

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE RACING COMMISSION

In the Matter of the Proposed  
Amendments to Rules Governing Horse  
Racing, Minnesota Rules, 7869  
Definitions; 7871 Televised Racing Days;  
7873 Pari-Mutuel Rules; 7875 Facilities &  
Equipment; 7877 Class C Licenses; 7878  
Security Officers; 7883 TB/QH Races; and  
7884 Harness Races

**ORDER ON REVIEW OF  
RULES UNDER  
MINN. STAT. § 14.26**

The Minnesota Racing Commission (Commission) is seeking review and approval of the above-entitled rules, which were adopted by the agency pursuant to Minn. Stat. § 14.26 (2014). On June 11, 2015, the Office of Administrative Hearings (OAH) received the documents that must be filed by the Commission under Minn. Stat. § 14.26 and Minn. R. 1400.2310 (2013). Based upon a review of the written submissions and filings, Minnesota Statutes, Minnesota Rules, and for the reasons in the Memorandum that follows,

**IT IS HEREBY ORDERED:**

1. The Commission has the statutory authority to adopt the rules.
2. The rules were adopted in compliance with the procedural requirements of Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400 (2014).
3. The record demonstrates the rules are needed and reasonable.
4. The rules are **APPROVED**.

Dated: June 25, 2015

s/James E. LaFave  
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JAMES E. LAFAVE  
Administrative Law Judge

## MEMORANDUM

On June 24, 2015, the Commission filed an Amended Certificate of Mailing and Emailing the Request for Comments and Giving Additional Notice Under the Additional Notice Plan (Amended 6/23/15).<sup>1</sup> The Amended Certificate was filed to correct a typographical error.

Minn. Stat. § 14.15, subd. 5 requires an administrative law judge to disregard an error or defect in the proceeding due to an “agency’s failure to satisfy any procedural requirement” if the administrative law judge finds “the agency has taken corrective action to cure the error” and “that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process.” In this case, the original Certificate contained an incorrect date. The Amended Certificate merely rectified that typographical error. The error did not deprive any person or entity from participating in the rulemaking process. For these reasons, the procedural error was a harmless error under Minn. Stat. § 14.14, subd. 5 (2).

**J. E. L.**

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<sup>1</sup> See Minn. R. 1400.2310 (H).