

## THE STATE HORSE RACING COMMISSION MEETING MINUTES

**MARCH 30, 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, March 30, 2021 at 1:00 P.M.*

*Commissioners in attendance: Chairman Redding, Darryl Breniser, Thomas Ellis, Russell Jones, Robert Lark, C. Edward Rogers, Michele Ruddy, Dr. John Egloff were present via telephonic conference call. Commissioner DeBunda and Commissioner Sweeney were not in attendance. 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 February 23, 2021 Meeting** as emailed to the Commissioners for their review in advance of the meeting.

**Motion By:** Commissioner Rogers  
**Second By:** Commissioner Ellis  
**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 19/20 and an overview of the Breed-specific funds for the month of February 2021.

**3.) UPENN/PETRL Quarterly Update** – presented by Dr. Mary Robinson. Dr. Robinson reported to the Commission that UPENN had published five manuscripts and a sixth was pending. Due to Covid-19, most conferences were either cancelled or transitioned to a virtual format in 2020. There were four conferences and one symposium we were able to participate or attend.

**4.) PETRL LIMS Update** – presented by Deb Tsang. Ms. Tsang provided an update on the advantages of the new system and a progress report on training the staff. In addition, she outlined a proposed schedule for implementation and activation.

## **ADMINISTRATIVE ACTIONS**

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

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

### **6.) Motion to approve the Simulcast Calendars for April 2021 for Parx, Penn National and Presque Isle Downs.**

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

### **7.) Motion to approve the request by Mohegan Sun at Pocono Downs to reduce the following Takeout rates effective April 1, 2021:**

- Win, Place & Show: 17% (reduced from 19%)
- Trifecta: 26% (reduced from 30%)
- Superfecta: 26% (reduced from 30%)
- Pick 3: 20% (reduced from 25%)
- Pick 4: 20% (reduced from 25%)

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

### **8.) Motion to ratify the approval to permit the Meadows Racetrack and Casino to eliminate 3 live Race days in the month of April, specifically Tuesday April 6<sup>th</sup>, Tuesday April 20<sup>th</sup> and Tuesday April 27<sup>th</sup>.**

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

### **9.) Motion to ratify the approval to permit Harrah's Philadelphia to revise the Takeout rate as follows: decrease the Trifecta rate to 26% from Motion to ratify the approval 30%; decrease the Superfecta rate to 26% from 32% and increase the Pick Five rate to 18% from 15%.**

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

### **10.) Motion to ratify the approval to permit Harrah's Philadelphia to eliminate the \$2 Minimum Ticket and set the following minimum ticket prices. The new**

**wagering minimum for Superfecta, Super High Five and the Pick 4 and Pick 5 will be .50 cents. The new wagering minimum for the Trifecta and the Pick 3 is \$1.00.**

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

**11.) Motion to ratify the approval for Harrah’s Philadelphia to implement New Carryover Provisions as follows:**

- Superfecta – 100% carryover net pool into next Superfecta Race.
- Super High Five – 100% carryover net pool into next Super High Five Race.
- Pick 3, Pick 4, Pick 5 – 100% carryover net pool into next Pick 3, Pick 4 or Pick 5 Race

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

**12.) Motion to ratify the Notice of Administrative Policy No. 2021-1 published on March 6, 2021 in the *Pennsylvania Bulletin* which expressly bans the use of Lasix in 2-year-old thoroughbred horses and in Graded Stakes Races conducted in Pennsylvania commencing April 1, 2021.**

**Motion to table Item # 12:** Commissioner Ellis  
**Second By:** Commissioner Egloff  
**Decision:** Passed by unanimous vote.

**ADJUDICATIONS**

**13.) Michael J. Dowdall, Appeal Ruling: No. 10056PD, Medication Positive - Dihydroergocristine. Docket No. RACINGPD-2019-M-7.....Marija Kuren**

**a. Motion: Upon consideration of Mr. Dowdall’s Motion to Dismiss, filed on March 29, 2021, the Motion to Dismiss is denied.**

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

**b. Motion to affirm Ruling Number 19056PD issued on August 4, 2019.**

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

## **INDUSTRY REPORTS**

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

- Eric Johnston, Penn National, advised the Commission that Penn Mile Day will be Friday, May 28<sup>th</sup>. Due to Covid, the purse has been reduced to \$300,000.
- Matt Ennis, Presque Isle Downs, informed the Commission that PID is currently in negotiations with the HBPA. The track, in conjunction with the HBPA and the Breeders are trying to determine the best course of action for PID's Graded Stakes races.
- Barry Brown, Harrah's Philadelphia, advised the Commission opening day is Friday April 2<sup>nd</sup>.
- Mike Zullinger, Pocono Downs, thanked the Commission for approving Pocono's takeout reduction request.
- Chris McErlean, Meadows, advised that the Meadows has hired a new Director of Racing, Scott Lishia.
- Todd Mostoller, HBPA, concurred with Matt Ennis that negotiations are continuing and is confident an agreement will be reached. In addition, he advised that the new state of the art video board is being installed at Penn National.
- Russell Williams, SBA, spoke on 3 main topics. The first was the Federal Horse Racing Legislation (HISA). He stated there were many areas of concern including both the Constitutionality and the lack of projected costs. Secondly, he notified the Commission that the USTA was commissioning three genomic studies at the University of California at Davis. The goals are breeding centric. The final topic was an update on the Standardbred Racing Investigative program and fund.
- Brian Sanfratello, PHBA, advised that his organization will be endorsing the Safe Act, which is national legislation prohibiting horse slaughter for human consumption. In addition, the PHBA will be constructing a code of conduct of ethics for individuals registering a horse with his organization.

## **PUBLIC COMMENT**

There were no requests for public comment.

## **ANNOUNCEMENTS**

Chairman Redding announced the next meeting will be held on Tuesday, April 27, 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 1:59 P.M.

Respectfully submitted,

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

Anthony Salerno  
Bureau Director  
Bureau of Standardbred Racing