

## **THE STATE HORSE RACING COMMISSION MEETING MINUTES**

**October 25, 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, October 25, 2022, at 1:00 P.M.*

*Commissioners in attendance: Chairman Redding, Darryl Breniser, Salvatore DeBunda, Dr. John Egloff, Thomas Ellis, Russell Jones, C. Edward Rogers, Dr. Corinne Sweeney and Michelle Ruddy, Russell Jones and Robert Lark. Also present was Commission Counsel Jorge Augusto, Standardbred Bureau Director Anthony Salerno, and Thoroughbred Bureau Director Thomas Chuckas.*

### **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 to the meeting.

### **PUBLIC MEETING**

#### **1.) MINUTES OF THE September 27, 2022, Meeting:**

**Motion By:** Commissioner Ellis  
**Second By:** Commissioner Rogers with a correction to item 15  
**Decision:** Passed by unanimous vote.

### **PRESENTATIONS**

**2.) RACING FUND AUGUST 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 September. Commissioner Rogers had a question about the increase in personnel cost and Director Chuckas explained that was due to the Governor expediting the cost of living raise and tenured payments, those cost are usually added in October and November, but they were done in September.

#### **3.) PHRA Marketing Report**

Ashley Eisenbeil and Pete Peterson gave a detailed report on their marketing campaign for 2021 and 2022, and what to look forward to in 2023. Some of the highlights were their use of programmatic digital ads, high-grade TV ads, digital billboards, social media with paid and organic posts, as well as educating and promoting horse racing in Pennsylvania. The PHRA was heavily involved in all 6 racetracks major events throughout the year, including

the Triple Crown races, Penn Mile, Adios, Sun Stakes, Maxie Lee, the Masters Stakes and the Pennsylvania Derby. The team put a strong emphasis on reaching out to elementary schools for an online educational introduction to the foaling and breeding in Pennsylvania. They also partnered with Urban Village Brewery located in Philadelphia, to release a limited-edition themed brew called Chomping at the Bit with the proceeds benefitting after care.

In 2023, PHRA plans to expand their educational programs into the schools as well as the 4 H programs throughout the state. They will continue to do virtual-reality programs, trying to reach out to beer and wine festivals as well as sporting events. Their primary audience is 55 plus but they would like to expand that to customers in their 20's and 30's as well as the Spanish speaking audience. Dawnelle Mock was introduced as the newest member to the PHRA team, she will be the new Director of Digital Content.

### **ADMINISTRATIVE ACTIONS**

#### **4.) Motion to approve the Simulcast Calendars for November 2022 for Harrah's Philadelphia, Mohegan Sun at Pocono and The Meadows**

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

#### **5.) Motion to approve the Simulcast Calendars for November 2022 for PARX, Penn National and Presque Isle Downs.**

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

### **LICENSING & ADJUDICATION**

#### **6.) Licensing Matters:**

##### **Motion to Approve Renewing the Racing Vendors listed below:**

2022-32 – ODS Technologies (d/b/a TVG Network)  
 2022-33 – Gaming and Leisure Properties, Inc.  
 2022-34 – International Sound Corporation  
 2022-35 – Roberts Communication Network, LLC  
 2022-36 – Xpressbet, LLC  
 2022-37 – eBet Technologies, Inc  
 2022-38 – PENN ADW, LLC  
 2022-39 – Global Tote (formerly Sportech Racing, LLC)  
 2022-40 - VICI Properties, Inc  
 2022-42 – Churchill Downs Technology Initiatives Co. (d/b/a TwinSpire)

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

##### **Motion to Approve Renewing the Totalisator Companies listed below:**

2022-43 – AmTote International Inc.  
 2022-44 - Global Tote (formerly Sportech Racing, LLC)  
 2022-45 – United Tote Company

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

**Motion to Approve Renewing the SPMO Company listed below:**

2022-80 – AmWest Entertainment, LLC

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

**ADJUDICATION**

**7.) Appeal of Jose G. Salazar-Martinez, disqualification of the horse “Miracles Sunshine” (Ruling No. 22081PN), Docket NO. RACINGPN-2022-NM-10**

**Motion to Affirm the Decision of the Penn National Stewards:**

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

**INDUSTRY REPORTS**

**8.) General Reports**

Director Chuckas gave an update on the Out of Competition Testing. Since the last Commission Meeting, the staff conducted 45 Test bringing the year-to-date total to 865 samples tested. He also gave an update on the enhanced Safety Initiatives that the Commission implemented back in April, noting that fatalities have dropped significantly. The Equine Hotline has had 79 calls from March to September 30<sup>th</sup>, 75 of them have been cleared and 4 are under further investigation. He also provided the Commission with an update on HISA, while we have had meetings with HISA, there are still many unanswered questions. The staff will continue to cooperate and work with HISA for a positive resolution but the Commission may not be in a position to meet HISA’s self- imposed deadlines.

Director Salerno gave a summary of the Fair’s for 2022. There were a total of 21 fair events and 2.3 million in purses were paid out during those events, with a 10% increase in the number of 2-year-old starters. Ryan is working with the fairs to get there marketing and operational expenses reimbursed and we are already starting to work on next year’s schedule. Director Salerno thanked both Commissioner Breniser and Ryan Kell for all their hard work and dedication to making the fairs such a success this year.

Director Salerno recognized the following Industry participants:

- Scott Lishia, Meadows, reported that the Track has shifted over to their winter schedule, racing Tuesday through Friday, with a 12:45 Post Time. They will continue that schedule throughout the end of the year.
- Mike Zullinger, Mohegan Sun Pocono Downs, was not present but wanted to pass on that there was only 9 race days left to the end of the meet and that they were busy planning for next year's opening.
- Barry Brown, from Harrah's Philadelphia reported that there is a little over 2 months remaining and we are in the final 24 days of our season. Harrah's live schedule will continue through New Year's Eve.
- Joe Wilson from PARX was not in attendance. Director Chuckas informed the Commission that Joe Wilson's wife passed away after a long battle with cancer. The Commission offered its condolences and prayers for the Wilson Family.
- Eric Johnston, Penn National, commented on their efforts to work through the process of getting HISA implemented and the obstacles that lay ahead. He also stated that the PA Dept. of Environmental Protection was out to Penn National for their annual inspection and that everything was in order. He also invited everyone out for "Pink Out Night" in honor and support of the PA Breast Cancer Coalition.
- Sam Beegle, PHHA had no report this month.
- Jeff Matty, PTHA, expressed the organization's deepest condolences to Joe Wilson. He also reported that they have added 5 new Stakes for Thanksgiving Eve, all with \$75,000 purses. They have increased the Maiden Special Pennsylvania bred purse to \$50,000. Eight other PA Restricted races have had significant purse increases, all in an effort to stay competitive with surrounding states programs. Jeff also mentioned the running of the "Mike Belezzi" Mile in honor of the late director of the PTHA.
- Kim Hankins, MSOA, had no report, except to extend his condolences to Joe Wilson as well.
- Matt Ennis, Presque Isle, reported that today they were hosting the PA Breeders Mark McDermott Stakes as well as the H.B.P.A Stakes. Mr. Ennis felt that the 2022 season was a very successful one. Over the weekend they hosted the Canter Showcase which is a very successful after care program for retired horses. Presque Isle's last day of racing will be Thursday October 27, and that the barn area will be closing on November 11. He looks forward to reopening the backside next April for the 2023 season.
- Todd Mosteller, reported to the Commission that on November 2, Tapeta Footings will be at Presque Isle. The purpose of that visit is to grade and pull back the surface all the way to the base. They'll inspect the integrity of the base, make any necessary repairs, and then flip that surface. PID is doing that to ensure that the 2023 meet can get started on a timely basis and make sure that we have, once again, the safest racetrack in the country.

- Mike Simpson, Standardbred Breeders, reminded everyone that the Standardbred Horse Sale will be conducted at the Farm Show from November 7<sup>th</sup> to the 11<sup>th</sup>.

### **PUBLIC COMMENT**

There was no public comment.

### **ANNOUNCEMENTS**

Chairman Redding announced that the next meeting will be held on Tuesday, November 29, 2022, at 1:00 pm. The Meeting location will be Room 309 and on Teams.

- Executive Session 11:00 a.m.
- Regular Session 1:00 P.M.

### **ADJOURNMENT**

**MOTION BY:** Commissioner Ellis  
**SECOND BY:** Commissioner Lark  
**DECISION:** Passed by Unanimous vote

The meeting was adjourned at 2:06 P.M.

Respectfully submitted,

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

Anthony Salerno  
Bureau Director  
Bureau of Standardbred Racing