

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

**FEBRUARY 23, 2021**

*A public business meeting of The State Horse Racing Commission was held at the following date, place and time: Via Telephonic Conference Call on Tuesday, February 23, 2021 at 1:00 P.M.*

*Commissioners in attendance:* Chairman Redding, Darryl Breniser, Salvatore DeBunda, Thomas Ellis, Russell Jones, Robert Lark, C. Edward Rogers, Michele Ruddy, Dr. John Egloff and Dr. Corinne Sweeney were present via telephonic conference call. 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 JANUARY 26, 2021 Meeting** as emailed to the Commissioners for their review in advance of the meeting.

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

### **PRESENTATIONS**

**2.) RACING FUND JANUARY 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 19/20 and an overview of the Breed-specific funds for the month of January 2021.

### **ADMINISTRATIVE ACTIONS**

**3.) Motion to approve the Simulcast Calendars for March 2021 for Harrah's Philadelphia, Mohegan Sun at Pocono Downs and The Meadows.**

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

**4.) Motion to approve the Simulcast Calendars for March 2021 for Parx, Penn National and Presque Isle Downs.**

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

**5.) Motion to ratify the request by Mohegan Sun At Pocono Downs to add a live race day on Monday, February 22,2021.**

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

**6.) Motion to approve Presque Isle Downs modified Live Racing schedule to reduce live racing days from 100 days to 52 days in 2021.**

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

**7.) Motion to adopt a “Resolution” strongly opposing Governor Wolf’s budget proposal to transfer \$199,000,000 dollars from the Horse Race Development Trust Fund, as it will have a negative and disastrous impact not only on the horse racing industry, but the Commonwealth’s agricultural sector, economy and open space.**

**Motion By:** Commissioner Ellis  
**Second By:** Commissioner Jones & Commissioner Egloff  
**Decision:** Passed by unanimous vote.

**INDUSTRY REPORTS**

**8.) General Reports.** Director Salerno recognized the following Industry participants for their reports:

- Joe Wilson, Parx, reported due to poor weather condition, Parx cancelled six live racing programs in February.
- Eric Johnston, Penn National, raised the issue of uncoupling entries and requested the Commission to review the request and resolve.
- Mike Zullinger, Pocono Downs, informed the Commission that Pocono Downs commenced racing and the claims box was active in the first four days with 97 claims with earnings of \$1.6m.
- Sam Beegle, PHHA, and Kim Hankins thanked the Commission for the resolution that opposed the transfer of funds from the RHDTF.
- Brian Sanfratello, PHBA, and Mike Simpson, SBA thanked the Commission for the resolution that opposed the transfer of funds from the RHDTF.

## **PUBLIC COMMENT**

Dr. Langlois presented three questions for the Commission.

1. Dr. Langlois inquired about the Commission's Equine Working Group and its final recommendations: Can an update be given on all the proposed recommendations and if they were implemented? In addition, the group agreed to also have a committee created that would look over every equine fatality that occurred on the racetrack to see if anything could have been done to prevent it. Can an update be provided on where in the regulation process the recommendations stand?

- Director Chuckas responded that the thoroughbred proposals which the Equine Working Group recommended have been completely adopted by the Commission as either a regulation or statement of policy. An itemized list was presented at the meeting and will be included on the website. The Commission adopted the creation of Mortality Review Boards at each racetrack. That requirement was published in October 2019 in the temporary regulations. The Mortality Review Board is operating at all six race tracks. Finally, the Temporary Regulations were published in October 2019 according to the Act. The Temporary regulations are in full force and effect as we continue to correct, modify or add. This process most likely will take another twelve to eighteen months.

2. Can we have an update on where the Out of Competition testing program stands and if testing is still going on? There haven't been many updates on it in the previous meetings.

- Director Chuckas explained that due to Covid-19, the Out of Competition Testing Program was severely limited in 2020. The Commission made that decision based on an abundance of caution in order to best protect the Commission staff, horsemen and breeders. The goal based on the advent of vaccinations would be to restart the program in early summer.

3. Can the website be updated to have the approved minutes from meetings posted? The last posted minutes I see are from January 2020. I don't know if the fact that meetings are now phone meetings is affecting that somehow?

- Director Chuckas advised that the staff would contact the Digital Director to resolve this issue and provide additional information on the web-site specifically the minutes.

## **ANNOUNCEMENTS**

Chairman Redding announced the next meeting will be held on Tuesday, March 30, 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 1:42 P.M.

Respectfully submitted,

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

Anthony Salerno  
Bureau Director  
Bureau of Standardbred Racing