

THE STATE HORSE RACING COMMISSION MEETING MINUTES

NOVEMBER 30, 2021

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, November 30, 2021 at 1:00 P.M.

Commissioners in attendance: Chairman Redding, Darryl Breniser, Salvatore DeBunda, Dr. John Egloff, Thomas Ellis, Russell Jones, Robert Lark, C. Edward Rogers, Michele Ruddy and Dr. Corrinne Sweeney. Also present were Commission Counsel Jorge Augusto and Marija Kuren.

ANNOUNCEMENTS

A quorum of the Commission being present, Chairman Redding called the meeting to order. Chairman Redding 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.

Chairman Redding welcomed everyone.

PUBLIC MEETING

1.) MINUTES OF THE October 26, 2021 Meeting. No action taken.

PRESENTATIONS

2.) RACING FUND October FINANCIAL REPORT – presented by Jason Dunsavage. Mr. Dunsavage 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 October.

3.) SBA Marketing Report - presented by Mike Simpson, Ashley Eisenbeil and Stu Kirshenbaum. Mr. Simpson reported that the Standardbred Sale in November at the Farm Show was a tremendous success. The sale had the second highest gross sales in the auction's 82 -year history at almost \$70 million. In addition, the sale had the highest average price of all time at \$ 53,527. All parties were extremely happy that the sale returned to the Farm Show complex. Mr. Kirshenbaum reported that the goal is to build the brand and enhance the Breeding program's image. Efforts were focused on a robust broadcast and marketing campaign and enhanced social media platforms. Stu also reviewed SBA videos with the Commissioners. Ashley Eisenbeil discussed the Wager Warrior program and the PHRA/SBA partnership in this campaign. The results have been successful both on-line and in person. The fans appreciate the information and are engaged.

4.) PHBA Marketing Report - presented by Brian Sanfratello and Stu Kirshenbaum. Mr. Sanfratello reported the goal is to use grant dollars to get our message across to those who

make the breeding decisions in PA, in the mid-Atlantic region and across the US. Our program is considered the best for breeding and racing incentives. The Breeders utilize 3 outlets to promote their message. The three are TVG, Steve Byk radio and the Thoroughbred Daily News. Mr. Kirshenbaum began his presentation with a review of videos made for PHBA distribution. Mr. Kirshenbaum outlined efforts undertaken with their partners to promote the program and highlighted the positive results.

ADMINISTRATIVE ACTIONS

5.) Motion to approve the 2022 PA Commission Meeting Schedule.

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

6.) Motion to approve the Simulcast Calendars for December 2021 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.

7.) Motion to approve the Simulcast Calendars for December 2021 for Parx, Penn National and Presque Isle Downs.

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

Motion to approve Operational Matters for Licensed Racing Entities:

8. Operational Approvals for Penn National:

- i. Requests approval on 150 Live Race Days in 2022 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2022 as submitted and filed with the Commission office.
- iii. Requests approval on Take out Rates for 2022 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2022 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2022 as submitted and filed with the commission office.
- vi. Requests approval on Simulcast Out for 2022 as submitted and filed with the Commission office.

Motion By: Commissioner Rogers
Second By: Commissioner Ellis
Decision: Passed by unanimous vote

9. Operational Approvals for Parx:

- i. Requests approval on 151 Live Race Dates for 2022 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2022 as submitted and filed with the Commission office.
- iii. Requests approval on Take out Rates for 2022 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2022 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2022 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2022 as submitted and file with the Commission office.

Motion By: Commissioner DeBunda

Second By: Commissioner Jones

Decision: Passed by unanimous vote.

10. Operational Approvals for The Meadows:

- i. Requests approval on 183 Live Race Dates for 2022 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2022 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2022 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2022 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2022 as submitted and filed with the Commission office.
- vi. Request approval on Simulcast Out for the 2022 as submitted and filed with the Commission office.

Motion By: Commissioner Sweeney

Second By: Commissioner Lark

Decision: Passed by unanimous vote.

11. Operational Approvals for Mohegan Sun at Pocono Downs:

- i. Requests approval on 136 Live Race Dates for 2022 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2022 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2022 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2022 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2022 as submitted and filed with the Commission office.

- vi. Requests approval on Simulcast Out for 2022 as submitted and filed with the Commission office.

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

12. Operational Approvals for Harrah's Philadelphia:

- i. Requests approval on 130 Live Racing Dates for 2022 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2022 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2022 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2022 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2022 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2022 as submitted and filed with the Commission office.

Motion By: Commissioner Rogers
Second By: Commissioner Ruddy
Decision: Passed by unanimous vote.

LICENSING

13.) Motion to approve the annual Racing Vendor license for American Teletimer Corporation, Docket No. 2021-21:

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

14.) Motion to approve the Electronic Wagering Petitions for 2022 for the following organizations:

- Chester Down and Marina, LLC (d/b/a Harrah's Philadelphia Casino & Racetrack) 2021-17
- Downs Racing, LP (d/b/a Mohegan Sun Pocono) 2021-15
- Mountain Laurel Racing, Inc. and Washington Trotting Association, LLC (d/b/a The Meadows Racetrack & Casino) 2021-19
- Bensalem Racing Association, Inc. & Keystone Turf Club, Inc. (d/b/a Parx Racetrack & Casino) 2021-16
- Mountainview Thoroughbred Racing Association, LLC & Penn National Turf Club, LLC 2021-18

Motion By: Commissioner Sweeney

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

ADJUDICATIONS

Marija Kuren

15.) Motion to affirm the Stewards ruling in the matter of Ronald Harrison Jr, Appeal No. 20052PI, to disqualify the horse Iron H and redistribute the purse.

Motion By: Commissioner Ellis
Second By: Commissioner Sweeney
Decision: Motion passed.

Affirmed by: Commissioner's Breniser, DeBunda, Egloff, Ellis, Lark, Sweeney.

Opposed by: Commissioner's Rogers and Jones.

Abstained: Commissioner Ruddy

16.) Motion to affirm the Stewards ruling in the matter of Randall Russell, Appeal No. 20030PI, to disqualify the horse Whiskey Dash and redistribute the purse.

Motion By: Commissioner Ellis
Second By: Commissioner Sweeney
Decision: Motion passed.

Affirmed by: Commissioner's Breniser, DeBunda, Egloff, Ellis, Lark, Sweeney.

Opposed by: Commissioner's Rogers and Jones.

Abstained: Commissioner Ruddy

INDUSTRY REPORTS

17.) General Reports

Director Salerno recognized the following Industry participants for their reports:

- Scott Lishia, Meadows, updated the Commission on the Friday night racing experiment. Overall a positive experience and possibly an area the Meadows can build upon. Scott thanked the Commission for approving the requested changes.
- Mike Zullinger, Mohegan Sun Pocono Downs, advised the Commission that Pocono's 2021 season was completed and they are working on 2022.
- Matt Ennis, Presque Isle Downs, informed the Commission that things are relatively quiet at PID and efforts are focused on the 2022 season.

- Joe Wilson, Parx, reported that Parx added \$500,000 in Stake races to be conducted on December 28th and 29th.
- Barry Brown, Harrah's Philadelphia, thanked the PHHA for their cooperation in the schedule modification. In addition, Mr. Brown believed the wagering has been strong and will continue for the balance of the year.
- Eric Johnston, Penn National, reported handle has been trending positively and is optimistic it will continue.
- Brian Sanfratello, PHBA, provided a review of the first of two 2-year- old stake races. The race was well received and well bet. In addition, Brian thanked the Commission for approving the additional \$150,000 grant to UPENN for Bio-Bank and Gene doping research.

18.) PUBLIC COMMENT

Dr. Brian Langlois submitted two requests for the Commissioners consideration. The first is to institute a regulation that mandates a chase vehicle to transport a veterinarian to follow the horses during a race. The second request is to institute a regulation that any horse that flips in such a way that they land on their back, head or side are automatically scratched. The time frame would be from entering the paddock to arriving at the gate.

ANNOUNCEMENTS

Chairperson Redding announced that the next meeting will be held on Tuesday, December 14, 2021. 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 2:27 P.M.

Respectfully submitted,

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

Anthony Salerno
Bureau Director
Bureau of Standardbred Racing