

DEPARTMENT OF AGRICULTURE
FINANCE AND TECHNOLOGY DIVISION

REGULATION NO. 815. STATE AID FOR REGISTERED LIGHT HORSE RACES AT FAIRS

(By authority conferred on the director of agriculture by section 13 of Act No. 27 of the Public Acts of 1959, as amended, being S431.43 of the Michigan Compiled Laws)

R 285.815.1 Definitions.

Rule 1. As used in these rules:

- (a) "Department" means the Michigan department of agriculture.
- (b) "Director" means the director of the department.
- (c) "Domicile" means the fixed, permanent, and principal home to which a person intends to return.
- (d) "Fair" means a county, district, community, or 4-H fair; the Upper Peninsula state fair; and any other state fair in Michigan which has been approved by the director to conduct light horse races during the fair.
- (e) "Jockey" means the race rider.
- (f) "Purse offered" means the purse requested by the fair association at the time of application to the department for purse funds.
- (g) "Race" means a race started in a field of horses from a starting gate.
- (h) "Registered light horse" means any of the following recognized light horse or pony breeds:
 - (i) Appaloosa.
 - (ii) Arabian.
 - (iii) Half-Arabian.
 - (iv) Morgan.
 - (v) Paint.
 - (vi) Palomino.
 - (vii) Pinto.
 - (viii) Quarter horse.
 - (ix) Thoroughbred.
 - (x) Ponies of the Americas.
 - (xi) Shetland.
 - (xii) Hackney.
- (i) "State allocation" means money allocated by the director from state funds for a race conducted by a fair.

History: 1979 AC; 1981 AACS.

R 285.815.1a Determination of domicile.

Rule 1a. Factors to be considered in determining domicile are as follows:

- (a) Voting registration or alien registration showing a Michigan address.
- (b) Federal income tax return showing a Michigan address.
- (c) State income tax return showing a Michigan address.

History: 1979 AC; 1981 AACS.

R 285.815.2 Applications for state aid.

Rule 2. (1) A fair desiring state aid for light horse races shall file its annual registered light horse racing program with the fairs and racing division of the department by February 1 of each year for approval by the director.

(2) The light horse racing association desiring state aid at fairs shall file their current rules of racing with the fairs and racing division by February 1 of each year for approval by the director. These rules shall be signed by the president and secretary of each breed association racing under these rules.

(3) Any change relating to the conditions of a race shall be approved by the department before the race.

History: 1979 AC; 1981 AACS.

R 285.815.3 Presiding judges.

Rule 3. (1) The department shall hire, with the approval of the racing commissioner, the presiding judges for registered light horse races conducted at a fair. Only judges approved by the director and the racing commissioner shall preside at registered light horse races at a fair.

(2) Before March 1 of each racing year, a registered light horse association shall provide the director with a list of qualified judges for their breed.

(3) The director shall assign the presiding judges to the fairs which conduct registered light horse racing.

(4) The presiding judge shall approve associate judges and timers at each fair race meet and shall rule on the validity of horses scratched at the fair to which he or she is assigned.

(5) The presiding judge shall assure that all department rules and breed association rules pertaining to registered light horse racing are properly carried out at the race meet where he or she is assigned.

History: 1979 AC; 1981 AACS.

R 285.815.4 Track maintenance; track equipment; head and saddle pad numbers.

Rule 4. (1) A race track over which registered light horse races are conducted shall be maintained so as to make registered light horse racing safe. The track shall be adequately drained, shall be kept in a smooth condition during the races, and shall be sprinkled between races when necessary. The track condition shall be approved by the presiding judge or, in his or her absence, by a representative of the director before any races are conducted over it if purses are paid in part by funds allocated under these rules.

(2) A multiple stall starting gate (8 or 10 stall) and starter approved by the director shall be used in a registered light horse race.

(3) A fair shall use a photographer and photo finish equipment approved by the director for a registered light horse race.

(4) A registered light horse race entry shall be provided with a saddle pad and either a head number or armband or both.

History: 1979 AC; 1981 AACS.

R 285.815.5 Allocations of state aid; "certificate of eligibility" defined.

Rule 5. (1) Allocations to a fair for purses for registered light horse races shall be made by the director as prescribed by law. The department shall pay a sum of not more than 75% of the purse offered, but not more than \$450.00 for each race.

(2) A horse with a Michigan-bred certificate of foal eligibility shall receive first priority to enter light horse races paid in part or full by state funds, if the Michigan-bred horse conforms to all conditions written for the race. A "certificate of eligibility," as used in this subrule, means a document which certifies that a thoroughbred horse meets the eligibility requirements of R 285.810, that a quarter horse meets the eligibility requirements of R 285.817, or that an Appaloosa meets the eligibility requirements of R 285.819. All other registered light horses listed in R 285.815.1(h) as owned or leased by a person who is domiciled in Michigan shall also receive first priority to enter a light horse race paid in part or full by state funds, if the horse conforms to all conditions written for the race.

History: 1979 AC; 1981 AACS.

R 285.815.6 Purse distribution.

Rule 6. A purse for a registered light horse race at a fair, which is paid in part or full by state funds, shall be divided as follows:

| | | | | | | | | | |
|-----------|-------------------|-----------|-----------|-----------|---------------------------|-----|-----|-----|-----|
| 1st Place | 2nd Place | 3rd Place | 4th Place | 5th Place | (a) Five or more starters | 45% | 25% | 15% | 10% |
| 5% | (b) Four starters | 50% | 25% | 15% | 10% | | | | |

History: 1979 AC; 1981 AACS.

R 285.815.7 Split races.

Rule 7. A fair conducting a split race shall not receive an additional state allocation to that race.

History: 1979 AC.

R 285.815.8 Entries.

Rule 8. (1) Entries shall be made in the following manner:

(a) Entries shall be accepted within 2 weeks before race day.

(b) Post positions shall be drawn 1 week before race day.

(c) An entry made after post positions are drawn shall assume the post position of the entry that was withdrawn.

(d) An entry not drawn into the race because of more horses entered than the stalls in the starting gate shall receive a "preference" as defined in the current registered light horse racing rules on file with the fairs and racing division.

(2) If 5 horses are not entered for a scheduled race at closing time 1 week before the race, a substitute race may be scheduled.

(3) Four or more registered light horses are required to start a race, except for stake races.

History: 1979 AC; 1981 AACS.

R 285.815.9 Racing rules for specific breeds.

Rule 9. A registered light horse breed association shall file with the director the current rules of racing for its programs for registered horses, and shall conduct any registered light horse races receiving any state funds under these rules, except where state law or rule provides otherwise.

History: 1979 AC.

R 285.815.10 Jockeys' use of alcoholic beverages.

Rule 10. A jockey shall not ride in a registered light horse race at a fair, whose purse is paid in part or full by state funds, while under the influence of alcohol. A jockey shall submit to a breath analyzer test when directed by a representative of the director, and if the results show a reading of more than 0.05% of alcohol in the blood, the person shall not be permitted to ride and shall be in violation of these rules.

History: 1979 AC.

R 285.815.11 Illegal use of drugs.

Rule 11. It is illegal to administer, internally or externally, a drug of a nature that could affect or alter the performance of a horse in a registered light horse race where state funds are used for any portion of purses offered.

History: 1979 AC; 1981 AACS.

R 285.815.12 Definition of drugs.

Rule 12. As used in these rules, "drug" means:

(a) Any article recognized or for which the standards or specifications are prescribed in the official compendium consisting of the United States pharmacopeia, homeopathic pharmacopeia of the United States or national formulary and supplements in effect on the effective date of these rules.

(b) Any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals.

(c) Any article, other than food, intended to affect the structure or function of the body of man or other animals.

(d) Any article intended for use as a component of any article specified in subdivisions (a), (b) or (c), but does not include devices or their components, parts, or accessories.

History: 1979 AC.

R 285.815.13 Collection of samples.

Rule 13. Saliva and urine samples may be obtained by the director from any horse entered in a registered light horse race. The director or his representative may request the fair association to furnish necessary help to obtain saliva and urine samples. The department will pay the help at pre-established rates. Failure to provide sufficient help when requested shall result in forfeiture of all rights to state aid to the fair for these contests. The owner, trainer, groom, or other responsible representative of the owner shall be present when a saliva or urine specimen is taken from the animal, and shall remain until the sample is sealed in his presence. The official sample tag attached to the specimen shall be signed by the owner, trainer, groom, or other representative, as witness of the taking of the specimen. Refusal or failure to sign the sample tag will in no way affect the validity of the specimen. Willful failure to be present at or refusal to allow the taking of a specimen, or any act or threat to impede or prevent or otherwise interfere therewith, is a violation of these rules. The saliva and urine samples shall be analyzed in the laboratories of the department. The presence of a drug in the chemical analysis of saliva or urine samples shall be prima facie evidence that the drug has been administered to the animal.

History: 1979 AC.

R 285.815.14 Devices.

Rule 14. An electrical, mechanical, or other device shall not be used for the purpose of stimulating or depressing an animal or affecting his speed or ability in a race. A person shall not have such a device in his possession where state funds are used for any portion of the purses offered. However, an ordinary whip may be used in a registered light horse race.

History: 1979 AC.

R 285.815.15 Hearings.

Rule 15. If a provision of these rules or any other rule or state law applicable to a registered light horse race program is violated, the director shall notify the horse's owner of the violation and shall hold a hearing thereon within 30 days after the date the violation occurred. The owner or his or her representative may appear and be heard. From testimony taken, the director shall render a decision on the eligibility of the owner, his or her representative, the animal, or any of them, pertaining to the race in which the provision was violated, to participate in state funds paid at any future registered light horse race at a fair. A suspension from a pari-mutuel track shall be honored at a fair.

History: 1979 AC; 1981 AACS.

R 285.815.16 Final reports; preservation of records.

Rule 16. (1) Within 15 days after completion of a registered light horse race program, an association shall submit to the director originals of judges' sheets signed by the presiding judge, a sworn statement on forms provided by the director, and a copy of the printed race program indicating the order of finish of the horses.

(2) The association shall supply the director with any additional information required in the auditing of the report.

(3) Association records pertaining to the payment of purses shall be kept for use by the state auditors for not less than 4 years.

History: 1979 AC; 1981 AACS.