan-bred 4-year-olds as follows:

- (a) Michigan-bred 4-year-old horse, gelding trot.
- (b) Michigan-bred 4-year-old mare trot.
- (c) Michigan-bred 4-year-old horse, gelding pace.
- (d) Michigan-bred 4-year-old mare pace.

History: 1979 AC; 2002 AACS; 2004 AACS.

R 285.820.3 Fees and nominations.

Rule 3. (1) The M.H.H.A. shall be the holding agent for all fees collected.

(2) The host licensed racing association shall disburse purse money pertaining to the Michigan-bred pari-mutuel races.

(3) To assist the director to determine the fees and conditions of the races to be run, an advisory panel is established and shall consist of the following 6 persons:

- (a) The president, or his or her designee, of the Michigan harness horsemen's association.
- (b) The president, or his or her designee, of the Michigan standardbred horse breeders association.
- (c) The Michigan racing commissioner, or his or her designee.
- (d) The president, or his or her designee, of the northern fairs and racing association.
- (e) A representative of the pari-mutuel harness race meet licensees.
- (f) A member of the department who is designated by the director shall act as chair of the committee.

History: 979 AC; 1995 AACS; 2004 AACS.

R 285.820.4 Application and designation of host tracks.

Rule 4 (1) A licensed racing association requesting state funds for payment of Michigan-bred pari-mutuel race purses shall submit a properly completed application to the racing commissioner.

(2) The racing commissioner shall designate annually at which pari-mutuel track the pace and trot shall be held.

(3) If because of unfavorable weather or other unavoidable circumstances the Michigan-bred pari-mutuel races are postponed, then the races may be rescheduled at the discretion of the director of agriculture or the racing commissioner.

History: 1979 AC; 2004 AACS.

R 285.820.5 Elimination plans for Michigan-bred pari-mutuel races.

Rule 5. Elimination heats shall be raced pursuant to the United States trotting association rules unless published in the conditions of the race and approved by the director.

History: 1979 AC; 1983 AACS; 2002 AACS.

R 285.820.6 Purse distribution.

Rule 6. (1) Each purse in the Michigan-bred pari-mutuel races that have 5 or more starters shall be divided as follows: 50%-25%-12%-8%-5%. If there are fewer than 5 starters, then all uncontested money shall be paid to the winner. If there is a premium or premiums for which a horse has started, but was unable to finish due to an accident, all unoffending horses that did not finish will share equally in the premiums. However, if there are fewer unoffending horses failing to finish than there are premiums for which horses have started but have not finished, then the number of premiums in excess of the number of unoffending horses not finishing shall go to the winner.

History: 1979 AC; 2002 AACS; 2004 AACS.

R 285.820.7 Ineligibility of person or entity to participate in future Michigan-bred pari-mutuel race programs.

Rule 7. A person or entity wilfully falsifying any documents required by these rules or wilfully accepting and retaining any purse monies contrary to these rules shall be ineligible to participate in any future Michigan-bred pari-mutuel race programs under the provisions of these rules.

History: 1979 AC.