

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE RACING COMMISSION

In the Matter of the Proposed Rules of the
Minnesota Racing Commission Governing
Horse Racing

**ORDER ON REVIEW OF
RESUBMITTED RULES UNDER
MINN. STAT. § 14.26, SUBD. 2**

The Minnesota Racing Commission sought review and approval of the above-entitled rules, which were adopted by the agency without a hearing. Review and approval is governed by Minn. Stat. § 14.26 (2014).

On April 17, 2015, the Office of Administrative Hearings received the documents that must be filed by an agency under Minn. Stat. § 14.26 (2014) and Minn. R. 1400.2310 (2013), for approval of a rule without a public hearing.

In her Order dated May 1, 2015, Administrative Law Judge Ann C. O'Reilly determined that the proposed rules included defects and disapproved Parts 7877.0175, subp. 8; 7890.0100, subp. 7a; and 7890.0110, subp. 12, item C. By way of an Order dated May 1, 2015, the Chief Administrative Law Judge concurred in that conclusion.

On May 25, 2015, the Commission resubmitted its revised proposed rules, incorporating a number of the recommendations offered by the Administrative Law Judge, but not incorporating all of the Administrative Law Judge's recommendations. The revised proposed rules were resubmitted for approval by the Chief Administrative Law Judge, pursuant to Minn. Stat. §§ 14.16, subd. 2; .26, subd. 2 (2014).

Based upon the submissions and rulemaking record,

IT IS HEREBY ORDERED:

1. The Commission has the statutory authority to adopt the rules.
2. The rules were adopted in compliance with all procedural requirements of Minnesota Statutes, chapter 14, and Minnesota Rules, chapter 1400 (2014).
3. Revised rule Parts 7877.0175, subp. 8; 7890.0100, subp. 7a are **APPROVED**.
4. All other parts of the rule were approved for legality under the terms of the May 1, 2015 Order.

5. None of the revisions of the rules made after publication of the proposed rules in the *State Register* on March 9, 2015, modified the rules in a way that makes them substantially different, as determined under Minn. Stat. § 14.05, subd. 2.

6. Accordingly, the proposed rules, as modified on May 26, 2015, are hereby **APPROVED.**

Dated: June 2, 2015



TAMMY L. PUST
Chief Administrative Law Judge