

THE STATE HORSE RACING COMMISSION MEETING MINUTES

MARCH 29, 2022

A public business meeting of The State Horse Racing Commission was held at the following date, place and time: In-Person PDA Room 309 and Via Telephonic Conference Call on Tuesday, March 29, 2022 at 1:00 P.M.

Commissioners in attendance: Chairperson Cook, Darryl Breniser, Salvatore DeBunda, Dr. John Egloff, Thomas Ellis, Russell Jones, Robert Lark, C. Edward Rogers and Dr. Corinne Sweeney. Also present was Assistant Counsel Marija Kuren. Michelle Ruddy was not in attendance.

ANNOUNCEMENTS

A quorum of the Commission being present, Chairperson Cook called the meeting to order. Chairperson Cook noted that the meeting was properly advertised in accordance with the Sunshine Law. By way of notice, the Commission conducted an executive session to engage in quasi-judicial deliberation to be adjudicated at the public meeting and engaged in attorney client privilege communication.

Chairperson Cook welcomed everyone to the meeting.

PUBLIC MEETING

1.) MINUTES OF THE FEBRUARY 29, 2022 Meeting as emailed to the Commissioners for their review in advance of the meeting.

Motion By: Commissioner Ellis
Second By: Commissioner Lark
Decision: Passed by unanimous vote.

PRESENTATIONS

2.) RACING FUND FEBRUARY FINANCIAL REPORT – presented by Tracee Gotwalt. Ms. Gotwalt provided a detailed financial analysis of the State Racing Fund, Commission and Testing Revenues and Expenses, Promotional Expenditures, a Comparative to FY 20/21 and an overview of the Breed-specific funds for the month of February.

3.) AmWest Entertainment, LLC-SPMO Presentation-presented by Nelson Clemmens. Mr. Clemmens advised the Commission that he is the founder and CEO of AmWest and is submitting an application to become a SPMO provider in Pennsylvania. Nelson provided an overview of the company focusing on the development of AmWest and the current status of the company. He informed the Commission of the significant innovations and advancement with their on-line wagering platform. Mr. Clemmens responded to questions from the Chair, other Commissioners and the public.

4.) Penn National Jockey Presentation-presented by Andrew Wolfson & Dana Whitney. Mr. Wolfson made some general comments regarding HISA and spoke directly of open safety issues at Penn National. Mr. Wolfson stated that the safety rail needed to be replaced and has been in talks with management. Penn management had advised the jockey's that a resolution would occur once HISA regulations were finalized. He proceeded to discuss the track surface, winter racing and the need for on-going communication and cooperation. He stated at this time there were no major complaints, simply wished to bring the issues to the Commission's attention. Mr. Whitney spoke of the need to hire additional gate starters to increase field size. The final issue Mr. Whitney raised was riding crop penalty. He believes that the penalty is being overused and not fairly distributed. Although, he did state that the regulation has improved safety with fewer incidents. Mr. Johnston advised the Commission that there have been and will be continuing discussions to resolve open issues with the jockeys. The Thoroughbred Bureau Director advised the Commission that he would take Mr. Whitney's crop penalty comments under advisement.

ADMINISTRATIVE ACTIONS

5.) Motion to approve the Simulcast Calendars for April 2022 for Harrah's Philadelphia, Mohegan Sun at Pocono Downs and The Meadows.

Motion By: Commissioner Sweeney
Second By: Commissioner Breniser
Decision: Passed by unanimous vote.

6.) Motion to approve the Simulcast Calendars for April 2022 for Parx, Penn National and Presque Isle Downs.

Motion By: Commissioner Ellis
Second By: Commissioner DeBunda
Decision: Passed by unanimous vote.

7.) Motion to approve Hollywood Casino at The Meadows request to change the 1st race post time to 5:10 PM on the following (18) Friday live racing dates from May 2022 through September 2022:

May 6; May 13; May 20; May 27; June 3; June 10; June 17; June 24; July 1; July 8; July 15; July 22; July 29; August 5; August 12; August 19; August 26; Sept 2.

Motion By: Commissioner Lark
Second By: Commissioner Jones
Decision: Passed by unanimous vote.

LICENSING

8.) Motion to approve AmWest Entertainment LLC as a SPMO Vendor (Docket No. 2022-06).

Motion By: Commissioner Ellis
Second By: Commissioner Sweeney
Decision: Passed by unanimous vote.

INDUSTRY REPORTS

9.) General Reports

Director Salerno indicated Director Chuckas had two items to address.

Director Chuckas reported the bureaus conducted 168 Out of Competition Tests in the last 30 days, 26 tests at the Meadows, 70 at the training centers near Pocono (Silver Springs & Wind Gap), and 72 at Parx. The second issue focused on the Commission's Equine Safety and Welfare Actions and the current status. Mr. Chuckas informed the Commission that the Hot-Line received 8 calls. Three calls have been investigated and resolved, and 5 are currently pending under investigation.

Director Salerno recognized the following Industry participants for their reports:

- Scott Lishia, Meadows, updated the Commission on the reasons for the Friday post-time changes. The Meadows is attempting to utilize new areas of the track to provide enhanced F/B, and other entertainment options, music being one. The track is also planning on placing a food truck on the apron and a rodeo for July 3rd. The goal is to improve the customer's experience.
- Mike Zullinger, Mohegan Sun Pocono Downs, advised the Commission that Pocono's handle is slightly down for the first 14 days due to the weather. Pocono lost 3 days due to inclement weather.
- Joe Wilson, Parx, reported that Parx that the racing programs for March 7th, 8th and 9th were negatively impacted by the quarantine at Parx. The track had 76 scratches over the 3 days. That said, the track still managed to handle in excess of \$12 million for the week. In addition, the quarantine has been lifted.
- Barry Brown, Harrah's Philadelphia, advised the Commission opening day is April 3rd.
- Jeff Matty, PTHA, stated that the quarantine is over and grateful to all parties for adhering to the quarantine protocols. He also advised that the PTHA will be conducting a golf outing on April 28th. Please contact him for additional information.
- Matt Ennis, PID, reported that planning is in process for the 2022 live race season with a start date of May 16th. PID is planning to open the backstretch April 18th. The track and the staff is meeting to review the Equine Safety and Welfare protocols.

- Brian Sanfratello, PHBA, reviewed the Breeders handout focusing on slot revenue and other key areas. The PHBA banquet this year will be May 13th at the Inn at Mendenhall which is in Chadds Ford. Contact him for additional details.

PUBLIC COMMENT

Dr. Langlois requested the Commission review the Stewards interpretation of disqualifications and switch making their rulings from Category 2 to what is known as Category 1. Dr. Langlois will be forwarding the proposed recommended language to the Bureaus.

ANNOUNCEMENTS

Chairperson Cook announced that the next meeting will be held on Tuesday, April 26, 2022. The Meeting location is to be determined.

- Executive Session 11:00 A.M.
- Regular Session 1:00 P.M.

ADJOURNMENT

The meeting was adjourned at 2:00 P.M.

Respectfully submitted,

Thomas F. Chuckas Jr.
Bureau Director
Bureau of Thoroughbred Horse Racing

Anthony Salerno
Bureau Director
Bureau of Standardbred Racing