

## THE STATE HORSE RACING COMMISSION MEETING MINUTES

**January 30, 2024**

*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, January 30, 2024 at 1:00 P.M.*

*Commissioners in attendance: Chairwoman Cook, Darryl Breniser, Thomas Ellis, Edward Rogers, Dr. Corinne Sweeney and Michelle Ruddy. Also in attendance Via Teams were Commissioners Russell Jones, Salvatore DeBunda, and Robert Lark. Also present were Standardbred Bureau Director Anthony Salerno, Thoroughbred Bureau Director Thomas Chuckas and Commission Counsel Jorge Augusto.*

### **ANNOUNCEMENTS**

A quorum of the Commission being present, Chairwoman Cook called the meeting to order. Chairwoman 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.

Chairwoman Cook welcomed everyone to the meeting.

### **PUBLIC MEETING**

#### **1.) MINUTES OF THE November 28, 2023, Meeting:**

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

#### **2.) MINUTES OF THE December 19, 2023, Meeting:**

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

### **PRESENTATIONS**

**3.) Racing Fund December Financial Report** – Presented by Tracee Gotwalt. Ms. Gotwalt stated the State Racing Fund had a December 31, 2023, starting balance of \$5.6 million. Revenue was \$2.4 million, and expenditures were \$2 million, bringing the ending cash balance to \$6 million. For the Commission statement, revenue for the month was \$1.7 million, personnel expenditures were \$446,000, operating expenditures were \$96,000 bringing total expenditures for the month to \$542,000.

Race Horse Testing for the month had personnel expenditures of \$362,000 and operational expenditures of \$1,055,000. The total expenditures were \$1.4 million. The transfers from the RHDTF have resumed and \$719,000 was the amount for the month.

In reviewing the Comparative, there was a decrease of 36% in revenue, mostly generated from the RHDTF transfers starting late because the fiscal code was not passed until November. Personnel expenditures were up 6% due to the new Union contract. Operating expenditures were down 30%, the largest portion of that is the administrative admin billing allocation, which has been delayed due to the timing of the fiscal code passage. The Admin billing should be processing near the end of January or the beginning of February making the total expenditures down 14% for the year.

The remaining financial Statements deal with the Restricted Accounts.

Commissioner Rogers asked Ms. Gotwalt to clarify how the transfers from the RHDTF were being processed now that the fiscal code has been passed. Ms. Gotwalt stated that there will be equal payments each month to make up the difference. The funding is not retroactive.

**4.) PTHA Marketing Report** – Presented by PTHA Executive Director Jeff Matty and PTHA Marketing Coordinator Chris Griffin. Mr. Matty stated they have revamped their “Go Racing Parx App” making it more user friendly. Some of the new features include articles by Racing writer Dick Jerardi as well as daily picks by Craig Donnelly, interviews and the latest racing news.

Mr. Matty reported their College Scholarship Day was a huge success with over 75 students in attendance. There was a total of 5 \$1000 scholarships were awarded to 5 lucky students. He thanked Joe Wilson and PARX for co-sponsoring the event.

Chris Griffin spoke about the use of jockey cam during the PA Deby Day races and how well it was received and how they are planning on expanding that in the future. He also talked about the partnership with NBC Sports Philadelphia and the use of Philadelphia Sports personalities as ambassadors for horse racing, such as Dick Jerardi, Keith Jones, Seth Joyner, and numerous other Philadelphia sports personalities. He emphasized the importance of the use of social media such as Facebook, Instagram, and TikTok.

Mr. Matty spoke about the partnership with StableDuel, which is basically fantasy football for horse racing. They believe this an innovative way to attract younger fans and hope to expand on it in the future.

In closing, Mr. Matty referenced Smarty Jones Day being moved to Saturday August 24<sup>th</sup> this year. There will be several Stakes races scheduled for the day with numerous give aways.

Commissioner DeBunda thanked Mr. Matty and his staff for all they do to promote racing at PARX and welcomed Mr. Griffin and thanked him for his tireless efforts.

**5.) HISA Assessment Process Review** – Thoroughbred Director Thomas Chuckas reported on the status of the HISA negotiations. At the beginning of the month, the Commission signed a 60-day extension on the IGA and the Lab Services Agreement. The intent was to ensure that there will be no interruption in racing. The staff continues to work with HISA and HIWU to resolve the outstanding issues.

## **ADMINISTRATIVE ACTIONS**

### **6.) Motion to approve Simulcast Calendars for February 2024, for Harrah's Philadelphia, Mohegan Sun at Pocono Downs, and the Meadows.**

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

### **7.) Motion to approve the Simulcast Calendars for February 2024 for PARX, Penn National and Presque Isle Downs.**

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

### **8.) Motion to approve Presque Isle Downs request to amend its Live Racing Dates by eliminating May 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> and August 8<sup>th</sup> and adding August 22<sup>nd</sup>, 29<sup>th</sup>, September 12<sup>th</sup> and 19<sup>th</sup>.**

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

### **9.) Motion to ratify the Standardbred Director's approval for the Meadows to cancel Live Racing on January 19, 2024 and add Live Racing on January 20, 2024.**

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

## **ADJUDICATIONS**

### **10.) Motion to approve the Vendor License Renewal for American Teletimer Corporation, Docket No. 2023-11**

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

## **INDUSTRY REPORTS**

### **11.) General Reports**

Director Salerno recognized the following Industry participants:

- Scott Lishia, Director of Racing at the Meadows, reported that they lost 2 Live Race days due to the weather and had to move another day from Friday to Saturday. He reported on a survey that the Track conducted with its patrons to try and get some direct feed back from the fan base. Mr. Lishia provided an update on 2023 handle figures stating that the amount patrons were betting

on import signals was up 4%, live on track handle was up 6% and the export handle was up almost 27 %.

Commissioner Rogers suggested that the next time they conduct a customer survey, ask the patrons how they feel about "post time drag", Mr. Lishia said they would.

- Mike Zullinger, Director of Racing Mohegan Sun, Pocono Downs stated we are looking forward to getting our 59<sup>th</sup> racing season underway at Pocono which starts on February 17<sup>th</sup>.
- Barry Brown, Director of Racing Harrah's Philadelphia, had no report.
- David Osojnak, Director of Racing for Parx, reported weather caused Parx to lose 5 Live Race days this month and we had to alter the morning works. He thanked Jeff Matty and Chris Griffin for their presentation earlier and complemented them on all their efforts to promote racing at PARX. Mr. Osojnak reported on a new betting record was set at PARX on the last day of the meet with 6.5 million being wagered on a non-PA Derby day.
- Eric Johnston, Director of Racing Penn National reported that the weather has made it difficult for the last couple of weeks causing several cancellations and numerous scratches, but the numbers are holding up. Eric commented on "post time drag" as well and said he would love to have a conversation about it in the future.
- Mike Harant, Executive Director PHHA, reported that Pocono will be open for training on February 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> weather permitting. Pocono will have its first qualifying race on February 12 and live racing resumes February 17.
- Jeff Matty, Executive Director PTHA, reported that on February 17 PTHA/Parx Racing will host its annual horsemen's awards. It's our 28<sup>th</sup> year doing this and it's always a fun event.
- Kim Hankins, Executive Director of MSOA, introduced Lisa Dunn as the new President of the MSOA. Lisa replaces Rich Gillock after 16 years of service. Rich retired and is having a good time in Florida as we speak.
- Matt Ennis, Director of Racing, thanked the Commission for allowing them to shift 4 days of racing to later in the season which will help them with field size. PID will be posting our open positions for the upcoming 2024 season. We anticipate opening the backside on April 22<sup>nd</sup> and our first day of live racing will be May 20<sup>th</sup>.
- Brian Sanfratello, Executive Director PHBA reported that the revenue transfers to the breeding fund for 2023 is \$16,549,000 and the 25% deposit which I believe the PHBA will be receiving shortly will bring the total amount available to \$18,088,000. Mr. Sanfratello also reported that there are 5 new stallions coming to PA for the 2024 season.
- Todd Mostoller HBPA Executive Director, had no report.
- Mike Simpson, Standardbred Breeders, had no report.

## **PUBLIC COMMENT**

Dr. Bryan Langlois had several requests for the Commission. He asked that the Commission strongly consider creating a regulation that would require a chase vehicle, with a veterinarian mandated to follow the field of horses during the race.

He requested that the Commission consider implementing a rule that any horse from the time it enters the paddock through the time it gets to the starting gate and/or enters the gate, flips in any way and lands on its side, back, or head is automatically scratched by the stewards.

He requested the Commission consider changing the infraction rule for interference from category two to category one. He stated that several jurisdictions are switching to the category one rule.

Dr. Langonis also encouraged the Commission to investigate the Stride Safe program. He strongly suggested that the Commission get StrideSafe sensors on the horses that race in PA. I know there are significant financial concerns, but you have a unique situation in PA with multiple surfaces. While the technology is in its early stages it has shown the ability to identify horses that are at major risk of a catastrophic breakdown before it occurs.

The final item is "post time drag" which is a major topic with the betting public and professional handicappers. It leads to races running on top of each other. I believe this is something the industry needs to address.

## **ANNOUNCEMENTS**

Chairwoman Cook announced that the next meeting will be held on Tuesday, February 27, 2024, 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 Sweeney

**SECOND BY:** Commissioner Ruddy

**DECISION:** Passed by Unanimous vote

The meeting was adjourned at 2:02 P.M.

Respectfully submitted,

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

Anthony Salerno  
Bureau Director  
Bureau of Standardbred Racing